

DR 79-19(C) - Amendment to County  
Zoning Resolution Section 10.

# ACTION

DATE

COMMITTEE

M.A.P.C.

~~B.C.C.~~ B. CO. C.

3-13-80

4-2-80

*Approved*

*adopted*

## LEGAL PUBLICATION

## LEGAL PUBLICATION

Published in the Wichita Beacon on April 26, 1960.  
RESOLUTION

A RESOLUTION AMENDING THE ZONING RESOLUTION OF SEDGWICK COUNTY, KANSAS, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO DECEMBER 28, 1957, FOR THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1955, ALL IN SEDGWICK COUNTY, KANSAS, BY AMENDING SECTION 10(A), SECTION 13(3)(a) AND SECTION 14(C)(2) OF THE SEDGWICK COUNTY, KANSAS ZONING RESOLUTION; ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED IN SECTION 14(C) THEREOF.

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

SECTION I. That upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 13, 1960, after notice and public hearing as provided by law under authority granted by Section 14(C) of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, and subsequently amended, Section 10 — "HEAVY INDUSTRIAL DISTRICT", paragraph 4, shall be amended to read as follows:

4. The following uses provided an application is submitted and a public hearing held as is required in Section 14(C), 14(C-2), and 14(C-3) of this Resolution; further provided said application shall be considered a request for a special permit and shall be charged a filing fee as provided in Section 14(C-2), except when accompanied by a zone change application encompassing the same area.

- a) Abattoirs or slaughter houses, including meat packing plants.
- b) Acid manufacture.
- c) Ammonia, bleaching powder or chlorine manufacture.
- d) Automobile or machine wrecking and salvage yards.
- e) Crematory.
- f) Disinfectants, cattle dips, exterminators or insecticides manufacture.
- g) Dye stuff manufacture.
- h) Fertilizer and industrial chemical manufacture.
- i) Explosive manufacture or storage.
- j) Gas manufacture or storage (other than illuminating or heating).
- k) Gelatine, glue or size manufacture or process involving recovery from animal material.
- l) Incineration or other reduction of garbage.
- m) Junk yards, including the handling and baling of paper, rags, or junk of other description.
- n) The manufacture of cement, lime, gypsum or plaster of paris.
- o) Pulp mills.
- p) Pyroxylin or celluloid manufacture, or explosive or inflammable cellulose or pyroxylin products manufacture.
- q) Stockyards.
- r) Tanning, curing or storage of raw hides or skins.

SECTION II. That upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 13, 1960, after notice and public hearing as provided by law under authority granted by Section 14(C) of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, and subsequently amended, Section 13 — "BOARD OF ZONING APPEALS SEDGWICK COUNTY", paragraph 3(a) — "PROCEDURE" shall be amended to read as follows:

## 3. PROCEDURE

a) Within applications for the approval of an appeal, variance or exception referred to in this section shall be filed in a manner prescribed by the Board. A fee, as set forth herein, shall be paid to the County Treasurer, or his agent, upon the filing of each application for an appeal, variance or exception, for the purpose of defraying costs of the proceedings described herein. A written receipt shall be issued to the person making such payment, and records thereof shall be kept in such manner as prescribed by law. Applications for appeals from the decisions of the enforcing officer shall be made within twenty (20) days of the date of such decision.

## Board of Zoning Appeals

## Application Fees

Appeals	\$ 50.00
Variances for residential uses	75.00
All other variances	150.00
Exceptions for residential uses	75.00
All other exceptions	200.00

SECTION III. That upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 13, 1960, after notice and public hearing as provided by law under authority granted by Section 14(C) of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, and subsequently amended, Section 14 — "ADMINISTRATION", paragraph C — "CHANGES AND AMENDMENTS", subparagraph 2 — "APPLICATION" shall be amended to read as follows:

2. Application: Application for any change of district boundaries or reclassification of districts as shown on the Zoning Map, shall be filed with the Commission upon forms and accompanied by such data and information as may be prescribed for that purpose by the Commission so as to assure the fullest practicable presentation of facts for the permanent record.

