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Sedgwick County

525 North Main Street 3rd
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Legislation Text

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INITIATE APPLICATION WITH METROPOLITAN AREA PLANNING DEPARTMENT FOR AMENDMENT OF THE WICHITA-SEDGWICK COUNTY UNIFIED ZONING CODE (UZC) REGARDING ZONING AREAS OF INFLUENCE.

Presented by: Robert W. Parnacott, Assistant County Counselor.

RECOMMENDED ACTION: Initiate application to remove Zoning Areas of Influence provisions from the Wichita-Sedgwick County Unified Zoning Code.

Before 1985 certain cities exercised extraterritorial zoning jurisdiction outside their city limits. Since 1985, when county-wide zoning was adopted, cities in the County (except Eastborough, Viola and Wichita) have had ZAOI based on the zoning codes adopted by the County. No other county in Kansas is believed to have ZAOI; and ZAOI are not required by state statute.

For zoning cases in a city's ZAOI, the case is heard by that city's planning commission and any recommendations are forwarded to the Metropolitan Area Planning Commission (MAPC) for consideration and may be included in the recommendation made by the MAPC that is sent to the BoCC. If a city planning commission makes a negative recommendation (to deny the zoning application), the BoCC can only approve the zoning application by unanimous vote.

The proposed application for amendment of the zoning code will be as follows:

Complete Removal of Zoning Areas of Influence (ZAOI) - Code Changes Required

- 1) Non-substantive changes, e.g. updating table of contents if ZAOI are removed completely, re-numbering any sections necessary after complete removal
- 2) Delete following sections from the zoning code:

Article I:

~~G. ZONING AREAS OF INFLUENCE~~

~~In order to provide for review of zoning map amendment requests by the planning commissions in the second and third class cities of Sedgwick County, the Governing Body of the County has adopted and hereby maintains Zoning Areas of Influence around such communities:~~

- ~~1. Map adopted. The "Zoning Areas of Influence Map," originally adopted January 1, 1985, and amended from time to time, is hereby adopted as part of this Code.~~
- ~~2. Interpretation of boundaries. The rules for interpreting the boundaries of the Zoning Areas of Influence shall be the same as for interpreting the boundaries of zoning districts, as set forth in Sec. III-A.5.~~
- ~~3. Amendments. The procedures for changing Zoning Area of Influence boundaries are set out~~

in Sec. V-K.

Article II-B:

~~14.u. **Zoning Areas of Influence** means the area surrounding second and third class cities in Sedgwick County, as shown on a map originally adopted January 1, 1985, as amended from time to time. See Sec. I-G.~~

Article V-K:

~~K. AMENDMENTS TO AREA OF INFLUENCE BOUNDARIES~~

~~1. Initiation of amendment request. Proposed changes to the boundaries of the areas of influence may be initiated through application filed with the Planning Director by any planning commission of a city of the second or third class within the County, by the Metropolitan Area Planning Commission or by the Board of County Commissioners.~~

~~2. Planning Commission hearing. The Planning Director will establish a time and date for a hearing before the Metropolitan Area Planning Commission and will notify the mayor and planning commission of any affected city, the Metropolitan Area Planning Commission and the Board of County Commissioners of the date, time and place of said hearing. After consideration of the evidence and arguments presented at the hearing, the Metropolitan Area Planning Commission shall recommend approval, approval with conditions or modifications, or disapproval of the proposed change.~~

~~3. Board of County Commissioners' hearing. The Planning Director shall forward the Planning Commission's recommendation to the Board of County Commissioners. The Board of County Commissioners may accept, modify or reject the recommendation of the Planning Commission. The action of the Board of County Commissioners on any proposed change to an area of influence boundary shall be final.~~

- Alternatives: A) Initiate application to remove ZAOI from UZC
B) Take any other action deemed appropriate

Financial Considerations: None

Legal Considerations: The BoCC is authorized to initiate an application to amend the zoning code by Art. V-C.2 of the code.

Policy Considerations: None

Outside Attendees: None

Multimedia Presentation: Map of zoning areas of influence, small city growth areas and city limits