

ORDINANCE NO. 2957

AN ORDINANCE AMENDING THE PAOLA LAND DEVELOPMENT ORDINANCE, INCLUDING: AMENDING TABLE 3.110A “GENERAL USE TABLE” TO INCLUDE A SUB-SECTION “NEIGHBORHOOD CONSERVATION TABLE 3.110A A1” AND AMENDING “SECTION 03.313 SINGLE FAMILY RESIDENTIAL” AND AMENDING “SECTION 03.321 MULTI-FAMILY RESIDENTIAL”

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

SECTION 1. That the Conditional/Miscellaneous Uses section of Table 3.110 A. ‘General Use Table’ is hereby amended to read as shown:

Residential												
Single-Family Detached	Y	Y	A1	N	Y	Y	C	N		3 / du.	none	na.
Equestrian	Y	N	A1	N	N	N	N	N		3 / du.	none	na.
Single-Family Cluster	Y	Y	A1	N	N	N	C	N		3 / du.	none	na.
Single-Family Attached	N	N	A1	N	Y	Y	N	N		2.25 / du.	none	na.
Guest House	C	C	A1	N	C	C	C	N				
Planned	Y	Y	A1	N	Y	Y	N	N		2.25 / du.	none	na.
Multi-Family	N	N	A1	L	L	L	N	N		2.25 / du.	none	na.
Commercial Apartment	N	N	A1	Y	Y	Y	N	N		1 / du.	none	na.
Manufactured Home Park	N	L	A1	N	L	N	N	N		3 / du.	none	na.
Group Home	Y	Y	A1	Y	Y	Y	N	N		3 / du.	none	na.

A1 - See Table 3.110 A1

Table 3.110 A1. NC-R District Residential Uses

Residential	NC-R1	NC-R2	NC-R3	Parking	Loading	Exterior Storage (% of Building Area)
Single-Family Detached	Y	Y	Y	3 / du.	none	na.
Equestrian	N	N	N	3 / du.	none	na.
Single-Family Cluster	N	N	N	3 / du.	none	na.
Single-Family Attached	N	C	C	2.25 / du.	none	na.
Guest House	C	C	C			
Planned	N	N	N	2.25 / du.	none	na.
Multi-Family	N	N	C	2.25 / du.	none	na.
Commercial Apartment	N	N	N	1 / du.	none	na.
Manufactured Home Park	N	N	N	3 / du.	none	na.
Group Home	Y	Y	Y	3 / du.	none	na.

The remainder of Table 3.110A General Use Table is unchanged.

SECTION 2. That SECTION 03.313 SINGLE FAMILY RESIDENTIAL is hereby amended to read as shown:

SECTION 03.313 SINGLE FAMILY RESIDENTIAL

- A. Single family residential uses in the Business Park district shall meet one of the following standards:
1. The single-family residence shall have been constructed on or before January 1, 1998.
 2. The owner shall hold a valid building permit for new construction that was issued prior to January 1, 1998.
- B. Single family residences in the BP district that qualify for a conditional use permit shall not be considered nonconformities under Article 9 of the Land Development Ordinance.
- C. Single family attached residential uses in the NC-R2 and NC-R3 districts shall only be permitted provided:
1. A site plan is submitted and approved by the Planning Commission and the City Council
 2. Any conditions which the Planning Commission or the City Council deem necessary to ensure the compatibility with the surrounding uses in terms of scale and adherence to the traditional character of Paola are met.

SECTION 3. That SECTION 03.321 MULTI-FAMILY RESIDENTIAL is hereby amended to read as shown:

SECTION 03.321 MULTI-FAMILY RESIDENTIAL

Multi-family residential uses shall meet the following standards.

- A. In the TA District, multi-family residential uses shall only be permitted with a minimum spacing of 1,000 feet between multi-family buildings. No more than 40 dwelling units shall be constructed in any development and shall be no more than two (2) stories tall.
- B. In the D District, multi-family residential uses shall only be permitted with a minimum spacing of 200 feet between multi-family buildings. No more than 20 dwelling units shall be constructed in any development.
- C. In the TA District, multi-family residential buildings that exist prior to January 1, 1998, may be reconstructed if damaged more than 50% of fair market value through fire, explosion, act of God or the public enemy. The intent is to allow the reconstruction of the same number of units that existed on January 1, 1998 notwithstanding any limits on the maximum number of units in a multi-family residential development or with respect to the minimum spacing required between multi-family residential developments. However, the reconstructed units shall conform with all other regulations for buildings in the district in which it is located. (Ordinance 2725, 7/27/99)

D. In the NC-R3 districts, multi-family uses shall only be permitted provided:

1. A site plan is submitted and approved by the Planning Commission and the City Council
2. Any conditions which the Planning Commission or the City Council deem necessary to ensure the compatibility with the surrounding uses in terms of scale and adherence to the traditional character of Paola are met.

SECTION 4. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 5. That this ordinance shall take effect and be in force from and after its passage, approval, and publication in the official city newspaper, as provided by law.

PASSED By the Council this 23rd day of October, 2007

APPROVED By the Mayor this 23rd day of October, 2007.

Artie Stuteville, Mayor

ATTEST: (SEAL)

Daniel G. Droste, City Clerk