

RESOLUTION NO. 163-2019

DATE ADOPTED: _____

DATE PUBLISHED: _____

A RESOLUTION EXTENDING A MORATORIUM AND PROVIDING FOR THE CONTINUED SUSPENSION OF CERTAIN TYPES OF IMPROVEMENTS ON ANY LAND WITHIN THE UNINCORPORATED AREA OF SEDGWICK COUNTY.

WHEREAS, the Board of County Commissioners of Sedgwick County considered and approved Resolution No. 16-2019 on February 6, 2019, which established a moratorium for Wind Energy Conversion Systems (“WECS”) and commercial solar energy systems, with such resolution is in effect until August 12, 2019; and

WHEREAS, the time necessary to complete the tasks of considering and potentially adopting any Wichita-Sedgwick County Unified Zoning Code (“Zoning Code”) amendments for WECS and commercial solar energy systems may take multiple additional weeks beyond August 12, 2019; and

WHEREAS, pursuant to K.S.A. 12-741, *et seq.*, and K.S.A. 19-101, *et seq.*, Sedgwick County has the police power and statutory authority to regulate the conduct of development through this Resolution.

WHEREAS, the Board of County Commissioners believes it would be appropriate to extend the existing moratorium until the earlier occurrence of either: (a) an additional ninety (90) days; or (b) until the effective date of Sedgwick County and City of Wichita Zoning Code provisions on this topic, as indicated within this Resolution.

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

SECTION 1.

Within this Resolution, “Effective Date” is defined as the date upon which any City of Wichita ordinance and Sedgwick County resolution for Zoning Code provisions contemplated within Planning Case No. DER2019-00001 entitled, “Amendment to Unified Zoning Code regarding renewable energy systems in the unincorporated County and the City of Wichita” have been both adopted by such parties’ governing bodies and published pursuant to K.S.A. 12-757.

SECTION 2.

Pursuant to Section 4 of Resolution No. 16-2019, the moratorium enacted by the Board of County Commissioners pursuant to such resolution is hereby amended and extended until the earlier occurrence of: (a) an additional ninety (90) days, meaning that the moratorium would extend through November 10, 2019; or (b) until the Effective Date of Zoning Code provisions

described within Section 1 of this Resolution.

SECTION 3.

In all respects other than those matters identified within Sections 1 and 2 of this Resolution, Resolution No. 16-2019 shall remain unchanged.

SECTION 4.

This Resolution shall take effect and be in full force and effect after its adoption and publication in the official county newspaper and shall remain in effect as indicated within Section 2 of this Resolution. The County Clerk is directed to publish this Resolution once in the official county newspaper.

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Commissioners present and voting were:

PETER F. MEITZNER
MICHAEL B. O'DONNELL, II
DAVID T. DENNIS
LACEY D. CRUSE
JAMES M. HOWELL

Aye
Aye
Aye
Aye
Aye

Dated this 17 day of July, 2019.

BOARD OF COUNTY COMMISSIONERS
OF SEDGWICK COUNTY, KANSAS

ATTEST:

For Karen S. Baird
KELLY B. ARNOLD, Clerk



[Signature]

DAVID T. DENNIS, Chairman
Commissioner, Third District

[Signature]

PETER F. MEITZNER, Chair Pro Tem
Commissioner, First District

APPROVED AS TO FORM:

[Signature]
JUSTIN M. WAGGONER
Assistant County Counselor

[Signature]
MICHAEL B. O'DONNELL, II
Commissioner, Second District

[Signature]
LACEY D. CRUSE
Commissioner, Fourth District

[Signature]
JAMES M. HOWELL
Commissioner, Fifth District