Each application shall be verified by at least one of the owners of property within the area proposed to be changed, attesting to the truth and correctness of all facts and information presented with the application.

Applications must be accompanied with a certified list of property owners of record and their addresses, if available, and if not available, then the address of the occupant of the premises, if tenanted, in all directions from the subject property for a distance of twice the frontage of the property included in the application; provided, no distance need be more than 1,000 feet and cannot be less than 200 feet.

For the purpose of defraying costs of proceedings prescribed herein, filing and publication fees shall be paid to the County Treasurer or his agent upon the filing of such application for change in district classification. The fee for such application is as follows:

Zoning Classification	Site of Application Area			
	up to & including 3 acres	over 3 acres to 6 acres	over 6 acres to 15 acres	over 15 acres
"R", "R-1" & "AA"	\$200	\$300	\$400	\$500
"BB"	350	450	550	650
"LC", "C", "E" & "F"	400	500	600	700

"CU Conditional Use Permit" — Fee required is the same as for the District in which located.

Special Permit — as authorized by the Zoning Resolution \$150

Any person requesting deferral of a zoning case or a conditional use case shall be charged a fee of \$50 at such time that the deferral is granted to cover administrative costs.

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in a manner as prescribed by law.

SECTION IV. This resolution shall take effect and be enforced on May 1, 1960, upon its adoption and publication once in the official County paper.

PASSED AND ADOPTED this 9th day of April, 1960.

Everett Patrick, Chairman  
Tom Scott, Commissioner  
Don Grass, Commissioner

ATTEST:  
Dorothy K. White, County Clerk  
(SEAL)  
APPROVED AS TO FORM BY:  
Theodore H. Hill, County Counselor

Ordinance No. \_\_\_\_\_

AN ORDINANCE AMENDING THE PROVISIONS OF SECTION 28.04.195 OF THE CODE OF THE CITY OF WICHITA; PERTAINING TO THE CHARGING OF APPLICATION FEES FOR REQUESTS FOR HISTORIC LANDMARK DESIGNATIONS ON PROPERTIES IN THE CITY OF WICHITA; AMENDING THE PROVISIONS OF SECTION 28.04.210(3) OF THE CODE OF THE CITY OF WICHITA; PERTAINING TO THE CHARGING OF APPLICATION FEES FOR REQUESTS FOR CHANGES IN ZONING; AND REPEALING THE ORIGINAL OF SAID SECTIONS 28.04.195 AND 28.04.210(3) OF THE CODE OF THE CITY OF WICHITA.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

SECTION 28.04.195 of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"28.04.195 Historic landmark designation. The purpose and intent of this section is to provide means of designating on the official zoning map of the City of Wichita those properties determined to be historic landmarks by the Board of City Commissioners of the City of Wichita. The determination of eligibility for designation as a historic landmark shall be based on the conclusions and findings of fact of the historic landmark preservation committee as created and directed by Sections 2.12.1015 through 2.12.1025 inclusive of the Code of the City of Wichita and upon the recommendation of the Metropolitan Area Planning Commission following public hearing as hereinafter provided.

Upon recommendation of the historic landmark preservation committee, an application may be initiated for the designation of a historic landmark on legally described property or properties which have been incorporated into the historic landmark preservation plan of the City of Wichita.

The applicant shall provide the names of the owner(s) of record, together with an accurate legal description of the property proposed to be designated, and shall accompany the application with a fee of \$200.00 when the application encompasses a single zoning lot as defined in Section 28.04.020 of the zoning ordinance. An application for the designation of a Historic Landmark District, comprised of two (2) or more zoning lots, shall be accompanied by a fee of \$500.00 plus \$1.00 per zoning lot within the district. The fees

shall be used to cover the expenses associated with the handling of the case. The applicant shall also identify the specific criteria as set out in Sections 2.12.1019 and 2.12.1020(2) of this Code under which the described property is proposed to be designated as a historic landmark.

