

AGENDA

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, March 10, 2014
7:30 p.m.

Commission Meeting Room
Courthouse Plaza East

(Procedure: Open joint meeting of the Riley County Planning Board/Board of Zoning Appeals.)

I. OPEN PUBLIC COMMENTS

II. CONSENT AGENDA

1. Consider the minutes of the February 13, 2014 meeting.
2. Consider the Report of Fees for the month of February 2014.

(Procedure: Adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and due to no agenda items for the Board of Zoning Appeals, convene as the Riley County Planning Board.)

III. GENERAL AGENDA - RILEY COUNTY BOARD OF ZONING APPEALS

1. No agenda items.

IV. GENERAL AGENDA - RILEY COUNTY PLANNING BOARD

1. Public Hearing at the request of the Board of County Commissioners to amend Section 7 – D Zones of the Riley County Zoning Regulations. **ACTION NEEDED: Recommend approval/denial to the Board of County Commissioners.**
2. Conduct Annual Review of the Comprehensive Plan.
3. Manhattan Urban Area Comprehensive Plan update.
4. Big Blue Floodplain Management Plan update.

(Procedure: Adjourn the Riley County Planning Board meeting.)

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Thursday, February 13, 2014
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Lorn Clement, Chairman
Dr. Tom Taul, Vice-Chair
Diane Hoobler
Julie Henton
John Wienck

Members Absent: None

Staff Present: Monty Wedel – Director, Bob Isaac – Planner, Lisa Daily –
Administrative Assistant

Others Present: Dave Lewis, Clancy Holeman, Larry Couchman and Linda Morse

OPEN PUBLIC COMMENTS

None.

CONSENT AGENDA

The minutes of the January 13, 2014 meeting were presented and approved. The Report of Fees for the month of January (\$1,559.00) was presented and approved.

RILEY COUNTY PLANNING BOARD

Advisory Council for Public Building Commission

Dave Lewis stated the public building commission is an idea that has been discussed for many years by different county commissions. He said the County Commissioners, through a public building commission, would like to provide better access in the decision making process to the citizens. Mr. Lewis reiterated the role of the advisory council.

Monty Wedel stated that this is a mock presentation, however, he wanted to emphasize the information being shared is a real, factual situation occurring at this time.

Larry Couchman, Director of Riley County Emergency Management Services, said the presentation being given is a real need. He said the Riley County EMS building; ambulances and assets are owned by Riley County; the employees are employed by Mercy Regional Health Center; and the main station is located at 2011 Claflin Rd.

Mr. Couchman explained the facility was designed in the 1970's; built and occupied in 1980 with four bays to house van style ambulances, one wash bay, small business office, two bedrooms, two bathrooms, kitchen and a patio area.

The building is made of a formed concrete which limits expansion. Drive through bays would be restricted due to the easement along Claflin Road. Currently the patio area serves as storage for event vehicles. Mr. Couchman said in the 1990's a parking lot was constructed to the south and a backup ambulance and staff vehicle have to be parked out in the elements. The regulations state that a licensed ambulance must be housed in a building maintained at 50° or above. Due to the ambulance sitting outside he can't store medical equipment or medicine in it. He said that it would take approximately two hours to get it ready if needed.

Mr. Couchman explained due to the limited office space there is not privacy for supervising the staff. The great room area is used for shift meetings which can have up to eighteen staff attending. The kitchen and laundry facilities are not adequate for the amount of staff and the bedrooms and bathrooms are co-ed. He stated for special events such as Fake St. Patty's Day, he hires two additional crews which have to sleep where ever they can find space such as the couch or the floor.

Mr. Couchman stated the bays leave little room in the front or on the sides due to the increase in ambulance size. He said there is very little clearance space at the top of the bay doors. The wash bay is used to house a staff vehicle and a semi-exercise room. Over time, staff has had to build shelving for storage. The bays are heated, however, not air conditioned. Regulations have changed requiring ambient temperatures for storing the ambulances and the supplies kept in the storage room located next to the bays. He said they have maxed out the electrical capacity of the facility. Due to the limited space, no matter what the weather is like outside, the bay doors have to be opened for morning check-ins. The ambulance has to be physically moved outside to complete the process.

Emergency Management Services also has storage space located on the Mercy West Campus. The storage area is located next to the boiler room and can get up to as high as 120°. This limits what can be stored there. This facility has been sold to KSU and the lease will be up in two years.

EMS also has two storage bays located at the county shops for storage of the disaster response trailer and other event vehicles. These vehicles were heavily used in the tornado several years ago and had to be retrieved from the shop.

