

**ORDINANCE NO. 2969**

**AN ORDINANCE AMENDING TABLE 3.110A “GENERAL USE TABLE” AND DIVISION 13.000 “TREE PROTECTION” OF THE PAOLA LAND DEVELOPMENT ORDINANCE.**

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

**SECTION 1.** That Table 3.110A General Use Table of the Paola Land Development Ordinance is hereby amended to allow Conditional Uses Permits for Light Industry, Heavy Industry, Warehousing, Community/Region Utilities, Extraction, Recycling or Storage, and Disposal in the Estate District.

**SECTION 2.** That Division 13.000 Tree Protection of the Paola Land Development Ordinance is hereby amended to add Section 13.300 Street Trees as follows:

**SECTION 13.330 STREET TREES**

- A. A street tree shall be defined as any tree planted within the city street right of way. No tree shall be planted within five feet of concrete.
- B. Street trees shall be chosen from an approved list submitted by the Paola Tree Board and approved by the City of Paola. The species list will be reviewed and revised as needed.
- C. Trees of the same species shall not be planted adjacent to one another. An exception may be granted to areas within overlay districts, i.e. downtown city entrance.
- D. Street trees shall have a minimum caliper of 1 1/2 inches.

**SECTION 3.** That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4.** 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 27<sup>th</sup> day of March, 2007

APPROVED By the Mayor this 27<sup>th</sup> day of March, 2007.

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Artie Stuteville, Mayor

ATTEST: (seal)

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Daniel G. Droste, City Clerk