

BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS

RESOLUTION NO. 20-24

A RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING AMENDMENTS TO ARTICLE 2, DEFINITIONS, SECTION 2-1.01 TO INCLUDE A DEFINITION FOR DISTILLERY AND CLARIFYING THE DEFINITION OF DISTILLERY; ARTICLE 11, HIGHWAY COMMERCIAL DISTRICT, SECTION 11-3.01, SPECIAL USES, TO INCLUDE DISTILLERIES TO THE FRANKLIN COUNTY ZONING REGULATIONS FOR THE UNINCORPORATED AREAS OF THE COUNTY AS PROVIDED BY K.S.A. 12-757

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 July 21, 2020 that public hearing would be held to consider an amendments to the Zoning Regulations of Franklin County Kansas as required by K.S.A. 12-757; and

WHEREAS, the Planning Commission did on August 20, 2020 hold a public hearing for the consideration of adopting said amendments to the Zoning Regulations as prescribed by K.S.A. 12-757; and

WHEREAS, the Franklin County Planning Commission did review in detail the amendments to Article 2, Definitions, Section 2-1.01 to include a definition for Distillery and clarifying the definition of Distillery; Article 11, Highway Commercial District, Section 11-3.01, Special uses, to include Distilleries; and

WHEREAS, the Planning Commission, after due consideration of all written reports, public testimony, Kansas Statutes regarding changes to Zoning Regulations and the applicable criteria from the factors set forth in the Golden Case, the Planning Commission, by majority of its membership, did find the following:

1. That the amendments to the County Zoning Regulations are in compliance with the Kansas Statutes; and
2. That the amendments to the County Zoning Regulations 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.

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 Zoning Regulations, does hereby approve adopting the amendments to the County Zoning Regulations as follows:

**ARTICLE 2**

**Section 2-1.01 Definitions**

**DISTILLERY:** A place or building where alcoholic liquors are produced by a process of evaporation separating alcoholic sprits from any fermented substance but not to include fermented and malt liquors such as wine and beer.

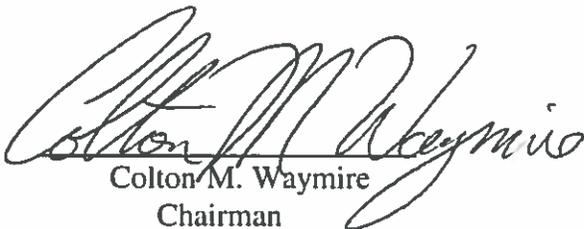
**ARTICLE 11 HIGHWAY COMMERCIAL DISTRICT**

**SECTION 11-3.01.**

**Special Uses:**

**DISTILLERIES:** As defined in Article 2, Section 2-1.01 of these Regulations.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 9<sup>th</sup> day of September, 2020. This action shall become effective upon publication in the official county newspaper.

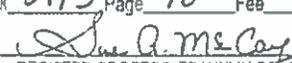
  
Colton M. Waymire  
Chairman

Received and recorded this the 9<sup>th</sup> day of September, 2020.



  
Janet Paddock  
County Clerk

FILED FOR RECORD  
TIME 2:30 P.M.

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Book 295 Page 76 Fee \_\_\_\_\_  
  
REGISTER OF DEEDS, FRANKLIN CO., KS  
INSTRUMENT # 3406

(Original compared with record)