In the early 1990's the review of space needs for Emergency Management Services was started. In 1994 a small study was conducted and Phase 1 was completed in 1996-1997. Phase II was approved but funding has not been available due to other projects such as the law enforcement center and the shop site.

Larry Couchman said the immediate needs are for a new main station and that a major remodel is no longer practical. He suggested selling or trading the current location at 2011 Claflin Rd to KSU. Mr. Couchman stated he intends to add a 12 hour shift in the fall of 2014 or early 2015 adding four additional staff. He stated the current hold up is where to place the staff.

John Wienck asked if a site for the proposed new station has been located. Mr. Couchman said two to three sites are being reviewed in the north central part of the city.

Tom Taul asked how big of a site would be required to meet the needs of the proposed new station. Mr. Couchman said three to four acres. This would allow for six double bays which would be drive through and six-single bedrooms.

Diane Hoobler asked if all storage would be brought to the new site. Mr. Couchman said no because of the potential for disaster at the one location.

Dave Lewis said as a result of a study based on call volume, two sites have been reviewed north of Kimball Avenue and one east of College Avenue. Cico Park has also been considered but would delay service to the east part of the city. In a collaborative effort with the City, the new fire stations on Amherst, Grand Mere and the airport have been considered. At this time the only location that has the space needs for a substation would be the airport location which is out of the service area for 82% of the call volume.

Lorn Clement said it is clear there is a need for a new EMS site and is in favor of the Riley County Planning Board/Board of Zoning Appeals serving as the advisory council to a public building commission.

Davis Lewis said there are 34-35 public building commissions in the State of Kansas. Not one of them has an advisory council. Riley County feels having an advisory council would provide for greater public participation.

Lorn Clement asked the other board members if they were clear on the advisory council and two additional members on a per project basis. He asked who would be the public building commission.

Davis Lewis said the public building commission would be selected by the Riley County Commission and that the Riley County Commission would likely serve as the public building commission.

Lorn Clement asked who would select the two at large members for the advisory council.

David Lewis said the Riley County Commission would select the two at large members.

Monty Wedel said acting as an advisory council to the PBC would not be any different than a public hearing for a rezoning. The public building commission would present a case like what was presented tonight. He said the advisory council would take testimony, deliberate and make a recommendation.

Davis Lewis said the recommendation would be (a.) identify a need or (b.) there is not a need.

Tom Taul motioned that the Riley County Planning Board/Board of Zoning Appeals accept the responsibility of serving as the advisory council to the Public Building Commission with two at large members selected by the Riley County Commission.

Diane Hoobler seconded. Carried 5-0.

Annual Report

Monty Wedel said new information will be added next year concerning Vision 2025 such as Agricultural Protection Easements and agricultural buffers.

Diane Hoobler asked why the Manhattan Urban Area Planning Board would hear a regulation amendment prior to the Riley County Planning Board.

Monty Wedel explained that the MUAPB holds its meeting the first Monday of the month and RCPB holds theirs the second Monday of month. He said it's it takes less time for both Boards to hear the request and make their recommendations.

Annual Comprehensive Plan Update

Monty Wedel said Bob Isaac provided the Board with an outline of the material for the annual review of the comprehensive plan for next month.

Lorn Clement questioned the future land use discussion about a bridge in Ashland Bottoms.

Monty Wedel said this project has been brought up in the past and that the Vision 2025 plan does not recommend the project; however it could come back up in the future.

Tom Taul moved to adjourned.

Julie Henton seconded. Carried 5-0.

The meeting was adjourned at 9:02 P.M.



RILEY COUNTY
PLANNING & DEVELOPMENT

REPORT OF FEES

February 2014

<u>DATE</u>	<u>NAME</u>	<u>AMOUNT</u>
02-03-2014	Leopold, Water screening report	\$ 8.00
02-03-2014	Doering, Environmental site evaluation	100.00
02-03-2014	Deam & Cook, Variance	300.00
02-07-2014	Jenkins, Well permit & profile hole	225.00
02-10-2014	Cercone, Well permit	75.00
02-11-2014	McAsey, Environmental site evaluation	100.00
02-12-2014	Duclos, Environmental site evaluation	100.00
02-12-2014	Dillon, Water screening report	2.00
02-12-2014	Ubel, Water screening report	14.00
02-18-2014	Dillon, Water screening report	4.00
02-19-2014	Tim's Backhoe, Repair permit	75.00
02-19-2014	Pottawatomie County, Water screening report	4.00
02-24-2014	Davis, Building permit #14-0007	150.00
02-25-2014	Manhattan Township, Variance	300.00
02-27-2014	White Farms, Well permit	75.00

TOTAL

\$1,532.00

DEPOSITS MADE:

