

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION ESTABLISHING FEES AND CHARGES FOR PLANNING AND ZONING APPLICATIONS AND PROCEEDINGS, AND PROVIDING AMENDMENTS TO THE SEDGWICK COUNTY CODE

WHEREAS, the County is authorized pursuant to K.S.A. 12-757 to establish a scale of reasonable fees to be paid in advance by a property owner applying a change in zoning; and

WHEREAS, the County is authorized pursuant to K.S.A. 12-759 to establish a scale of reasonable fees to be paid in advance by a party appealing to the Board of Zoning Appeals; and

WHEREAS, the County is authorized pursuant to K.S.A. 12-752 to establish a scale of reasonable fees to be paid in advance by a property owner applying for subdivision matters.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF SEDGWICK COUNTY, KANSAS:

SECTION 1. Subsection (a) of Sec. 21-47 of the Sedgwick County Code is hereby amended to read as follows:

**Sec. 21-47. Fees for zoning applications.**

(a) For the purpose of defraying costs of zoning proceedings, the Board of County Commissioners establishes the following schedule of fees:

(1) *Change of zoning district boundaries or classification.* Upon the filing of each application for a change of zoning district boundaries or classification where authorized by the zoning resolution, the following shall be paid based on the zoning classification requested:

“RR”, “SF-20”, “SF-10”, “SF-5”, “TF-3”	\$600 plus \$30 per acre
“MF-18”, “MF-29”, “MH”, “U”, “B”, “NO”, “GO”, “NR”	\$900 plus \$30 per acre
“LC”, “GC”, “CBD”, “OW”, “IP”, “LI”, “GI”	\$1,200 plus \$30 per acre

(2) *Community Unit Plan.* Upon the filing of each application for a Community Unit Plan (C.U.P.), the following shall be paid:

Original – when filed separately	\$1,200 plus \$30 per acre
Original – when filed with rezoning application	\$800 plus \$30 per acre
Major Amendments (design or use change that would affect 50% or more of the area contained with the C.U.P.)	\$1,200
Minor Amendments (design or use change that would affect less than 50% of the area contained with the C.U.P.)	\$800

(3) *Planned Unit Development.* Upon the filing of each application for a Planned Unit Development (P.U.D.), the following shall be paid:

Original	\$1,200 plus \$30 per acre
Major Amendments (design or use change that would affect 50% or more of the area contained with the P.U.D.)	\$1,200
Minor Amendments (design or use change that would affect less than 50% of the area contained with the P.U.D.)	\$800

(4) *Protective overlay.* No fee shall be charged to process a Protective Overlay (P.O.) except in the following instances:

A fee of \$600 shall be paid upon the filing of a new application for a Protective Overlay.

A fee of \$600 shall be paid upon the filing of each application for an amendment or termination of a Protective Overlay in any district, except for property zoned "LC" Limited Commercial or "GC" General Commercial six (6) acres in size or larger.

Property zoned "LC" Limited Commercial or "GC" General Commercial six (6) acres in size or larger held in a single ownership or under single control shall be charged a fee equal to that charged for a Community Unit Plan as established in Sec. 21-47(a)(2).

(5) *Conditional Use.* Upon the filing of each application for a Conditional Use (C.U.), the following shall be paid:

Residential Use	\$450
Non-Residential Use	\$750 plus \$30 per acre
Renewal	one-half the fee listed for the applicable use
Filed with zone change application	one-half the fee listed for the applicable use

(6) *Deferral.* An applicant requesting deferral of a case shall be charged a fee of \$150 to cover administrative costs at such time that the deferral is granted.

(7) *Adjustment.* A fee shall be charged for processing an adjustment to a Community Unit Plan, Planned Unit Development, Conditional Use, Protective Overlay, or Zoning standard. If the applicant appeals the Zoning Adjustment to the Board of Zoning Appeals, said fee shall be credited toward the fee required for a Variance as established in sec. 21-48(a).

Residential Use	\$175
Non-Residential Use	\$250

Additional Zoning Adjustment on same lot	\$75
Administrative Permit for wireless facility	\$250

- (8) *Withdrawal.* If an applicant should withdraw an application that requires governing body approval within two (2) weeks after the Planning Commission hearing, the applicant shall be refunded fifteen (15) percent of the application fee.
- (9) *Receipt.* A written receipt shall be issued to the person making such a payment and records thereof shall be kept in such a manner as prescribed by law.

SECTION 2. Subsection (a) of Sec. 21-48 of the Sedgwick County Code is hereby amended to read as follows:

**Sec. 21-48. Fees for Board of Zoning Appeals applications.**

(a) For the purpose of defraying costs of Board of Zoning Appeals (BZA) proceedings, the governing body establishes the following schedule of fees to be paid at the time of filing for the application:

(1) Appeals of Administrative Interpretations	\$125
Zoning Verification Letter	\$125
Zoning Interpretation Letter	\$125
(2) Variances for Residential Uses	\$525 plus \$35 per additional zoning lot
Additional variance on same zoning lot	\$150
(3) Variances for Non-Residential Uses	\$750 plus \$35 per additional zoning lot
Additional variance on same lot	\$225
(4) Modified Site Plan Review	\$125
(5) Time Extension for BZA conditions	\$75

A separate fee shall be required for each proceeding

SECTION 3. Sec. 21-1 of the Sedgwick County Code is hereby amended to read as follows:

**Sec. 21-1. Fees for subdivision applications and proceedings.**

For the purpose of defraying costs of subdivision applications and proceedings, the governing body establishes the following schedule of fees:

- (a) *Subdivision applications.* Upon the filing of each application for subdivision approval, the following shall be paid:
  - (1) A fee of \$250 for a Sketch Plat. Said fee shall be credited toward the fee required for a Preliminary Plat as established in Sec. 21-1(a)(2).



SECTION 5. This resolution shall be effective on and after January 1, 2018.

Commissioners present and voting were:

DAVID M. UNRUH	_____
MICHAEL B. O'DONNELL, II	_____
DAVID T. DENNIS	_____
RICHARD RANZAU	_____
JAMES M. HOWELL	_____

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BOARD OF COUNTY COMMISSIONERS  
OF SEDGWICK COUNTY, KANSAS

ATTEST:

\_\_\_\_\_  
KELLY B. ARNOLD, County Clerk

\_\_\_\_\_  
DAVID M. UNRUH, Chairman  
Commissioner, First District

\_\_\_\_\_  
MICHAEL B. O'DONNELL, II, Chair Pro Tem  
Commissioner, Second District

APPROVED AS TO FORM:

  
\_\_\_\_\_  
JUSTIN M. WAGGONER,  
Assistant County Counselor

\_\_\_\_\_  
DAVID T. DENNIS  
Commissioner, Third District

\_\_\_\_\_  
RICHARD RANZAU  
Commissioner, Fourth District

\_\_\_\_\_  
JAMES M. HOWELL  
Commissioner, Fifth District