

Resolution No. 20-04

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, KANSAS, RE-CODIFYING THE ZONING REGULATIONS FOR THE UNINCORPORATED TERRITORY OF DOUGLAS COUNTY, KANSAS, INTO THE COUNTY CODE

WHEREAS, on September 23, 1966, the Board of County Commissioners of Douglas County, Kansas (the "Board") adopted the Douglas County Zoning Resolution which applied to the unincorporated territory of Douglas County, Kansas (the "County").

WHEREAS, on September 11, 1985, by Resolution 85-46, the Board recodified such zoning regulations, together with all amendments that had previously been made thereto, which zoning regulations have been subsequently amended in certain respects and such zoning regulations, as previously amended, are hereinafter referred to as the "Zoning Regulations."

WHEREAS, on October 1, 2001, by Resolution 01-35, the Board codified its general resolutions into a code known as the Code of the County of Douglas, Kansas (the "County Code").

WHEREAS, on March 30, 2009, by Resolution 09-11, the Board codified the Zoning Regulations.

WHEREAS, a public notice of proposed zoning and subdivision text changes was properly given including publication in the official County newspaper of a public hearing on November 24, 2019;

WHEREAS, the Lawrence-Douglas County Planning Commission, after holding a public hearing on January 22, 2020, following due and lawful notice pursuant to K.S.A. 12-757 and the *Zoning and Land Use Regulations for the Unincorporated Territory of Douglas County for the Unincorporated Territory of Douglas County, Kansas*, as codified in Chapter 12, Article 3 of the Douglas County Code and as amended (the "Zoning Regulations"), has recommended that the Board of County Commissioners of Douglas County, Kansas (the "Board") make significant text amendments to the Zoning Regulations, a full copy of which is on file in the Zoning and Codes office; and

WHEREAS, on February 19, 2020 the Board found that the Zoning Regulations should be amended by adopting the text amendments and re-codifying the code; and

NOW, THEREFORE, the Board of County Commissioners of Douglas County, Kansas, sitting in regular session this 19th day of February, 2020, and intending to exercise its statutory powers, does hereby resolve as follows:

1. Adoption of Zoning Regulations. The Board hereby finds that the statutory provisions for the amendment of the Zoning Regulations has been fully complied with

and hereby amends the Zoning Regulations and re-codifies the same as set forth in the Zoning Code, a complete copy of which is on file in the Zoning and Codes office.

2. Replacement of Zoning Regulations. The Amendments made by this Resolution shall be a complete replacement to the Zoning Regulations, as codified in Chapter 12, Article 3 of the Douglas County Code. The Zoning Code heretofore adopted is repealed and replaced by this Zoning Code

3. Invalidity. If any section, clause, sentence or phrase of Resolution of the Text Amendments adopted hereby is found to be unconstitutional or is otherwise held invalid by any court of competent jurisdiction, it shall not affect the validity of any remaining parts of this Resolution or the Text Amendments adopted hereby, as the case may be.

4. Effective Date. This Resolution shall be in full force and effect from and after its adoption by the Board and its publication once in the official County newspaper.

ADOPTED by the Board of County Commissioners of Douglas County, Kansas, this 19th day of February, 2020.


**BOARD OF COUNTY COMMISSIONERS
OF DOUGLAS COUNTY, KANSAS**



Patrick Kelly, Chairman



Michelle Derousseau, Member



Nancy Thellman, Member

ATTEST:



Jameson D. Shew, County Clerk