



Franklin
COUNTY KANSAS

FILED FOR RECORD
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VICKI HUGHES
REGISTER OF DEEDS
FRANKLIN COUNTY, KANSAS
INSTRUMENT # 2026-00292

**Board of County Commissioners
Franklin County, Kansas
Resolution 26-05**

A RESOLUTION OF THE FRANKLIN COUNTY BOARD OF COUNTY COMMISSIONERS EXTENDING THE MORATORIUM ON THE PLANNING, ESTABLISHMENT, CONSTRUCTION, APPLICATION FOR OR PERMITTING OF ANY SPECIAL USE PERMITS FOR COMMERCIAL WIND ENERGY CONVERSION SYSTEMS AND GRANTING A TEMPORARY MORATORIUM ON THE PLANNING, ESTABLISHMENT, CONSTRUCTION, APPLICATION FOR OR PERMITTING OF ANY SPECIAL USE PERMITS FOR COMMERCIAL SOLAR ENERGY CONVERSION SYSTEMS AND IN THE UNINCORPORATED AREAS OF FRANKLIN COUNTY, KANSAS, UNTIL DECEMBER 31, 2028.

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 adopted 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 adopted the Zoning Regulations of Franklin County, Kansas, on August 4th, 2002 as provided in K.S.A. 12-747; and

WHEREAS, a resolution providing for a temporary moratorium on the planning, establishment, construction, application for or permitting of any Special Use Permits for Commercial Wind Energy Conversion Systems within the unincorporated area of Franklin County Kansas was passed Resolution #23-21 by the Board of County Commissioners on May 10, 2023;

WHEREAS, said moratorium, as set forth in Resolution #23-21, terminates on December 31, 2026;

WHEREAS, the Franklin County Board of County Commissioners adopts this Resolution and the moratorium set forth herein to provide time for the Board and applicable Franklin County officials, employees, agencies and departments to review the Franklin County Comprehensive Plan and Zoning Regulations, receive public input, hold public hearings and make recommendations for amendments to the Franklin County

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Comprehensive Plan and Zoning Regulations to address adverse effects that Commercial Wind Energy Conversion Systems and Commercial Solar Energy Conversion Systems may create.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners, does hereby approve adopting the following:

SECTION 1: *Definition.* For purposes of this Resolution, the following phrases have the following definitions:

"RENEWABLE ENERGY SYSTEMS: A Wind Energy Conversion System (WECS) or a Solar Energy Conversion System (SECS) as defined in this section.

WIND ENERGY CONVERSION SYSTEMS (COMMERCIAL): A combination of mechanical and structural elements used to produce electricity by converting the kinetic energy of wind to electrical energy. Such systems consist of the turbine apparatus and related support structures and transmission improvements for the generation of electrical power for the purpose of off-site sale/resale for public use.

SOLAR ENERGY CONVERSION SYSTEMS (COMMERCIAL): An assembly that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST) or other conversion technology and consisting of a solar collector, an energy storage facility and components for the distribution of transformed energy for the sale, resale or off-site use.

SECTION 2:

1. ***Temporary Moratorium Extended.*** Commencing on the date of this Resolution and continuing through **December 31, 2028**, the repeal of this Resolution if earlier, or such later date to which the Franklin County Board of County Commissioners may subsequently extend this Resolution, the Franklin County Board of County Commissioners extends a temporary moratorium on the planning, establishment, construction, application for or permitting of any Special Use Permits for Commercial Wind Energy Conversion Systems in the unincorporated areas of Franklin County, Kansas. During the term of this moratorium, all Franklin County Officials, agencies, departments and/or boards charged with the responsibility for receiving, reviewing, processing and approving permits, site plans, applications and other requests relating to zoning, land use and construction of Commercial Wind Energy Conversion Systems are prohibited from doing so.
2. ***Temporary Moratorium.*** Commencing on the date of this Resolution and continuing through **December 31, 2028**, the repeal of this Resolution if earlier, or such later date to which the Franklin County Board of County Commissioners may subsequently extend this Resolution, the Franklin County Board of County

Commissioners imposes a temporary moratorium on the planning, establishment, construction, application for or permitting of any Special Use Permits for Commercial Solar Energy Conversion Systems in the unincorporated areas of Franklin County, Kansas. During the term of this moratorium, all Franklin County Officials, agencies, departments and/or boards charged with the responsibility for receiving, reviewing, processing and approving permits, site plans, applications and other requests relating to zoning, land use and construction of Commercial Solar Energy Conversion Systems are prohibited from doing so.

- 3: *Reviewing, Adopting and Amendments of the Franklin County Comprehensive Plan and Zoning Regulations.* During the term of this moratorium, the Franklin County Planning Department and the Franklin County Planning Commission intend to undertake a review of the Franklin County Comprehensive Plan and Zoning Regulations, receive public input, hold public hearings and make recommendations to the Board of County Commissioners for permanent changes to the Comprehensive Plan and Zoning Regulations that address Commercial Wind Energy Conversion Systems and Commercial Solar Energy Conversion Systems.
4. The establishment of any Commercial Wind Energy Conversion Systems or any Commercial Solar Energy Conversion Systems in the unincorporated area of Franklin County Kansas is hereby declared a violation of the public interest of the county so long as this Resolution shall remain in effect.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 28th day of January 2026. This action shall become effective upon publication in the official county newspaper.



Sabrina Meador
Chairman

Received and recorded this the 28th day of January 2026.





Janet Paddock
County Clerk