02-14-2014	\$ 924.00
02-28-2014	608.00

TOTAL

\$1,532.00

Application for Permit to Build

03/03/2014

Permit #	App Date	Ownr	Type of Bldg	Use of Bldg	Const Cost	Amnt Paid	Property Address	City & Zp
14-0007	02/24/2014	Davis, Elizabeth	Swimming Pool	Swimming pool	\$1,000.00	\$150.00	1290 Deep Creek Ln	Manhattan (66502)
14-0008	02/24/2014	Davis, Elizabeth	Storage (residential)	horse shed	\$1,000.00	\$0.00	1290 Deep Creek Ln	Manhattan (66502)
14-0009	02/24/2014	Davis, Elizabeth	Storage (residential)	horse shed	\$1,000.00	\$0.00	1290 Deep Creek Ln	Manhattan (66502)
14-0010	02/24/2014	Davis, Elizabeth	Storage (residential)	hay shed	\$1,000.00	\$0.00	1290 Deep Creek Ln	Manhattan (66502)
14-0011	02/24/2014	Davis, Elizabeth	Storage (residential)	machine shed	\$1,000.00	\$0.00	1290 Deep Creek Ln	Manhattan (66502)
14-0012	02/24/2014	Davis, Elizabeth	Storage (residential)	horse shed	\$1,000.00	\$0.00	1290 Deep Creek Ln	Manhattan (66502)
14-0013	02/24/2014	Davis, Elizabeth	Barn	quonset barn	\$1,000.00	\$0.00	1290 Deep Creek Ln	Manhattan (66502)
14-0014	02/24/2014	Davis, Elizabeth	Storage (residential)	horse shed	\$1,000.00	\$0.00	1290 Deep Creek Ln	Manhattan (66502)
14-0015	02/24/2014	Davis, Elizabeth	Storage (residential)	horse shed	\$1,000.00	\$0.00	00000 Deep Creek Ln	Manhattan (66502)
14-0016	02/24/2014	Davis, Elizabeth	Miscellaneous	Aviry	\$1,000.00	\$0.00	00000 Deep Creek Ln	Manhattan (66502)
14-0017	02/26/2014	Nelson, Michael	Storage (ag related)	Ag storage	\$30,000.00	\$0.00	11390 Walnut Creek Rd	Leonardville (66449)
14-0018	02/26/2014	Nelson Trust, Raymond & Mildred	Storage (ag related)	Lean to on steel runners-portable	\$6,000.00	\$0.00	9471 Fairview Church Rd	Riley (66531)



PLANNING & DEVELOPMENT

STAFF REPORT

Regulation Amendment

PETITION: #14-04

APPLICANT: Board of Commissioners of Riley County

REQUEST: Amend Section 7 - D Zones Regulations of the Riley County Zoning Regulations

PUBLIC NOTICE EXCERPT:

RILEY COUNTY ZONING REGULATIONS

SECTION 7 – D ZONES REGULATIONS

Zone “D-1” (Industrial Park) District

3. USE LIMITATIONS

Amend as follows: (additions are in italics; deletions are struck out)

- a. All activities and storage shall be wholly inside of a building or buildings ~~unless the nearest point of such activity or storage is more than 200 feet from the boundary of any other zoning district other than D-2, D-3 or AG~~ *except that storage may be maintained outdoors if such storage area is accessory to a building on the same lot for which it is providing storage or storage yard is listed as a permitted use. Outdoor storage areas shall be enclosed and opaquely screened from view on all sides to a minimum of 6 feet in height, or to the height of the materials and/or equipment being stored, whichever is greater.* ~~except that storage may be maintained outside the building if such storage area is separated from public streets and other property by screening of not less than six (6) feet in height.~~ The purpose of screening shall be to conceal from view the area behind or to the rear of said screening. The word SCREENING as used herein shall mean either of the following or a combination thereof:
 1. Perennial, woody or evergreen plantings of sufficient density to conceal the area behind from view.
 2. Natural existing or man-made terrain features such as earthen berms.
 3. Solid wooden fencing comprised of material normally used in the construction of privacy fences, to be used only when natural plantings or terrain features are not feasible.

BACKGROUND: Via a recent rezoning petition whereby an unplatted tract of land was successfully rezoned from “AG” (Agricultural District) to “D-1” (Industrial Park), it was discovered that the Use Limitations of the “D-1” district, regarding screening requirements of outdoor/outside storage areas, was insufficient and virtually ineffective. This is especially evident in areas located within the gateway corridors (along K-18 and K-177) whereby aesthetics of the built environment are a primary concern.

Secondly, there has been some confusion regarding the interpretation of whether a “storage area”, as stated in the Use Limitations, is an accessory use and if building is required to be on-site before such storage area is allowed.