Upon receipt of the complete application and fee, the Metropolitan Area Planning Department shall establish a case file and proceed to prepare a notice for a public hearing before the Metropolitan Area Planning Commission. The notice shall be sent by certified mail with return receipt requested to the owner(s) of record of the property directly involved and shall be published once in the official city newspaper at least twenty days prior to the hearing date.

At the conclusion of the public hearing, the Metropolitan Area Planning Commission shall forward its recommendation for approval or disapproval of historic designation to the Board of City Commissioners. In the event the Board of City Commissioners takes action to approve the historic designation of the property involved, the Metropolitan Area Planning Department, on the basis of the public meeting record, shall set out on the official zoning map of the City of Wichita a designation corresponding to the case number and a delineation of the property involved.

The establishment of the historic landmark designation shall in no way alter the uses permitted by the zoning classification or districts of this chapter as previously established on the property. A desire to change permitted uses will require the filing of an application requesting a zoning change as provided for in Section 28.04.210.

In the event a permit is issued as provided for in Section 2.12.1024 of this Code, for the demolition or removal of a designated historic landmark structure not located within a

landmark district, the superintendent of central inspection shall instruct the Metropolitan Area Planning Department to remove the designation from the official zoning map of the City; provided that, upon removal of a structure within an historic landmark district, the land shall retain its classification as, and remain a part of said designated historic landmark district."

Section 28.04.210(3) of the Code of the City of Wichita, Kansas, is hereby amended to read as follows:

"3. Changes by other individuals or groups.

3.1 A proposal for an amendment or change in zoning may be initiated by the governing body, the planning commission or upon application of the owner of the property affected. The application shall be filed with the planning commission upon forms and accompanied by such data and information as may be prescribed by the planning commission, so as to ensure the fullest practicable presentation of facts for the permanent record.

3.2 For the purpose of defraying costs of proceedings described herein, filing and publication fees shall be paid upon the filing of each application for a change of district boundaries or classification as follows:

Zoning Classification	Size of Application Area			
	Up to & including <u>3 acres</u>	Over 3 acres to <u>6 acres</u>	Over 6 acres to <u>15 acres</u>	Over 15 <u>acres</u>
"AA" & "A"	\$200	\$300	\$400	\$500
"RB", "R-5", "R-6" & "U"	\$300	\$400	\$500	\$600
"G"	N/A	\$400	\$500	\$600
"B" & "BB"	\$350	\$450	\$550	\$650
"LC", "C", "D", "E" & "F"	\$400	\$500	\$600	\$700

Residential C.U.P.

Original-\$500 plus \$5 per acre for  
each acre over 40 acres

Amendments

Major - (design or use change \$500  
that would affect 50%  
or more of the area  
contained within the  
C.U.P.

Minor - (design or use change \$200  
that would affect less  
than 50% of the area  
contained within the  
C.U.P.

Commercial C.U.P.

Original - when filed with \$200 plus  
rezoning application \$5 per acre  
for each acre  
over 15 acres

Original - when filed \$500 plus  
separately \$5 per acre  
for each acre  
over 15 acres

Amendments

Major - (design or use change \$500  
that would affect 50%  
or more of the area  
contained within the  
C.U.P.

Minor - (design or use change      \$200  
that would affect less  
than 50% of the area  
contained within the  
C.U.P.

A fee of \$150 shall be charged for those requests for special permits or uses, where authorized by the Zoning Ordinance, that are referred by the Board of City Commissioners to the Metropolitan Area Planning Commission for public hearing and recommendation. Said fee shall be paid by the applicant prior to the scheduling of a hearing before the Metropolitan Area Planning Commission.

Any person requesting deferral of a case shall be charged a fee of \$50 to cover administrative cost at such time that the deferral is granted.

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in such a manner as prescribed by law.

