

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

**RESOLUTION NO. 19- 37**

A RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING AMENDMENTS TO THE FRANKLIN COUNTY COMPREHENSIVE PLAN ADDRESSING RENEWABLE COMMERCIAL ENERGY SYSTEMS AS A LAND USE AND ESTABLISHING DEVELOPMENT CRITERIA AND STANDARDS FOR THE UNINCORPORATED AREAS OF THE COUNTY AS PROVIDED BY K.S.A. 12-747

WHEREAS, Franklin County, Kansas is a county municipal government, organized pursuant to K.S.A. 19-101; and

WHEREAS, the Franklin County Board of County Commissioners did adopt Resolution # 23-91 creating the Franklin County Planning Commission as provided in K.S.A. 12-744; and

WHEREAS, the Franklin County Board of County Commissioners did adopt the Zoning Regulations of Franklin County Kansas on August 4<sup>th</sup>, 2002 as provided in K.S.A. 12-747; and

WHEREAS, the Franklin County Planning Commission did publish notice on September 24, 2019 and September 26, 2019 that public hearing would be held to consider an amendment to the Comprehensive Plan of Franklin County Kansas as required by K.S.A. 12-747; and

WHEREAS, the Planning Commission did on October 17, 2019 and on November 21, 2019 hold a public hearing for the consideration of adopting said amendment to the Comprehensive Plan as prescribed by K.S.A. 12-747; and

WHEREAS, the Franklin County Planning Commission did review in detail the amendments to the Franklin County Comprehensive Plan addressing renewable commercial energy systems as a land use and establishing development criteria and standards; and

WHEREAS, the Planning Commission, after due consideration of all written reports, public testimony, Kansas Statutes regarding changes to Comprehensive Plan and the applicable criteria set forth in Chapter Two Vision Statement, Guiding Principles, Goals and Objectives and in Chapter Three Land Use Plan Agriculture Renewable Energy and Rural Preservation Goals, Objectives and Principles of the Comprehensive Plan, the Planning Commission, by majority of its membership, did find the following:

1. That the amendments to the County Comprehensive Plan are in compliance with the Kansas Statutes; and
2. That the amendments are consistent with the County Comprehensive Plan; and
3. That the amendments are consistent with the purpose and intent of the County Zoning Regulations; and
4. That said amendments are in the public interest and will further provide for the public health, safety and general welfare; and
5. The Planning Commission does hereby recommend that the Franklin County Board of County Commissioners adopt such amendment.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners, after duly reviewing the Planning Commission recommendation, together with all written reports and public comments regarding said changes to the County Comprehensive Plan, does hereby approve adopting the amendments to the County Comprehensive Plan as follows:

#### Chapter Two Vision Statement, Goals and Objectives:

##### **Goal 6**

##### **Commercial Renewable Energy Systems**

**Evaluate and Approve Commercial Renewable Energy System developments based on the best available technology.**

##### **Objectives**

- 6.1. Protect prime farmland by development mitigation measures that limit or reduce impacts associated with the development of Commercial Renewable Energy Systems.
- 6.2. Develop and implement specific rules, regulations and procedures that protect people and property from negative impacts associated with Commercial Renewable Energy Systems while providing opportunities for citizens and communities economic and individual benefits from Commercial Renewable Energy Systems.
- 6.3. Develop and implement specific rules, regulations and procedures that require certain minimum locational standards from the existing Cities within the County and to establish procedures for said Cities to evaluate proposed Commercial Renewable Energy Systems before development occurs.
- 6.4. Develop and implement specific rules, regulations and procedures that protect public properties and improvements such as airports, roads, highways and other facilities within the County from impacts associated with Commercial Renewable Energy System developments.
- 6.5. Continually evaluate and update rules, regulations and development procedures regarding Commercial Renewable Energy Systems based on latest technologies and changing standards and associated principles.

##### **Guiding Principle 5**

**Create a county development pattern that supports local renewable energy systems, i.e. Commercial Wind Energy Conversion Systems and Commercial Solar Energy Systems, that could have significant value for landowners, citizens and the County economy, particularly with increased limitations on fossil and nuclear fueled energy generating systems and expanding options for locally sourced energy.**

Based on the best management practices and technology, develop locational criteria for Commercial Renewable Energy Systems that protect the rural character and agricultural land use policies and objectives adopted by the County.

##### **Rural Land Use**

*The principal land uses envisioned in the rural areas identified in the land use plan include agricultural activities, natural resource extraction, commercial renewable energy systems and low-intensity rural housing developments.*

- 1.6. Provide the opportunity for Commercial Renewable Energy Systems to locate in the Agriculture (A-1) Zoning and Transitional Agriculture (A-2) Zoning Districts subject to the approval of a Special Use Permit and development standards, rules and regulations established by the Franklin County Board of County Commissioners designed to minimize impacts on agricultural operations, rural residential developments, public services and general welfare.

*Policy 5.* Develop and implement specific rules, regulations and procedures that allow Commercial Renewable Energy Systems to locate in Agricultural Land Use designated areas.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 11<sup>th</sup> day of December, 2019. This action shall become in full force and effect upon publication in the official county newspaper.



Richard A. Howard  
Chairman

Received and recorded this the 11<sup>th</sup> day of December, 2019.



Janet Paddock  
County Clerk