PROPOSED AMENDMENT: The Use Limitations of the “D-1” (Industrial Park) zoning district are also the Use Limitations of the “D-2” (Light Industrial) zoning district. *Contractor Storage Yards* are a permitted use in the “D-2” (Light Industrial) zoning district, which is why the text differentiates between an accessory and permitted use. The amendment clarifies that storage areas (other than permitted storage yards) will be considered an “accessory use. The amendment also eliminates criteria such as distance from a particular zoning district as an exception to screening requirements. The amendment will also require that all outdoor storage areas must be screened.

STAFF RECOMMENDATIONS: Staff recommends that the Planning Board forward a recommendation of approval to adopt the proposed amendments as published and shown in the staff report.

POSSIBLE MOTION(S)

ACTION NEEDED:

A. Move to forward a recommendation of approval to the Board of Commissioners of Riley County of the proposed amendment to the Riley County Zoning Regulations as published.

Or

B. Move to forward a recommendation of approval to the Board of Commissioners of Riley County of the proposed amendment to the Riley County Zoning Regulations with the following changes:

Or

C. Move to forward a recommendation of denial to the Board of Commissioners of Riley County of the proposed amendment to the Riley County Zoning Regulations as published.

Prepared by: Bob Isaac, Planner
February 21, 2014

Annual Review of the Comprehensive Plan 2014

Background and Intent

Vision 2025- A Comprehensive Plan for Riley County was adopted in October 2009. As required by K.S.A. 12-747(d), the Plan must be reviewed by the planning board at least once each year. As part of the annual review of the Plan, planning staff is requesting that the Board review the goals, objectives, policies and other elements of the Plan and determine any updates that are needed. It is strongly recommended that each member closely examine the overall performance of the Plan, including how well the Development Guidance System is meeting the overall goal of the future land use chapter of guiding the majority of future residential growth in the unincorporated area to the Manhattan Urban Area and other designated growth areas. Staff has provided the following analysis for the Board's consideration.

Chapter 4: Demographics

This chapter describes the factors which determine the magnitude and direction of population change (births, deaths and migration). Each factor is subject to change independently and must be considered separately.

The chapter indicates that the overall population of Riley County is expected to increase throughout the planning horizon (2025), due to the increase of troops and families at Fort Riley, increasing enrollment levels at Kansas State University, and anticipation of the National Bio and Agro-Defense Facility (NBAF) locating in Manhattan.

The population projection method used historical population data from the U.S. Census, from 1970–2007. The 2007 U.S. Census estimate (69,083 persons) was used due to its greater accuracy in reflecting the growth experienced by Fort Riley since 2000. Despite the fluctuations in population of Fort Riley and Kansas State University, Riley County has historically (1950-2000) averaged an approximate 1% annual growth rate. Thus, with the exception of 2007-2010, where a slightly higher annual growth rate was used, the projection used a 1% annual growth rate.