3.3 No application for any change of zoning classification shall be filed within one year following a previous application on the same property or portion thereof; provided, however, the zoning committee of the planning commission, upon petition by the applicant, may permit a refiling of said application after six months of the original publication date, when significant physical, economic or land use changes have taken place within the immediate vicinity or a significant zoning ordinance text change has been adopted, or when the reapplication is for a change of zoning classification more restrictive than the original request. The applicant shall submit a statement in detail, setting out those changes which he deems significant and upon which he relies for refiling the original application."

The original Sections 28.04.195 and 28.04.210(3) of the Code of the City of Wichita, Kansas, are hereby repealed.

This ordinance shall be included in the Code of the City of Wichita, Kansas and be effective upon its passage and publication once in the official City paper.

ADOPTED at Wichita, Kansas, this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Donald Gisick, City Clerk

Approved as to form:

\_\_\_\_\_  
John Dekker, Director of Law

Additions underlined  
Deletions ~~marked-thru~~

DR 79-49(C)  
February 1, 1980

Possible Amendment to the Zoning Resolution  
of Sedgwick County, Kansas scheduled for  
public hearing before the MAPC on Thursday, March 13, 1980

It is proposed to amend Section 10, paragraph 40, "F"  
Heavy Industrial District to allow fees to be charged for  
applications filed under the provisions of paragraph 40.

Section 10, paragraph 40 shall be amended to read as follows:

40. The following uses provided an application is  
submitted and a public hearing held as is re-  
quired in Section 14-C-1, 14-C-2, and 14-C-3  
of this Resolution; further provided that ~~all  
fees-as-required-by-Section-14-C-2-shall-be  
waived-for-the-purposes-of-this-application-~~  
said application shall be considered a request  
for a special permit and shall be charged a  
filing fee as provided in Section 14-C-2, except  
when accompanied by a zone change application  
encompassing the same area.

- a) Abattoirs or slaughter houses, including meat  
packing plants.
- b) Acid manufacture.
- c) Ammonia, bleaching powder or chlorine manufacture.
- d) Automobile or machine wrecking and salvage yards.
- e) Crematory.

- f) Disinfectants, cattle dips, exterminators or insecticides manufacture.
- g) Dyestuff manufacture.
- h) Fertilizer and industrial chemical manufacture.
- i) Explosive manufacture or storage.
- j) Gas manufacture or storage (other than illuminating or heating).
- k) Gelatine, glue or size manufacture or process involving recovery from animal material.
- l) Incineration or other reduction of garbage.
- m) Junk yards, including the handling and baling of paper, rags, or junk of other description.
- n) The manufacture of cement, lime, gypsum or plaster of paris.
- o) Pulp mills.
- p) Pyroxylin or celluloid manufacture, or explosive or inflammable cellulose or pyroxylin products manufacture.
- q) Stockyards.
- r) Tanning, curing or storage of raw hides or skins.

WICHITA-SEDGWICK COUNTY

DATE

March 31, 1980

**METROPOLITAN AREA PLANNING DEPARTMENT**

**TO** Board of County Commissioners

**FROM** Robert A. Lakin, Director of Planning

**SUBJECT** DR79-19 (B) and (C) - Amendment to County Zoning Resolution

**RE:** Zoning, Conditional Use and BZA Fee Increases

Attached hereto is a delineated copy of a resolution amending Section 10, paragraph 40 (Heavy Industrial District); Section 13, paragraph 3(a) (Board of Zoning Appeals); and Section 14, paragraph C(2) (Administration) of the Sedgwick County Zoning Resolution that was advertised and considered by the Wichita-Sedgwick County Metropolitan Area Planning Commission at a public hearing on Thursday, March 13, 1980.

