

RESOLUTION NO. 06-18-2012

**A RESOLUTION AMENDING THE ZONING REGULATIONS OF
GEARY COUNTY, KANSAS, CONCERNING CERTAIN DAY CARE
OPERATIONS.**

WHEREAS, the Junction City – Geary County Metropolitan Planning Commission did on May 10, 2012, conduct a public hearing on the proposed amendments to the Geary County Zoning Regulations pertaining to amending certain sections of said Zoning Regulations regarding day care operations; and,

WHEREAS, this Board of County Commissioners has reviewed the record of said Metropolitan Planning Commission meeting and thoroughly discussed the recommendation made therein.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF GEARY COUNTY, KANSAS:**

Section 1. Article 1-104, DEFINITIONS, is hereby amended by deleting the term (77) “FAMILY DAY CARE HOME”.

Section 2. Article 15-105, CONDITIONAL USES ENUMERATED, Number (29) is hereby repealed and new Number (29) is adopted to read as follows:

- 29. Group Boarding Home, Group Day Care Home, Child Care Center, Preschool, Detention Center, or Residential Center, except as permitted by K.S.A. 12-736 as amended, provided:
 - A. The applicant shall submit, as a part of the application, the plans for the proposed facility giving the type of services to be rendered, the number of persons to be placed in the facility, the number of staff to be employed and other information that will help in determining the extent of services to be provided.
 - B. A report from the Geary County Health Officer shall be submitted by the applicant, giving the current status of the applicant's license to operate the proposed facility and listing all requirements yet to be met in order for the proposed facility to be granted authorization to begin its operations.
 - C. Off-street parking at a rate of one space per employee plus two additional spaces for guests.
 - D. When operated out of an existing or proposed residential structure, the following standards shall be met:
 - (1) That only one nonilluminated ground or wall sign not more than 4 square feet in area is used to advertise the home occupation.

- (2) Outside play areas shall be in the side or rear yard only and shall be fenced.

Section 3. Article 15-109, ACCESSORY USES ALLOWED, Section (1)(G) is repealed and new Section (1)(G) is adopted to read as follows:

1. In the “AG” Agricultural District, the following or similar accessory uses are allowed.

G. Home occupations, including a licensed Day Care Home.

Section 4. Article 15-109, ACCESSORY USES ALLOWED, Section (2)(D) is modified by deleting the reference to Family Day Care Home and modified to read as follows:

2. In the “SR” Suburban Residential and “R-1” Single-Family Residential Districts, the following or similar accessory uses are allowed.

D. Licensed Day Care Home.

ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS of Geary County, Kansas, this 18th day of June, 2012.

/s/ Florence Whitebread
Florence Whitebread, Chairman

/s/ R. Ben Bennett
R. Ben Bennett, Commissioner

/s/ Larry Hicks
Larry Hicks, Commissioner

Attest:

/s/ Rebecca Bossemeyer
Rebecca Bossemeyer, County Clerk