

MARION COUNTY, KANSAS
RESOLUTION NO. 2019-- 16

A RESOLUTION APPROVING A COMPREHENSIVE DEVELOPMENT PLAN FOR A WIND ENERGY CONVERSION SYSTEM FOR CERTAIN LANDS LOCATED WITHIN THE UNINCORPORATED AREA OF MARION COUNTY, KANSAS, UNDER THE AUTHORITY GRANTED BY THE MARION COUNTY ZONING REGULATIONS ARTICLES 12, 19, 24 AND 27.

WHEREAS Expedition Wind LLC submitted a twenty-three (23) page development plan, which was considered by the Board of County Commissioners of Marion County during its meeting on November 4, 2019 (the "Development Plan"), for some of the real property that is subject to the following existing Conditional Use Permits: Marion County Commission Resolutions Numbered 2010-19; 2011-22; 2014-13; 2014-22; 2015-15; 2019-11; and 2019-15 (collectively, the "CUPs"), a copy of which is available for public inspection at the Marion County Planning and Zoning Department, 203 S. 3rd Street, Marion, Kansas, during normal business hours.

WHEREAS the Marion County Planning Commission (the "Planning Commission") conducted public hearings related to the Development Plan on June 3, 4, and 10, 2019 ("First Hearing") and on October 24, 2019 ("Second Hearing"), and collectively with the First Hearing, the "PC Hearings") following the satisfaction of all notice requirements for such hearings pursuant to the Marion County Zoning Regulations;

WHEREAS all interested parties in attendance at the PC Hearings were provided an opportunity to be heard and the Marion County Planning Department Zoning Administrator and staff presented recommendations which discussed the application of the facts to the factors set out in the Marion County Zoning Regulation as guidelines for the evaluation of Conditional Use applications and the accompanying Development Plan;

WHEREAS on July 15, 2019, the Board of County Commissioners of Marion County (the "Governing Body") reviewed the Development Plan as discussed in the First Hearing; and approved Marion County Commission Resolution numbered 2019-11, which conditioned the approval of the Development Plan on Expedition Wind LLC's demonstration that all components of a WECS to be located in unincorporated areas of Marion County are within an approved Conditional Use area or are exempt from Conditional Use approval ("Approval Conditions");

WHEREAS the Planning Commission on October 24, 2019 on a vote of 7 to 1 with one member recusing recommended approval of a Conditional Use application and the accompanying development plan;

WHEREAS the Approval Conditions were satisfied on November 4, 2019, when the Governing Body approved Resolutions 2019-14 and 2019-15; and

WHEREAS, the Governing Body has reviewed the Development Plan and determined that the Development Plan satisfies all of the Development Plan requirements pursuant to both the Marion County Zoning Regulations and also pursuant to the CUPs; and has further determined that the Governing Body's approval of the Development Plan is the only act remaining to occur for the Development Plan to be approved pursuant to the Marion County Zoning Regulations.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARION COUNTY, KANSAS, that the Development Plan, is approved and is the current and only Development Plan in effect regarding any of the CUPs.

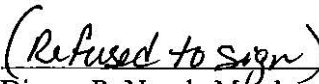
This Resolution shall be effective upon publication.

Adopted this 15 day of November, 2019 by the Board of Marion County Commissioners, Marion County, Kansas.

BOARD OF COUNTY COMMISSIONERS MARION
COUNTY, KANSAS





Kent D. Becker, Chairman


Dianne R. Novak, Member


Randy Dalke, Member

ATTEST:


Tina D. Spender, Marion County Clerk