SUMMARY

During the review of the 1980 budget, the Metropolitan Area Planning Department (MAPD) was instructed to examine the filing fees charged for applications submitted for Metropolitan Area Planning Commission (MAPC) review. Approximately \$40,000 in additional revenue was to be generated by the increased fees in order to help defray current operating expenses of MAPD. Although it was not intended to raise fees to cover all of the Current Plans Division costs, it was recognized that the cost of processing an application is in excess of revenue received. In addition, due to rising salaries, supply costs and increasing demands on City and County revenues, there was the possibility of reducing MAPD staff. One other justification for increasing fees is that the existing fees reflect 1967 costs and have not been increased in the last thirteen years.

As a basis for determining the amount of increase MAPD staff prepared a time and cost analysis. Costs were assigned to each procedure involved in processing an "average" case and direct costs such as postage or printing. No costs were assigned to cover purchase of equipment such as typewriters, cameras, etc. Neither is any rent or prorated overhead for office administration assigned.

It was found, in comparing 1967 costs and 1979 costs, that cost for handling cases have doubled or tripled. Since 1967 processing costs for zone changes have risen from \$112.84 to \$258.58; platting costs have risen from \$70.87 to \$509.10; vacation costs have risen from \$43.96 to \$93.73; conditional use permit costs have risen from \$84.42 to \$235.95; and Board of Zoning Appeals costs have risen from \$78.02 to \$204.87.

MAPC has reviewed the time and cost analyses and has held three informal work sessions to discuss the proposed fees. MAPD staff have also met with some groups and organizations, as well as individuals to discuss the proposed fees.

Board of County Commissioners  
March 31, 1980  
Page 2

During the informal work sessions MAPC members felt that the fees for rezoning requests should be restructured so that higher fees would be charged for larger application areas. It was felt that larger application areas result in additional staff time to review the application, prepare correspondence, and higher postage costs. Therefore, the proposed fees vary as to the type of application and as to the size of the application area.

Some new fees are being recommended in order to recover a portion of the processing costs for applications that currently generate no revenue. These include special permit applications, requests for certain uses in the "F" Heavy Industrial District, requests for deferral and applications filed by governmental agencies.

MAPC members felt that MAPD should not bear the entire cost of processing requests from governmental agencies such as Public Works Department, Urban Renewal Agency, Historic Landmark Committee, etc. There was a general consensus that although it would involve only a shifting of funds, other governmental agencies should not utilize MAPD's budget for their activities and that MAPD should receive compensation for processing governmental applications.

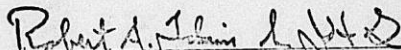
The County Board of Zoning Appeals has reviewed the proposed BZA fees. BZA fees reflect an attempt to recognize the difference between "hardship" cases, i.e., variances of setbacks in residential areas, and "nonhardship" cases, i.e., reduction of parking requirements for commercial establishments.

MAPC feels that although there may be some hidden problems within the proposed fee structure the proposed fees are satisfactory. It has been suggested by MAPC members that these fees be adopted and monitored for a year and then revised if problems or inequities are found. MAPC members also suggested that fees be reviewed every two or three years to determine if increases are needed.

Fees for City zoning, City BZA, platting, vacation, and lot splits are also being increased to reflect current costs and to generate additional revenue. Platting, vacation and lot split fees will be forwarded for your review at a later time.

#### RECOMMENDATION

It was recommended by the Wichita-Sedgwick County Metropolitan Area Planning Commission by a 7-0 vote (Cole moved, Shook seconded, with Goebel, Jones, and Lofton absent) that this resolution be adopted.

