

BOARD OF COUNTY COMMISSIONERS  
OF  
FRANKLIN COUNTY, KANSAS

BOOK 275 PAGE 154

RESOLUTION NO. 15- 28

**A RESOLUTION APPROVING SPECIAL USE PERMIT APPLICATION #1506-1353 (MARTIN) TO PERMIT THE HOSTING AND OPERATION OF MOTOCROSS SAFETY CAMPS IN AN A-1 (AGRICULTURE) ZONING DISTRICT**

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 Planning Commission did publish notice on July 28, 2015 that public hearing would be held on August 20, 2015 to consider Special Use Permit application #1506-1353 (Martin) as required by K.S.A. 12-757 and Article 19, Section 19-3.04 of the Franklin County Zoning Regulations; and

WHEREAS, the Planning Commission did hold a public hearing on August 20, 2015 for the consideration of Special Use Permit application #1506-1353 to permit the hosting and operation of Motocross Safety Camps, and

WHEREAS, the Planning Commission did review and consider all public comments, reports, the staff report and recommendation together with the following criteria set forth in Article 19, Section 19-1 through 19-5 setting out the procedures and basis for review in considering a Special Use Permit:

- a. Whether the use is in compliance with, and would further enhance, the implementation of the adopted Comprehensive Plan;
- b. Whether the use complies with the purpose and intent of the adopted Zoning Regulations;
- c. Whether the use complies with other adopted standards of the County;
- d. Whether the use fits the character of the neighborhood;
- e. Whether the use would be unduly detrimental to surrounding properties and uses;
- f. The suitability of the subject property for the proposed use;
- g. Approval of mitigation measures to minimize impacts to surrounding properties or services; and

WHEREAS, the Planning Commission did, by unanimous vote of those members present, approved Special Use Permit #1506-1353 (Martin) to host and operate a Motocross Safety Camp; and

WHEREAS, the Board of County Commissioners of Franklin County did review the recommendation of the Planning Commission at their meeting of September 9, 2015 and after duly considering the recommendation, together with public comment, remanded the Special Use Permit back to the Planning Commission as provided in K.S.A. 12-757(d) identifying the specific items for the basis of their inaction; and

WHEREAS the Planning Commission at their regular meeting of September 17, 2015 did consider those specific items identified by the Board of County Commissioners, together with public comments and the staff report and recommendation and did, by majority vote of their membership, recommend approval of Special Use Permit #1506-1353 (Martin) to host and operate Motocross Safety Camp; and

WHEREAS, the Board of County Commissioners of Franklin County, after duly reviewing the recommendation of the Planning Commission together with all public comments for and against said Special Use Permit finds:

1. That the Special Use Permit is consistent with the County Zoning Regulations
2. That the Special Use Permit is in conformance with, and would further enhance, the County Comprehensive Plan
3. That, as conditioned, the Special Use Permit will not overburden the County roads and other public services
4. That, as conditioned, the Special Use Permit will not unduly affect the character of the surrounding community
5. That, as conditioned, the Special Use Permit will not impact property values of the surrounding properties
6. That, as conditioned, the Special Use Permit will comply with all other County Codes and Regulations
7. That the subject property is suitable for the proposed use.

NOW, THEREFORE, Be It Resolved, that the Franklin County Board of County Commissioners does hereby approve Special Use Permit Application #1506-1353 (Martin) as follows:

Section 1: Special Use Permit #1506-1353 (Martin) is granted for the following described property:

*The South Half (S ½) of the Northeast Quarter (NE ¼) of Section 26, Township 16 South, Range 20 East, containing 80.00 acres, more or less, all in Franklin County Kansas.*

Section 2: The Special Use Permit for the real property described above shall be subject to the following conditions:

1. That the Special Use Permit is granted for the hosting and the operation of a Motocross Safety Camp facility. Any additional uses will require approval of an amended Special Use Permit.
2. That the applicant shall maintain liability insurance in the amount of at least \$1,000,000.
3. The access drive shall be designed and constructed to provide an adequate stacking area for vehicles entering the camp in order to avoid traffic congestion on Tennessee Road. Such improvements shall be subject to the approval of the County Public Works Director.
4. That on-site sanitation facilities shall be provided and maintained at all times the camp activities are being conducted. Sanitation facilities shall be subject to the approval of the County Sanitarian prior to use.

5. Operation of the event participation shall not exceed three (3) consecutive days.
6. The number of events shall not exceed two (2) events per calendar year.
7. Any signs used in conjunction with this Special Use Permit shall conform to the Franklin County Zoning Regulations.
8. No parking shall be permitted on the public roadway.
9. Overnight camping shall be permitted provided any camper/RV is self-contained (water and sanitation) and located in the designated parking/camping area.
10. On-site security shall be provided at all times during the camp event. An operational security plan shall be prepared and submitted to the Sheriff's Office for approval prior to the start of the camp operation.
11. Emergency service communication facilities shall be provided and operational at all times during the camp event. In addition, the applicant shall prepare and make available to camp participants an Emergency Plan subject to the approval of the Emergency Management Director.
12. The applicant shall provide notification to the County of the dates of the proposed events a minimum of ten (10) days prior to any event.
13. An on-site first aid/emergency medical facility shall be provided during the camp event.
14. Operation of motocross safety instruction classes shall be limited between 8:00 a.m. and 6:00 p.m. during the camping event.
15. Outdoor entertainment shall be permitted and may include games, movies and recorded or live music provided such activities cease by 11:00 p.m. during the camping event.
16. No "Commercial" grade fireworks shall be permitted during the camping event.
17. Fire suppression facilities and equipment shall be maintained at the site and operational at all times during the camping event.
18. Vendors shall be permitted provided that products, services and related uses are displayed only and that there are no retail sales except for snacks and similar food items.
19. Separate driveways and parking lanes for camp registration shall be provided to avoid backing traffic onto Tennessee Road.
20. That the Special Use Permit shall be null and void by operation of law if the Special Use Permit has not been initiated and utilized by commencing the activity or use at the specified site in said permit within one (1) year of the date of approval.

PASSED AND ADOPTED by the Franklin County Board of County Commissioners this 23<sup>rd</sup> day of September, 2015. This action shall become effective upon publication in the official county newspaper.

  
Colton M. Wymire  
Chairman

Received and recorded this the 23<sup>rd</sup> day of September, 2015.



  
Janet Paddock  
County Clerk

FILED FOR RECORD  
TIME 1:45 P.M.

MISC

SEP 23 2015  
Book 275 Page 154  
REGISTER OF DEEDS, FRANKLIN CO., KS  
INSTRUMENT # 3408

(Original compared with record)