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Sedgwick County

525 North Main Street 3rd
Floor
Wichita, KS 67203

Legislation Details (With Text)

File #: 18-417 **Version:** 1 **Name:**

Type: Resolution **Status:** Passed

File created: 5/7/2018 **In control:** Board of Sedgwick County Commissioners

On agenda: 5/23/2018 **Final action:** 5/23/2018

Title: PUBLIC HEARING TO CONSIDER PETITION FROM LANDOWNER, OCCIDENTAL CHEMICAL CORPORATION, FOR THE INCLUSION OF CERTAIN LANDS WITHIN THE BOUNDARIES OF SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE.
Presented By: William F. Deer, Assistant County Counselor.

RECOMMENDED ACTION: Open the public hearing, accept comments, close the public hearing, adopt the resolution and instruct the County Clerk to publish the same according to law.

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2018 Resolution for Alt. of Boundaries - Inclusion - Occidental Chemical Corporation.pdf

Date	Ver.	Action By	Action	Result
5/23/2018	1	Board of Sedgwick County Commissioners	Adopted	Pass

PUBLIC HEARING TO CONSIDER PETITION FROM LANDOWNER, OCCIDENTAL CHEMICAL CORPORATION, FOR THE INCLUSION OF CERTAIN LANDS WITHIN THE BOUNDARIES OF SEDGWICK COUNTY FIRE DISTRICT NUMBER ONE.

Presented By: William F. Deer, Assistant County Counselor.

RECOMMENDED ACTION: Open the public hearing, accept comments, close the public hearing, adopt the resolution and instruct the County Clerk to publish the same according to law.

Background:

Pursuant to K.S.A. 19-3604(b), the following landowner has petitioned for the inclusion of lands within the boundaries of the fire district:

Occidental Chemical Corporation - Vulcan-Frontier Add., 6200 S. Ridge Road, Wichita, Kansas 67215.

Legally described as PT Lot 1 BEG 29 FT M-L E & 13 FT N SW COR E 545.6 FT N 368 FT W 134 FT N 40 FT W 60 FT S 82.6 FT W 50 FT N 170 FT S 170 FT NW 100 FT W 102 FT S 70 FT SW 168 FT SLY 284 FT TO BEG EXC BEG 207 FT E & 54 FT N SW COR E 95 FT N 48 FT W 12 FT N 20 FT W 83 FT S 68 TO BEG & VAC ST ADJ ON S VULCAN-FONTIER ADDITION.

Occidental Chemical Corporation - Vulcan-Frontier Add., 6200 S. Ridge Road, Wichita, Kansas 67215.

Legally described as N 22 FT S 628.875 FT E 40 FT W 290.1175 FT LOT 1 VULCAN-FRONTIER ADD.

Occidental Chemical Corporation - Vulcan-Frontier Add., 6200 S. Ridge Road, Wichita, Kansas 67215.

Legally described as PT LOT 1 BEG 800.1175 FT E & 633.75 FT N SW COR E 59 FT N 40 FT E 72 FT N 68 FT E 53 FT N 42 FT NE 35 FT N 19 FT W 14 FT N 142.6 FT W 6 FT S 127.6 FT SW 54 FT W 70.6 FT N 10.6 FT W 10 FT S 66 FT E 13 FT S 53 FT W 79.6 FT S 50 FT TO BEG VULCAN-FRONTIER ADD.

Occidental Chemical Corporation - Vulcan-Frontier Add., 6200 S. Ridge Road, Wichita, Kansas 67215.

Legally described as PT LOT 1 BEG 1296.1175 FT E & 1334.75 FT N OF SW COR S 33 FT E 50 FT NE 124 FT NW 84 FT SW 97 FT S 37 FT TO BEG VULCAN-FRONTIER ADD.

Occidental Chemical Corporation - Vulcan-Frontier Add., 6200 S. Ridge Road, Wichita, Kansas 67215.

Legally described as TH PT LOT 1 BEG 1550 FT N & 742 FT E SW COR S 24.6 FT E 29 FT N 43.6 FT W 39 FT SLY 19 FT TO BEG VULCAN-FRONTIER ADD.

Occidental Chemical Corporation - Vulcan-Frontier Add., 6200 S. Ridge Road, Wichita, Kansas 67215.

Legally described as N 59 FT S 1810 FT E 64 FT W 375 FT LOT 1 VULCAN-FRONTIER ADD.

The petitions, duly signed by the owner of at least ten percent of the area of the lands seeking to alter the boundaries of the Fire District No. One, were filed in the office of the County Clerk on March 27, 2018. A public hearing is necessary to determine the advisability of altering the boundaries of the fire district to include the lands subject to the petitions.

Alternatives: N/A

Financial Considerations: Fire District tax impact:

PIN 318874	\$0.92	
PIN 318875	\$14.71	
PIN 318876	\$10.12	
PIN 318877	\$3.68	
PIN 318878	\$184.38	
<u>PIN 318879</u>	<u>\$1.38</u>	
Total		\$215.19

Legal Considerations:

K.S.A. 19-3604(b) requires that a public hearing be called and held in compliance with K.S.A. 19-270 (b) on the proposed alteration of the Fire District. If the proposed alteration is within the fringe area of a city, then at least a 3/4 majority vote of the Board of County Commissioners is required to approve the alteration of the boundaries. The petitioner, Occidental Chemical Corporation, is inside the fringe area of the City of Haysville and the City of Wichita. Therefore, a 3/4 majority vote of the Board of County Commissioners is needed. Pursuant to K.S.A. 19-3606, such alteration must be completed by July 1 to be effective for the upcoming tax year.

K.S.A. 19-270(b) provides as follows:

That the board receives testimony from the city, township, county or regional planning commission having jurisdiction over any of the affected land area. Such testimony shall address any

incompatibilities between the creation or expansion of the district within such fringe area and any adopted land use or comprehensive plans. The governing body of the city may present testimony of any proposed annexation of the affected land area. Any interested person may present testimony before the board.

K.S.A. 19-270(b) also provides:

As a guide in determining the advisability of authorizing the creation or change in boundaries of a special benefit district within the fringe area of a city, the board's considerations shall include, but not be limited to, any testimony offered at the public hearing concerning: (1) The size and population of such city; (2) the city's growth in population, business and industry during the past 10 years; (3) the extension of its boundaries during the past 10 years; (4) the probability of its growth toward the territory during the ensuing 10 years, taking into consideration natural barriers and other reasons which might influence growth toward the territory; (5) the willingness of the city to annex the territory and its ability to provide city services in case of annexation; and (6) the general effect upon the entire community, all of these and other considerations having to do with the overall orderly and economic development of the area and to prevent an unreasonable multiplicity of independent municipal and special district governments. The board shall approve or disapprove the creation or change in boundaries of the special benefit district within 30 days of the hearing.

In compliance with notice requirements of K.S.A. 19-270(b), a Notice of Public Hearing was published in The Derby Informer on April 25, 2018.

Policy Considerations: N/A

Outside Attendees: Unknown at this time

Multimedia Presentation: Yes