  
Robert A. Lakin, Director of Planning

RAL:ADC

cc: Ted Hil, Sedgwick County Counselor  
John Philbrick, Director of Administration  
Joe Freeman, Sedgwick County Director of Public Works  
Syd Werbin, Director of Building, Planning & Zoning

Delineated Copy  
Additions - underlined  
Deletions - ~~marked-thru~~

( \_\_\_\_\_ ) Published in the Wichita Beacon on \_\_\_\_\_

RESOLUTION

A RESOLUTION AMENDING THE ZONING RESOLUTION OF SEDGWICK COUNTY, KANSAS ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS AND EFFECTIVE AFTER MARCH 3, 1958, WITH AMENDMENTS TO DECEMBER 28, 1977, FOR THE UNINCORPORATED TERRITORY LYING WITHIN THREE MILES OF THE CITY OF WICHITA, THE CITY OF HAYSVILLE, THE CITY OF DERBY, THE CITY OF MULVANE, THE CITY OF VALLEY CENTER, THE CITY OF GODDARD, AND THAT PORTION OF THE AREA WITHIN THREE MILES OF THE CITY OF CHENEY AS ESTABLISHED BY THE BOARD OF COUNTY COMMISSIONERS ON OCTOBER 3, 1973, ALL IN SEDGWICK, COUNTY, KANSAS; BY AMENDING SECTION 10.40, SECTION 13.3(a) AND SECTION 14.C(2) OF THE SEDGWICK COUNTY, KANSAS ZONING RESOLUTION; ALL IN ACCORDANCE WITH THE AUTHORITY GRANTED IN SECTION 14.C THEREOF.

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

SECTION 1. That upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 13, 1980, after notice and public hearing as provided by law under authority granted by Section 14.C of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, and subsequently amended, Section 10 - "HEAVY INDUSTRIAL DISTRICT", paragraph 40, shall be amended to read as follows:

40. The following uses provided an application is submitted and a public hearing held as is required in Section 14-C-1, 14-C-2, and 14-C-3 of this Resolution; further provided that ~~all fees as required by Section 14-C-2 shall be waived for the purposes of this application~~ said application shall be considered a request for a special permit and shall be charged a filing fee as provided in Section 14-C-2, except when accompanied by a zone change application encompassing the same area.
- a) Abattoirs or slaughter houses, including meat packing plants.
  - b) Acid manufacture.
  - c) Ammonia, bleaching powder or chlorine manufacture.
  - d) Automobile or machine wrecking and salvage yards.
  - e) Crematory.
  - f) Disinfectants, cattle dips, exterminators or insecticides manufacture.

- g) Dyestuff manufacture.
- h) Fertilizer and industrial chemical manufacture.
- i) Explosive manufacture or storage.
- j) Gas manufacture or storage (other than illuminating or heating).
- k) Gelatine, glue or size manufacture or process involving recovery from animal material.
- l) Incineration or other reduction of garbage.
- m) Junk yards, including the handling and baling of paper, rags, or junk of other description.
- n) The manufacture of cement, lime, gypsum or plaster of paris.
- o) Pulp mills.
- p) Pyroxylin or celluloid manufacture, or explosive or inflammable cellulose or pyroxylin products manufacture.
- q) Stockyards.
- r) Tanning, curing or storage of raw hides or skins.

SECTION 11. That upon the recommendation of the Wichita, Sedgwick County Metropolitan Area Planning Commission on March 13, 1980, after notice and public hearing as provided by law under authority granted by Section 14.C of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, and subsequently amended, Section 13 - "BOARD OF ZONING APPEALS SEDGWICK COUNTY", paragraph 3(a) - "PROCEDURE" shall be amended to read as follows:

3. Procedure

- a) Written applications for the approval of an appeal, variance or exception referred to in this section shall be filed in a manner prescribed by the Board. A fee, ~~of fifty dollars (\$50.00)~~ as set forth herein, shall be paid to the County Treasurer, or his agent, upon the filing of each application for an appeal, variance or exception, for the purpose of defraying costs of the proceeding described herein. A written receipt shall be issued to the person making such payment, and records thereof shall be kept in such manner as prescribed by law. Applications for appeals from the decisions of the enforcing officer shall be made within twenty (20) days of the date of such decision.

