

**BOARD OF COUNTY COMMISSIONERS
OF
FRANKLIN COUNTY, KANSAS**

RESOLUTION NO. 06-061

A RESOLUTION APPROVING CITY OF OTTAWA ZONING AND SUBDIVISION REGULATIONS TO APPLY TO PROPERTY WITHIN THE URBAN GROWTH AREA, IN ACCORDANCE WITH AN INTERLOCAL AGREEMENT BETWEEN FRANKLIN COUNTY AND THE CITY OF OTTAWA.

WHEREAS, Franklin County has entered into an Interlocal Agreement with the City of Ottawa whereby certain regulatory authority of the use and development of land lying within a designated Urban Growth Area was delegated by the County to the City; and

WHEREAS, the Interlocal Agreement provides, at Section 3.c. that City Zoning Regulations applicable to the Urban Growth Area must first be approved by the County Commission; and

WHEREAS, the Interlocal Agreement provides, at Section 5.c. that City Subdivision Regulations applicable to the Urban Growth Area must first be approved by the County Commission; and

WHEREAS, the County Commission desires to make its approval of such City Regulations and thereby allow for implementation of the Interlocal Agreement,

NOW, THEREFORE, BE IT RESOLVED, that the Franklin County Board of County Commissioners hereby makes the following findings and takes the following action:

1.The Board of County Commissioners requested the review and recommendation of the County Planning Commission of the City of Ottawa Zoning and Subdivision Regulations proposed to be made applicable to property within the Urban Growth Area, in accordance with the Interlocal Agreement adopted on June 14th, 2006.

2.The Franklin County Planning Commission has reviewed the City's Regulations and, by motion and vote of its members on September 21, 2006 recommended that the County Commission approve the City's Regulations.

3.In accordance with Sections 3.c. and 5.c. of the Interlocal Agreement, the County Commission approves of the City of Ottawa's Zoning and Subdivision Regulations to be applied to property within the Urban Growth Area.

4.Further, the County Commission finds that Section 1-4.01 of the County's Zoning Regulations and Section 1.02 of the County's Subdivision Regulations, as amended by Resolution #02-32, make provision for the possibility of an Interlocal Agreement and thereby make any amendments to the County's Zoning and Subdivision Regulations unnecessary in order for the Interlocal Agreement to take full force and effect.

/s/ Donald E. Waymire
Donald E. Waymire
Commissioner District 1

Absent
John E. Taylor
Commissioner District 2

/s/ Roy C. Dunn
Roy C. Dunn
Commissioner District 3

/s/ Donald C. Hay
Donald C. Hay
Commissioner District 4

Voted "no"
Donald R. Stottlemire
Commissioner District 5

Received and recorded this the 4th day of October 2006.

Shari Perry

/s/ Shari Perry

County Clerk