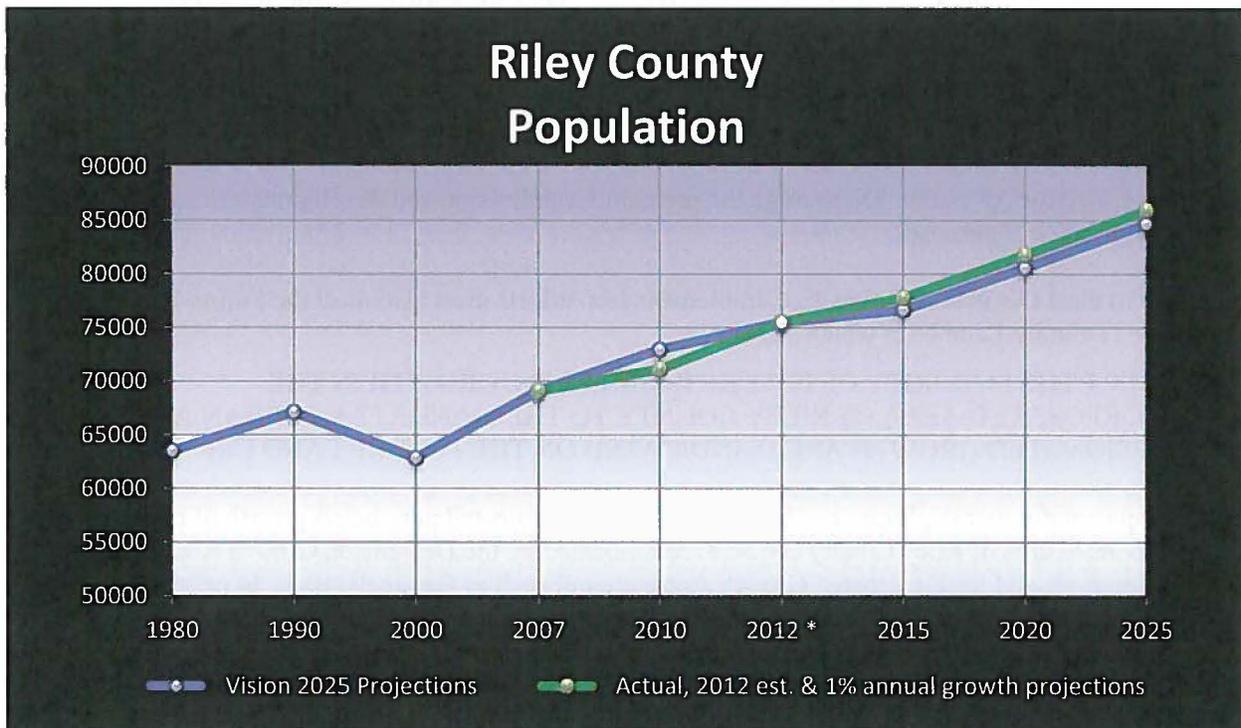


Figure 1

Comparatively, the Plan projected Riley County's population for 2010 to increase to 72,949 persons. According to the Census, the actual population increased to only 71,115 persons; a difference of 1834 persons (see Figure 1). The Census estimated Riley County's population for 2012 to be 75,508 persons, only 1162 persons shy of the projected population for 2015. If we use the 2012 estimate and apply the Plan's extrapolation method using an average 1% annual growth rate, Riley County's population will be on track to exceed the Plan's 2025 projection. It is reasonable to assume, due to the transient nature of the military and collegiate communities, the population of Riley County will continue to fluctuate, yet continue to grow.

Although the 2010 population figures for Riley County were slightly lower than projected, the City of Manhattan exceeded the population threshold (50,000 persons) for the establishment of a federally required Metropolitan Planning Organization. Thus, in February 2013, the Flint Hills Metropolitan Planning Organization (FHMPO), which covers parts of Geary, Pottawatomie, and Riley County and the City of Junction City, the City of Manhattan and a portion of Fort Riley, was designated by the Kansas Department of Transportation, in order to carry out the multimodal transportation planning for the metropolitan area. The FHMPO is governed by a Policy Board made up of elected officials from the jurisdictions in the metropolitan area, excluding Fort Riley. For information regarding the FHMPO, please visit their website at <http://flinthillsmmpo.wix.com/fhmppo>.

Chapter 5: Agricultural Preservation and Rural Character

This chapter defines and illustrates the importance of preserving agriculture and rural character. The goal of this chapter states:

TO PRESERVE AND ENHANCE THE EFFICIENT UTILIZATION OF RURAL LAND FOR AGRICULTURAL PURPOSES

The rationale for the goal as listed in the Plan:

Agriculture is a vital part of the economic system, directly infusing millions of dollars in product and providing valuable inputs into secondary economic activities such as agri-related businesses and activities connected to Kansas State University, a land-grant institution;

Agricultural land is a nonrenewable resource. Once public and private decisions are made to convert agricultural land to non-agricultural uses, this vital resource is almost always irretrievably lost;