Board of Zoning Appeals  
Application Fees

<u>Appeals</u>	\$ 50.00
<u>Variances for residential uses</u>	75.00
<u>    All other variances</u>	<u>150.00</u>
<u>Exceptions for residential uses</u>	75.00
<u>    All other exceptions</u>	<u>200.00</u>

SECTION 111. That upon the recommendation of the Wichita-Sedgwick County Metropolitan Area Planning Commission on March 13, 1980, after notice and public hearing as provided by law under authority granted by Section 14.C of the Sedgwick County Zoning Resolution, as adopted March 3, 1958, and subsequently amended, Section 14 - "ADMINISTRATION", paragraph C - "CHANGES AND AMENDMENTS", subparagraph 2 - "APPLICATION" shall be amended to read as follows:

2. Application: Application for any change of district boundaries or reclassification of districts as shown on the Zoning Map, shall be filed with the Commission upon forms and accompanied by such data and information as may be prescribed for that purpose by the Commission so as to assure the fullest practicable presentation of facts for the permanent record.

Each application shall be verified by at least one of the owners of property within the area proposed to be changed, attesting to the truth and correctness of all facts and information presented with the application.

Applications must be accompanied with a certified list of property owners of record and their addresses, if available, and if not available, then the address of the occupant of the premises, if tenanted, in all directions from the subject property for a distance of twice the frontage of the property included in the application; provided, no distance need be more than 1,000 feet and cannot be less than 200 feet.

For the purpose of defraying costs of proceedings prescribed herein, filing and publication fees shall be paid to the County Treasurer or his agent upon the filing of such application for change in district classification. The fee for such application is as follows:

<u>Classification</u>	<u>Fee</u>
"R"--Rural-Residential-District	6-70-00
"R-1" Suburban-Residential-District	70-00
"AA"--One-Family-Dwelling-District	70-00
"BB"--Office-District	140-00
"LC"--Light-Commercial-District {6-acres-and-under}	200-00
"LC"--Light-Commercial-District {over-6-acres}	400-00
"C"--General-Commercial-District {6-acres-and-under}	200-00
"C"--General-Commercial-District {over-6-acres}	400-00
"E"--Light-Industrial-District {6-acres-and-under}	200-00
"E"--Light-Industrial-District {over-6-acres}	400-00
"F"--Heavy-Industrial-District {6-acres-and-under}	200-00
"F"--Heavy-Industrial-District {over-6-acres}	400-00

Size of Application Area

<u>Zoning Classification</u>	<u>up to &amp; including 3 acrs</u>	<u>over 3 acres to 6 acres</u>	<u>over 6 acres to 15 acres</u>	<u>over 15 acres</u>
"R", "R-1" & "AA"	\$200	\$300	\$400	\$500
"BB"	350	450	550	650
"LC", "C", "E" & "F"	400	500	600	700

"CU" Conditional Use Permit - Fee required is the same as for the District in which located.

Special Permit - as authorized by the Zoning Resolution      \$150

Any person requesting deferral of a zoning case or a conditional use case shall be charged a fee of \$50 at such time that the deferral is granted to cover administrative costs.

A written receipt shall be issued to the person making such a payment and records thereof shall be kept in a manner as prescribed by law. ~~No fee shall be required when said application is submitted by any department of the City, County, State or Federal Government.~~

SECTION IV. This resolution shall take effect and be enforced on May 1, 1980 upon its adoption and publication once in the official county paper.

PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 1980.

\_\_\_\_\_  
Everett Patrick, Chairman

\_\_\_\_\_  
Tom Scott, Commissioner

\_\_\_\_\_  
Don Gragg, Commissioner

ATTEST:

\_\_\_\_\_  
Dorothy K. White, County Clerk

(Seal)

APPROVED AS TO FORM BY:

\_\_\_\_\_  
Theodore H. Hill, County Counselor

March 27, 1980

John Oliphant, Executive Director  
Wichita Area Association  
of Homebuilders  
730 North Main, Suite A  
Wichita, Kansas 67203

Re: Proposed Fee Increases  
City Zoning, County Zoning  
and County BZA (DR 79-19)

Dear Mr. Oliphant:

We have been informed by the City Manager's office that the planning items heard by the Planning Commission on March 13 and scheduled for City Commission review on April 8, 1980, will not be on the April 8 agenda. The review of the proposed fee increases for city zoning and C.U.P.'s will be heard at the regularly scheduled Board of City Commissioners' meeting on April 15, 1980.

