

BROWN COUNTY, KANSAS
RESOLUTION 2025-08

RESOLUTION ADOPTING ZONING REGULATION

WHEREAS,

The Board of County Commissioners of Brown County received a recommendation of the Brown County Planning Commission, after a duly noticed public hearing, to adopt zoning regulations;

The Board of County Commissioners of Brown County provided notice of its intent to adopt zoning regulations to cities within Brown County and received comments from the City of Hiawatha and the City of Horton; and

The Board of County Commissioners of Brown County voted to override the recommendation of the Brown County Planning Commission by adopting zoning regulations with a more limited zoning jurisdiction, but otherwise as recommended by the planning commission and as particularly set out as follows:

Brown County, Kansas, Zoning Regulation
Pursuant to K.S.A. 12-741 *et seq.*

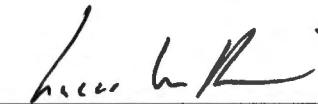
- 1. Jurisdiction:** This regulation shall apply to all unincorporated territory within Brown County, Kansas, except land within three miles outside of the City of Hiawatha, Kansas as to which the City of Hiawatha has adopted zoning regulations pursuant to K.S.A. 12-715b; except land within three miles outside the City of Horton, as to which the City of Horton has adopted zoning regulations pursuant to K.S.A. 12-715b; and except land within three miles outside the City of Sabetha, Kansas, as to which the City of Sabetha has adopted zoning regulations pursuant to K.S.A. 12-715b. Such territory shall be designated on the official Brown County zoning district map incorporated herein by reference. The application of this regulation to tribal trust lands within Brown County, if any, is subject to limitations/exemptions of federal law as may be applicable from time to time.
- 2. Purpose:** The purpose of this regulation is to preserve and protect agricultural land, aesthetic values and quality of life within Brown County, Kansas.
- 3. Number of zoning districts:** The unincorporated territory within Brown County, Kansas, shall comprise a single zoning district uniformly subject to the regulation herein.
- 4. Restrictions:** No land shall be used for a Commercial Wind Energy Project or any portion thereof. A “Commercial Wind Energy Project” is defined as a combination of mechanical and structural elements used to produce electricity by converting kinetic energy of wind to electrical energy of equal or greater than 500 kilowatts in total nameplate generating capacity. “Commercial Wind Energy Project” includes powerlines,

cables, transformers and similar equipment within the zoning jurisdiction of Brown County, Kansas, used to convey or process electricity generated from a Commercial Wind Project outside the zoning jurisdiction of Brown County, Kansas, except for such equipment that conveys or processes such electricity incidental to conveyance of electricity generated from other sources.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Brown County, Kansas, that the Zoning Regulations of Brown County, Kansas, are hereby adopted.

This resolution shall be effective upon publication in the official county newspaper.

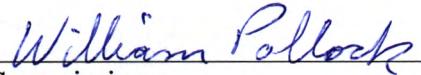
Adopted by the Board of County Commissioners of Brown County this 18th day of February, 2025.



Commissioner

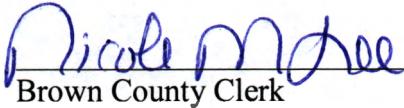


Commissioner



Commissioner

ATTEST:


Nicole Motte

Brown County Clerk

