ORDINANCE NO. 4496

AN ORDINANCE OF THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS AMENDING THE INDEPENDENCE COMMUNITY DEVELOPMENT / COMPREHENISVE PLAN TO UPDATE FIGURE 2.9 – ZONING COMPATIBILITY MATRIX

WHEREAS, the City of Independence, Kansas, has a duly constituted Planning Commission as provided by K.S.A. 12-744; and,

WHEREAS, pursuant to K.S.A. 12-747(b), the Planning Commission is authorized to make recommendations to the Governing Body of the City relating to the adoption and amendment of a Comprehensive Plan by a single resolution or by successive resolutions and is further authorized to adopt or amend parts of the Comprehensive Plan for the City of Independence; and,

WHEREAS, the City of Independence, Kansas adopted the *Independence Community Development Plan* on May 23, 2024, by Ordinance No. 4454; and,

WHEREAS, the Planning Commission held a duly noticed public hearing on September 2, 2025, to consider the amendment to the Independence Community Development Plan to update Figure 2.9 – Zoning Compatibility Matrix, and on October 7, 2025, adopted Resolution No. 2025-PC001 recommending approval of the amendment to the Governing Body.

WHEREAS, the Planning Commission approved said amendment on September 2, 2025, and has transmitted its recommendation to the Governing Body pursuant to K.S.A. 12-747.

WHEREAS, pursuant to K.S.A. 12-747(b), upon receipt of the Planning Commission's recommendation to adopt the new Comprehensive Plan, the Governing Body of the City of Independence, Kansas, has considered the Planning Commission's recommendation and does hereby take the following action upon such recommendation;
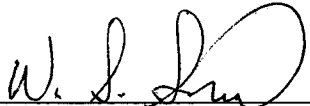
NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF INDEPENDENCE, KANSAS:

SECTION 1.   **Adoption of Amendment.** The Independence Community Development Plan is hereby amended to replace Figure 2.9 – Zoning Compatibility Matrix, as set forth in Exhibit A attached hereto and incorporated herein by reference.

SECTION 2.   **Effective Date.** This ordinance shall take effect and be in force from and after its publication in the official city newspaper.

SECTION 3. **Repeal of Conflicting Provisions.** Any prior provisions of the Independence Community Development Plan in conflict with this amendment are hereby repealed to the extent of such conflict.

ADOPTED by the Governing Body of the City of Independence, Kansas, on the **22nd day of October 2025**.

W. Scott Smith, Mayor

ATTEST:
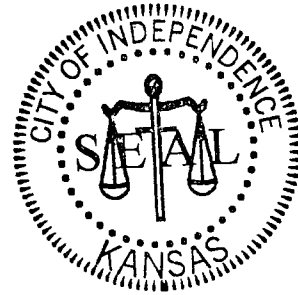
David W. Schwenker, City Clerk

EXHIBIT A Amendment to the Independence Community Development Plan – Update to Figure 2.9 – Zoning Compatibility Matrix Chapter 02: Future Land Use, Page 35

Attached hereto as Exhibit A and incorporated by reference is the amendment to the *Independence Community Development Plan* (Figure 2.9 – Zoning Compatibility Matrix) as recommended by the Planning Commission and hereby adopted by the Governing Body.

FIGURE 2.9 // ZONING COMPATIBILITY MATRIX	Agricultural + Open Space	Rural Residential	Low-Density Residential	Medium-Density Residential	High-Density Residential	Downtown Commercial	Neighborhood Commercial	Commercial	Business Park	Industrial	Airport	Public/Semi-Public	Park + Recreations
A-1 Agricultural	Y	Y	M									Y	Y
R-1 Large Lot Single-Family Residential	Y	Y	Y	M								M	M
R-2 Single-Family Dwelling	M	Y	Y	Y	M								
R-3 Low-Density Multifamily Dwelling			M	Y	Y								
R-4 Medium-Density Multifamily Dwelling				Y	Y								
R-5 High-Density Multifamily Dwelling					Y								
O&P Office and Professional							Y	Y	M				
C-1 Neighborhood Business						M	Y	Y					
C-2 Commercial Services								Y	M				
C-3 Central Business						Y	M	Y					
C-4 Highway Commercial								Y	Y	Y			
M-1 Light Industrial									Y	Y	Y		
M-2 Heavy Industrial									M	Y	Y		
PUD Planned Unit Development	M	M	M	M	M	M	M	M	M	M	M	M	M

(Future Land Use Categories span all columns; Zoning Districts label the rows.)

Legend

Compatible Zoning = Y

Partially Compatible Zoning = M