

(150004) Published in The Wichita Eagle on _____

RESOLUTION NO. _____

A RESOLUTION AMENDING SECTION IV-E.7.a., SECTION IV-E.7.b. AND SECTION IV-E.7.h. OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE (JULY 9, 2009 EDITION), AS ADOPTED BY REFERENCE IN RESOLUTION NO. 137-09, PERTAINING TO MINIMUM LOT SIZE AND SEPARATION REQUIREMENTS FOR RURAL HOME OCCUPATIONS.

WHEREAS, the Board of County Commissioners (“Board”) is authorized by K.S.A. 12-741 et seq. to adopt zoning regulations for the unincorporated area of Sedgwick County, Kansas, upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission (“MAPC”); and,

WHEREAS, upon the recommendation of the MAPC the Board has adopted by Resolution No. 137-09 a standard code entitled the “Wichita-Sedgwick County Unified Zoning Code, July 9, 2009 Edition” (the UZC); and,

WHEREAS, the MAPC has held public hearings as required by law and has made recommendations to the Board for the amendment of such regulations; and,

WHEREAS, the Board desires to adopt the recommendations of the MAPC and to enact and adopt the recommended amendments to the UZC; and,

WHEREAS, the Board is authorized by K.S.A. 12-3301 et. seq. to adopt by reference certain standard codes after notice and hearing.

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

SECTION 1. That upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission on December 17, 2015, after notice and hearing as provided by law under authority granted by K.S.A. 12-741, *et seq.*, the Wichita-Sedgwick County Unified Zoning Code as adopted by reference in Resolution No. 137-09 is hereby amended as follows:

1. Section IV-E.7.a. of the Wichita-Sedgwick County Unified Zoning Code (July 9, 2009 Edition) is hereby amended to read as follows:
 - a. Each Lot or tract shall be located upon a public road and shall contain a

minimum of two acres.

2. Section IV-E.7.b. of the Wichita-Sedgwick County Unified Zoning Code (July 9, 2009 Edition) is hereby amended to read as follows:

b. A rural Home Occupation must be located at least 75 feet from residences located off-site from the zoning lot or property containing the rural Home Occupation unless the off-site residence operates a rural home occupation.

3. Section IV-E.7.h. of the Wichita-Sedgwick County Unified Zoning Code (July 9, 2009 Edition) is hereby amended to read as follows:

h. Rural Home Occupations as specified in Sec. IV-E.8 that do not meet one or more of the conditions above, but are limited to no less than 20,000 square feet may be approved as Conditional Uses in accordance with the requirements and procedures for Conditional Uses in this Code.

Except as amended above, the remainder of the UZC shall remain in effect.

SECTION 2. This Resolution shall be effective upon its adoption and publication once in the official County paper.

Commissioners present and voting were:

DAVID M. UNRUH	_____
TIM R. NORTON	_____
KARL PETERJOHN	_____
RICHARD RANZAU	_____
JAMES M. HOWELL	_____

Dated this _____ day of _____, 2016.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

James M. Howell, Chairman
Commissioner, Fifth District

ATTEST:

KELLY B. ARNOLD, County Clerk

APPROVED AS TO FORM:

Robert W. Parnacott

ROBERT W. PARNACOTT
Assistant County Counselor