As was noted in my letter of March 14, 1980, the Board of County Commissioners will consider the proposed fee increases for County BZA and County Zoning at their regularly scheduled meeting on April 9, 1980.

If you have any questions, please call.

Sincerely,

Arthur D. Chambers, AICP  
Junior Planner

ADC:el  
cc: Bob Fox, Comotara Properties  
2421 Longwood Circle, 67226

Additions underlined  
Deletions ~~marked with~~

DR 79-19(C)  
February 1, 1980

Possible Amendment to the Zoning Resolution  
of Sedgwick County, Kansas scheduled for  
public hearing before the MAPC on Thursday, March 13, 1980

It is proposed to amend Section 10, paragraph 40, "F"  
Heavy Industrial District to allow fees to be charged for  
applications filed under the provisions of paragraph 40.

Section 10, paragraph 40 shall be amended to read as follows:

40. The following uses provided an application is submitted and a public hearing held as is required in Section 14-C-1, 14-C-2, and 14-C-3 of this Resolution; further provided that ~~all fees as required by Section 14-C-2 shall be waived for the purposes of this application.~~ said application shall be considered a request for a special permit and shall be charged a filing fee as provided in Section 14-C-2, except when accompanied by a zone change application encompassing the same area.
- a) Abattoirs or slaughter houses, including meat packing plants.
  - b) Acid manufacture.
  - c) Ammonia, bleaching powder or chlorine manufacture.
  - d) Automobile or machine wrecking and salvage yards.
  - e) Crematory.
  - f) Disinfectants, cattle dips, exterminators or insecticides manufacture.
  - g) Dyestuff manufacture.
  - h) Fertilizer and industrial chemical manufacture.
  - i) Explosive manufacture or storage.
  - j) Gas manufacture or storage (other than illuminating or heating).
  - k) Gelatine, glue or size manufacture or process involving recovery from animal material.
  - l) Incineration or other reduction of garbage.
  - m) Junk yards, including the handling and baling of paper, rags, or junk of other description.

- n) The manufacture of cement, lime, gypsum or plaster of paris.
- o) Pulp mills.
- p) Pyroxylin or celluloid manufacture, or explosive or inflammable cellulose or pyroxylin products manufacture.
- q) Stockyards.
- r) Tanning, curing or storage of raw hides or skins.

WICHITA-SEDGWICK COUNTY

DATE

March 6, 1980

**METROPOLITAN AREA PLANNING DEPARTMENT**

**TO** Metropolitan Area Planning Commission  
**FROM** Robert A. Lakin, Director of Planning  
**SUBJECT** Proposed Fee Increases - DR79-19(A) City Zoning and Historic Landmark; DR79-19(B) County Zoning and County Board of Zoning Appeals; and DR79-19(C) County Special Permit for Uses in "F" Heavy Industrial District

Delineated copies of the proposed amendments to Sections 28.04.195 (Historic Landmark) and 28.04.210 (Zoning Fees) of the City Zoning Ordinance and to Sections 13 (BZA), 14 (County Zoning Fees), and 10 ("F" Heavy Industrial District) of the County Zoning Resolution are attached for your information and review. DR79-19(A) and DR79-19(B) were deferred to the March 13th meeting at the February 28th MAPC meeting.

DR79-19(C) is an amendment to paragraph 40 of Section 10 of the County Zoning Resolution. Paragraph 40 provides that an application must be filed and approved prior to the establishment of certain uses in the "F" Heavy Industrial District. The proposed amendment would permit a fee to be charged when the application is filed.



Robert A. Lakin  
Director of Planning

Attachments

RAL:AC:sad