

**RESOLUTION NO. 06 - 2022** Date Recorded: 9/2/2022 8:41:42 AM  
0059400255

**A RESOLUTION EXTENDING THE MORATORIUM AND SUSPENSION OF CERTAIN TYPES OF IMPROVEMENTS ON ANY LAND WITHIN THE UNINCORPORATED AREA OF CHEROKEE COUNTY; AND DIRECTING THAT POTENTIAL LAND DEVELOPMENT REGULATIONS FOR CHEROKEE COUNTY BE DEVELOPED.**

**WHEREAS**, Cherokee County, pursuant to K.S.A. 19-101 *et seq.*, has the authority to determine its local affairs and to establish such regulations as are necessary for the protection of the public health, safety, and welfare; and

**WHEREAS**, the Board of Commissioners of Cherokee County, Kansas passed Resolution 12-2021 on August 30, 2021 imposing a moratorium and suspension of certain types of improvements on any land within the unincorporated area of Cherokee County and directing that potential land development regulations for Cherokee County be developed.

**WHEREAS**, Cherokee County does not presently provide regulations or standards that are specific to commercial Wind Energy Conversion Systems (“WECS”), often referred to as “wind farms”; and

**WHEREAS**, Kansas statutes authorize counties to establish land development regulations to address their local development concerns and needs; and

**WHEREAS**, due to a number of impacts that WECS have or might have on both nearby property owners and also future development, the Board of County Commissioners recognize that a need exists to develop, consider, and potentially adopt land development regulations and/or standards that may pertain to such property uses; and

**WHEREAS**, the Board requires additional time to complete the task of developing, considering, and potentially adopting any regulations and/or standards; and

**WHEREAS**, the time necessary to adopt any regulations and/or standards for WECS could result in an influx of such WECS that may not be in the best interests of Cherokee County; that could be detrimental to the health, safety, and general public welfare of the citizens of Cherokee County; and, that might be inspired to occur only in an attempt to become established before any new land development regulations and/or standards are adopted which might limit, restrict, or prohibit such development; and

**WHEREAS**, pursuant to K.S.A. 19-101, *et seq.*, Cherokee County has the police power and statutory authority to regulate the conduct of development through this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY, KANSAS that:

**SECTION 1.**

Cherokee County Resolution No. 12-2021 is hereby extended sixty (60) days to expire October 28, 2022.

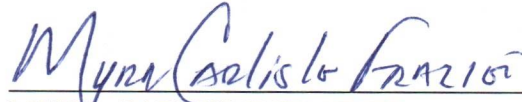
BE IT FURTHER RESOLVED that this resolution shall be published once in the official county newspaper and shall be in effect from and after its date of publication.

ADOPTED in regular session this 29<sup>th</sup> day of August, 2022.

BOARD OF COUNTY COMMISSIONERS  
OF CHEROKEE COUNTY, KANSAS



CORY MOATES, Chairman  
Commissioner, Third District



MYRA CARLISLE FRAZIER  
Commissioner, First District



LORIE JOHNSON  
Commissioner, Second District



  
REBECCA BRASSART, County Clerk