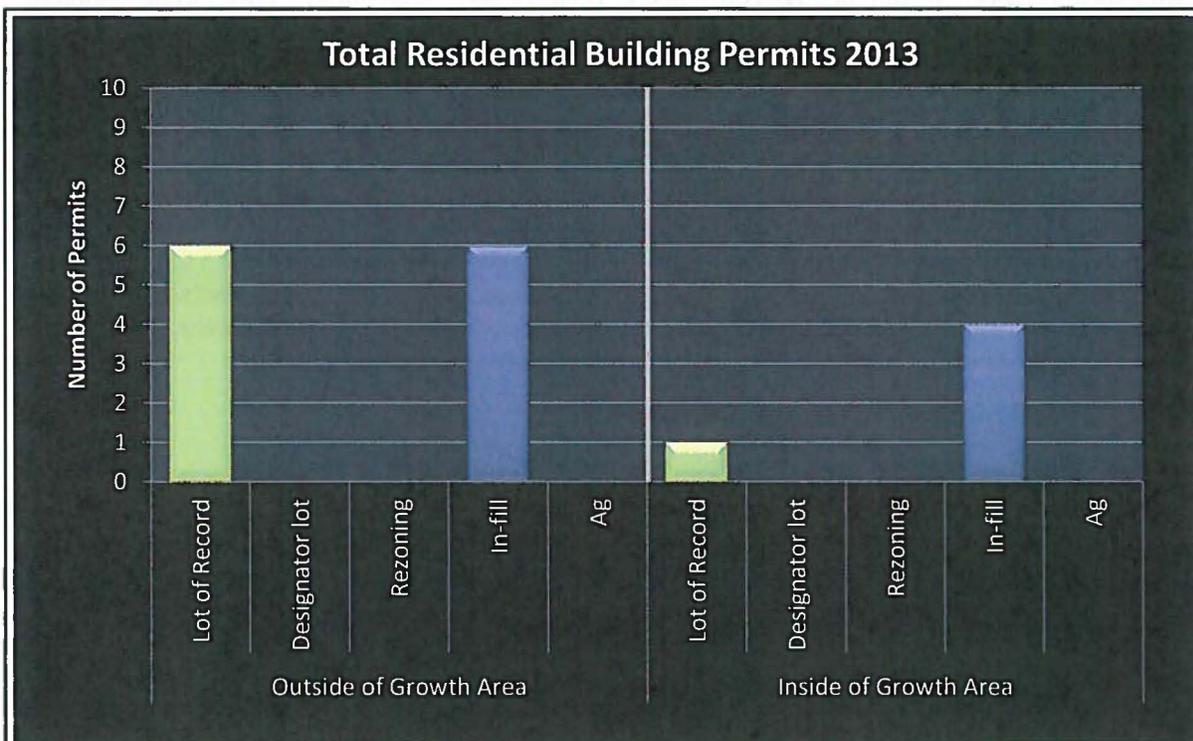
Preserving sufficient agricultural land maintains the ability to provide locally-produced food and fiber which is increasing in economic demand and which is becoming increasingly important to our long-term sustainability and security;

Further, Objective A3 states: Discourage the premature subdivision and development of agricultural land for non-agricultural purposes.

In order to meet this goal and objective, implementation efforts must also meet the Future Land Use goal (Chapter 11 Future Land Use) which states:

TO DIRECT THE MAJORITY OF FUTURE RESIDENTIAL GROWTH IN THE UNINCORPORATED AREA OF RILEY COUNTY TO THE MANHATTAN URBAN AREA AND THE DESIGNATED GROWTH AREAS INDICATED ON THE FUTURE LAND USE MAP

This chapter states that the future residential needs for the projected population growth of the unincorporated area of Riley County can be accommodated by the Designated Growth Area along Tuttle Creek Reservoir and the Designated Growth Areas around each of the small cities. In order to evaluate whether the goal of Chapter 11 is being met, staff has created a tracking system to monitor building permits issued for residential purposes in the unincorporated area. The chart below illustrates under what premise the building permit was issued (lot of record, residential use designator, rezoning, etc.) and whether the new residence is located inside or outside of a designated growth area.



Principal Building Permits Issued			% of Total Non-Ag BPs
<u>Outside</u> of Growth Area	Lot of Record	6	71%
	Designator lot	0	
	Rezoning	0	
	In-fill	6	
	Ag	0	
<u>Inside</u> of Growth Area	Lot of Record	1	29%
	Designator lot	0	
	Rezoning	0	
	In-fill	4	
	Ag	0	

Total Building Permits Issued: 17
Total BPs Non-Ag Residence Issued: 17

- * Rezone = BP for principal structure for tracts rezoned AFTER May 21, 2012
- * In-fill = BP for principal structure for tracts rezoned BEFORE May 21, 2012 or replacing a house on a Residential Designator - Extraneous Farmstead lot.

Figure 2

A total of 17 residential building permits were issued in 2013. With 71% (12) permits issued outside of a designated growth area and 29% (5) permits issued within a designated growth area, it appears that the Future Land Use goal (Chapter 11 Future Land Use) was not met in 2013. However, the first priority action listed in Chapter 14: Action Plan suggests eliminating the “20-acre minimum lot size” (exemption) while implementing provisions for non-conforming “lots of record”. This priority action was successfully completed in May 2012 with the adoption of the Vision 2025 (zoning) amendments. As a result, much of the residential development occurring in 2013 can be directly attributed to the flexibility of the new zoning regulations, which is consistent with the Plan. Obviously, in-fill describes residential

development on lots that were platted, zoned and/or used for residential purposes prior to the adoption of the new regulations. More importantly, however, there were no residential building permits issued as a result of a rezoning in 2013.

Chapter 6: Environment and Natural Resources

This chapter emphasizes defining environmental features, functions and natural resources that create a framework within which growth and development may be permitted. The core of this framework consists of the most sensitive environmental areas, such as wetlands, critical wildlife habitats of threatened and endangered species, riparian corridors, native woodlands, steep slopes and resource extraction areas. Identified natural and man-made hazards such as floodplains and high noise impact areas, which pose a threat to human life/health and risk of damage to property, are also discussed.

