

COUNTY COMMISSION RESOLUTION 2024-24-L

**A RESOLUTION APPROVING AND INCORPORATING BY REFERENCE
THE *ZONING REGULATIONS OF LABETTE COUNTY, KANSAS*
AND THE *OFFICIAL ZONING DISTRICT MAP*,
FOR THE UNINCORPORATED AREAS OF LABETTE COUNTY, KANSAS,
PREPARED AND PUBLISHED AS A MODEL CODE**

**BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF LABETTE COUNTY,
KANSAS:**

Section 1. Approval

The *Zoning Regulations of Labette County, Kansas*, dated July 8, 2024, are hereby approved by the Board of County Commissioners of Labette County, Kansas. These *Zoning Regulations* are hereby incorporated by reference as fully as if set out within this Resolution in its entirety.

The *Zoning Regulations of Labette County, Kansas*, dated July 8, 2024, are hereby approved as an Amendment to the *Labette County Zoning Code* adopted by the Board of County Commissioners by Resolution No. 2011-42-L on September 19, 2011. These *Zoning Regulations* are a supplement to the *Labette County Zoning Code* and apply to the Great Plains Industrial Park (GPIP) solely as an *overlay* district, and utilize underlying zoning districts established for GPIP by the *Labette County Zoning Code*.

The *Zoning Regulations* govern the use of land and the location of buildings within the unincorporated areas of Labette County, Kansas. They have been prepared and published as a model code in book form by the Labette County Planning Board in accordance with state statutes K.S.A. 12-741 *et seq.*, as amended, 12-3301, and 12-3303 through 12-3305. They establish zoning district boundaries and classifications of zoning districts; adopt by reference an official map of zoning districts; define certain terms used in the *Zoning Regulations*; define zoning regulation exemptions; provide for conditional uses; prescribe the duties of the Planning Board and the Board of Zoning Appeals; provide for the appointment and prescribe the duties of a Zoning Administrator; provide for fees to be charged for amendments, appeals and permits; establish a means for amending the *Zoning Regulations*, Map and Resolution; and provide for penalties for violation of *Zoning Regulations* provisions and a means of enforcement.

Section 2. Official Zoning District Map

The *Official Zoning District Map of Labette County, Kansas*, dated July 8, 2024 is hereby approved by the Board of County Commissioners of Labette County, Kansas, and is hereby incorporated by reference as fully as if set out within this Resolution in its entirety.

The *Official Zoning District Map of Labette County, Kansas* delineates the boundaries of zoning districts and their classifications. It must be marked "Official copy of Zoning District Map Incorporated Into *Zoning Regulations* by adoption of Resolution 2024-24-L by the Labette County Board of County Commissioners on the 8 day of July, 2024".

Section 3. Public Hearing

The advertised public hearing required by K.S.A. 12-756(b) was duly held on May 16, 2024 by the Labette County Planning Board, and continued on June 24, 2024. The Planning Board heard all comments and remarks relating to the proposed *Zoning Regulations of Labette County, Kansas* and the *Official Zoning District Map of Labette County, Kansas*, and gave consideration to all statements. The Zoning Regulations and Map in model code form approved by this Resolution are a true and correct copy of the Zoning Regulations and Map adopted during the hearing by the Planning Board.

Section 4. Jurisdiction

From the effective date of this Resolution, the *Zoning Regulations of Labette County, Kansas* and the *Official Zoning District Map of Labette County, Kansas*, both dated July 8, 2024 and incorporated in this Resolution by reference, govern certain uses of the land within the unincorporated areas of Labette County, Kansas.

Section 5. Previous Agreements

Any development agreement between a developer and Labette County which was signed before the effective date of this Resolution will be honored according to the terms of the Agreement, and will not be subject to the terms prescribed by the *Zoning Regulations of Labette County, Kansas* except as allowed by the terms of the Agreement.

Section 6. Official Copies

At least three copies of the *Zoning Regulations of Labette County, Kansas* in book form, marked "Official Copy as incorporated by Resolution 2024-24-1", and with a copy of the published version of this Resolution attached, **must be filed with the County Clerk. The Zoning Regulations of Labette County, Kansas and the Official Zoning District Map must be made available to the public for inspection during all reasonable business hours.**

Section 7. Invalidity of a Part

Any provisions of this Resolution which are declared to be unconstitutional or invalid by a competent court must not affect the validity and authority of any other sections of this Resolution.

Section 8. Repeal of Conflicting Resolutions

Resolutions _____ are hereby repealed, and any other resolutions or parts of resolutions in conflict with this Resolution are also hereby repealed.

Section 9. Effective Date

This Resolution becomes effective upon its passage by the Board of County Commissioners, and its publication once in the official county newspaper.

PASSED BY THE BOARD OF COUNTY COMMISSIONERS ON
this 8 day of July, 2024.

/s/ *Terry Weidert*
Terry Weidert, Chairperson

/s/ *Cole Proehl*
Cole Proehl, Member

/s/ *Vince Schibi*
Vince Schibi, Member

ATTEST:
/s/ *Gena Landis*
Gena Landis, County Clerk

APPROVED AS TO FORM:
/s/ *Brian Johnson*
Brian Johnson, County Counselor

