

RESOLUTION NUMBER 2016-13

A RESOLUTION APPROVING TEXT AMENDMENTS TO THE ZONING REGULATIONS OF MARION COUNTY, KANSAS.

WHEREAS, a public notice calling for a public hearing by the Marion County Planning Commission on proposed text amendments to the Marion County Zoning Regulations was properly given by publication in the official County newspaper on August 3, 2016; and

WHEREAS, on the 25th day of August, 2016, the Marion County Planning Commission held a public hearing to address proposed amendments to the Marion County Zoning Regulations concerning modifications in Article 27, Wind Energy Conversion System Overlay District; and,

WHEREAS, the Marion County Planning Commission, by a majority vote of the Commission, has recommended approval of amendments to the zoning regulations concerning said Article 27 by removing the "overlay" jurisdiction of said District and make it applicable to the entire rural portion of Marion County, Kansas, and by modifying a standard concerning

NOW THEREFORE BE IT RESOLVED that the Marion County Zoning Regulations shall be amended as follows:

Section 1. Changes to Section 27-103 as follows:

Existing Language:

27-103 Overlay District Established: The WECS Overlay District shall apply to that portion of Marion County, Kansas, described beginning on the west right-of-way line of U.S. Highway 77 and its intersection with 140th Road; thence west to Pawnee Road; thence south to U.S. Highway 50 and 70th Road; thence two miles east to Remington Road; thence two miles south to 50th Road; thence east to U.S. 77 Highway; thence north to the point of beginning; except that the following sections shall be excluded:

1. Section 1, Township 21 South, Range 4 East;
2. Section 12, Township 21 South, Range 4 East;
3. Section 18, Township 21 South, Range 5 East.

Proposed new Language:

27-103 Overlay District Established: The WECS Overlay District shall apply to all of the unincorporated portion of Marion County, Kansas.

Section 2. Changes to Section 27-107 as follows:

Existing Language:

27-107 Additional Required Topics to be Included in Submittals: In addition to the requirements of Article 12, applications for a WECS project shall address specific issues related with the project that include, but are not limited to the following:

6. The lowest point of the rotor blades shall be at least 100 feet above ground level at the base of each tower.

Proposed new Language:

27-107 Additional Required Topics to be Included in Submittals: In addition to the requirements of Article 12, applications for a WECS project shall address specific issues related with the project that include, but are not limited to the following:

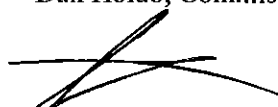
6. The lowest point of the rotor blades shall be at least 50 feet above ground level at the base of each tower.

Section 3. This Resolution shall be in full force and effect from and after publication once in the official county newspaper.

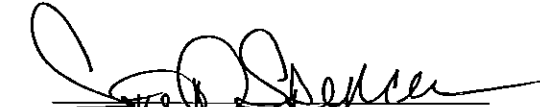
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Marion County, Kansas, this 12th day of September, 2016.


Randy Danke, Chairman, District 3


Dan Holub, Commissioner, District 2


Lori Lalouette, Commissioner, District 1

Attest:


Tina Spencer, County Clerk