The priority actions listed in Chapter 14: Action Plan

1. Prohibit Development in Floodways

Although it is necessary for floodways to be kept free of obstructions, including development, for the purposes of discharging the 1% annual chance flood, the County has not initiated action to prohibit all development in floodways.

2. Greater Restrictions on Development in 100-Year (1% annual chance) Floodplain

The Plan suggests that the county regulations be amended to accomplish the following:

- Prohibit the platting of any lot which is entirely within the 100-year floodplain;
- Require that all platted lots within the 100-year floodplain include a buildable portion that is above the Base Flood Elevation (BFE), including the required freeboard;
- Require all public streets be constructed above BFE;
- Prohibit platted lots with private drive access below BFE; and
- Increase freeboard from 1 foot to 2-3 feet above BFE.

Although the regulations have not yet been amended to address these specific suggestions, the following steps are currently being taken to further the goal and objectives of Chapter 6.

The Federal Emergency Management Agency; Kansas Department of Agriculture, Division of Water Resources; the City of Manhattan; and Riley County are in the process of updating the FIS and FIRM for the County. FIRMs are FEMA map products that are used to regulate development within floodplains and to determine if flood insurance is required under the National Flood Insurance Program. The study and FIRMs and have been released for preliminary review this past summer (2013), with adoption anticipated for August 1, 2014.

Planning staff is also currently working to improve the County's rating in the National Flood Insurance Program's (NFIP) Community Rating System (CRS). If successful, flood insurance premium rates will be discounted to reflect the reduced flood risk resulting from the community actions meeting the three goals of the CRS:

1. Reduce flood damage to insurable property;
2. Strengthen and support the insurance aspects of the NFIP, and
3. Encourage a comprehensive approach to floodplain management.

Riley County has a current CRS rating of 10 with the goal of lowering it (improve) to 8 or 9.

In November 2013, Riley County and the City of Manhattan adopted the Wildcat Creek Floodplain Management Plan. In association with the Kansas Hazard Mitigation Team and the U.S. Army Corps of Engineers (USACE), the purpose of the Plan is for the use of local communities to manage flood hazards along Wildcat Creek.

Riley County is currently in partnership with the City of Manhattan, Pottawatomie County, the State of Kansas, US Army Corps of Engineers, National Weather Service and other State and Federal agencies for a pilot project to address flood risks for residents and business owners along the Big Blue River. Similar to the Wildcat Creek Flood Pilot Project, the Big Blue River Pilot Project will create a flood inundation website map, future condition flood models, and a floodplain management plan. As a component of the floodplain management plan, a nonstructural flood mitigation plan and public outreach plan will be created. These two components will use nationally recognized experts to develop ways to better inform

residents and business owners of the flood risks and devise ways to minimize these flood risks from impacted lives and structures.

3. Riparian Area Site Plans and Buffers

Two new sections have been added to the zoning regulations regarding site plans (Section 21B – Site Plan Review) and Riparian and Agricultural Buffers (Section 21C – Development Standards). Riparian buffers are required to be shown on either a plat or development site plan whenever applicable. To further the overall goal of the Plan, the agricultural buffer standard applies to all new non-agricultural residential and commercial lots (excluding Extraneous Farmstead and Reconversion Lot residential use designators). In 2013, a total of six (6) lots were created that included agricultural buffers (see Figure 3).

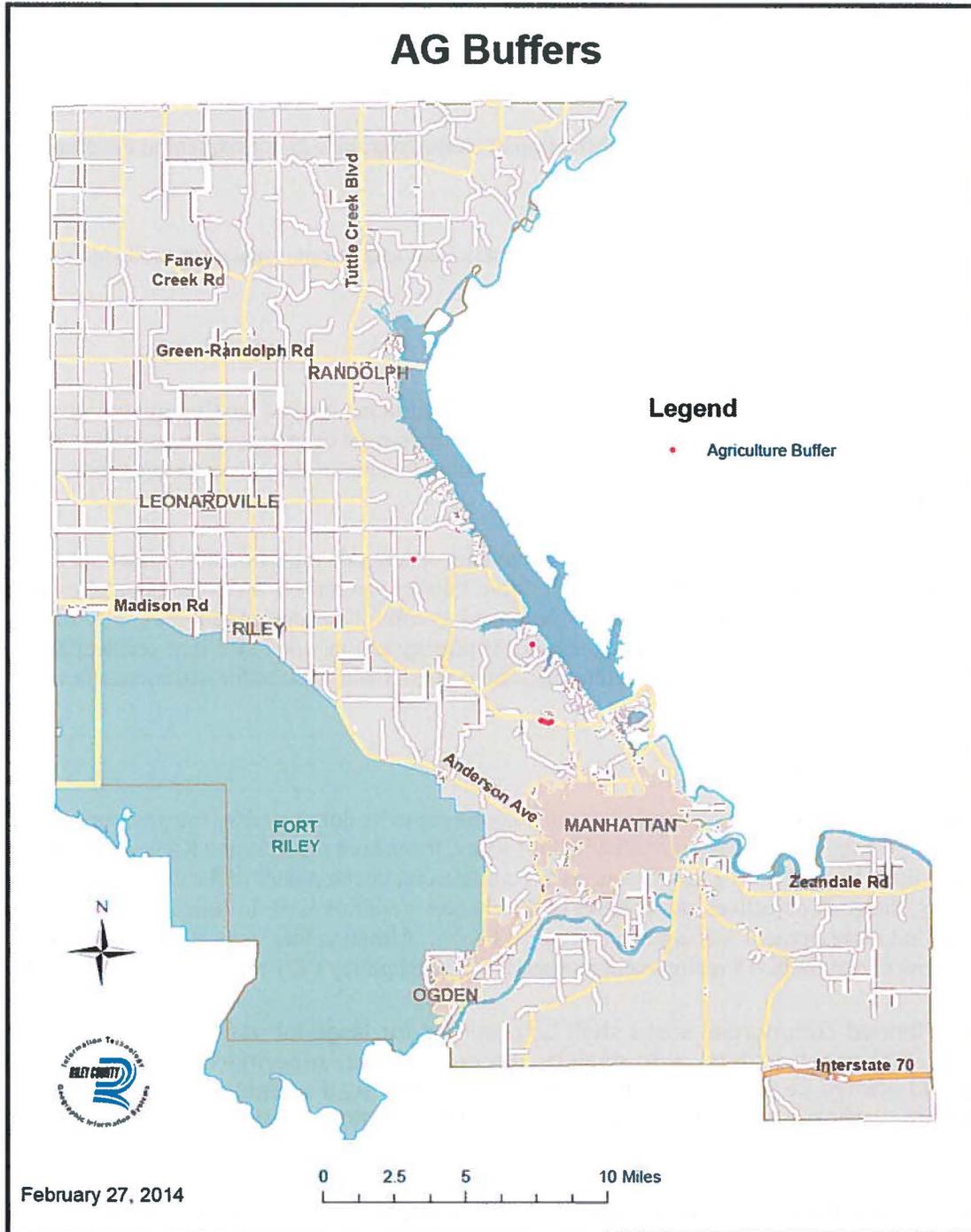


Figure 3

4. Improve Stormwater Drainage Requirements

Although the regulations have not been amended yet to improve existing stormwater drainage requirements, staff has required that stormwater drainage criteria for certain developments mirror those of Manhattan. Specifically, post-development of a site may generate an increase in stormwater runoff, but the site cannot generate an increase in the *rate* of runoff. The use of detention ponds and/or other facilities are encouraged.

5. Steep Slope Standards and Site Plan

New standards regarding developments in areas with greater than 20% slopes, including standards for access roads and a site plan requirement to better control erosion and drainage issues, etc. have not been completed.

6. Stream Bank Stabilization Standards

New standards regarding the stabilization of stream banks in consequential developments have not been completed.

7. Stream Modification Standards

New standards regarding the modification of stream channels in consequential developments have not been completed.

8. Parks/Open Space Standards

New standards regarding the dedication of park land and/or open space for multi-lot subdivisions have not been completed.

Chapter 7: Residential

The Background and Intent of this chapter states that a continuing goal of the County is to provide opportunities for rural living while maintaining the County's rural character and preserving the high quality agricultural areas. It also states that it is important to support the existing residential developments in the unincorporated areas.

Although Objective R1 states: "Recognize and maintain or upgrade the particular residential character of existing residentially zoned neighborhoods," it doesn't directly pertain to the conversion of extraneous farmsteads. The 6th priority action listed in Chapter 14: Action Plan suggests adopting new rules regarding extraneous farmsteads. In response to this priority action, one of the new residential designators listed in the new AG (Agricultural) zoning district was created for extraneous farmstead situations.

Chapter 8: Commercial

This chapter states that Riley County's economy continues to be dominated by the government sector, with the large employment base provided by Fort Riley, the school districts and Kansas State University. Although there haven't been a lot of requests for commercial development in the unincorporated area of the county, the goal, objectives and policies of the chapter were followed. In June 2011, a Commercial Planned Unit Development was approved for Britt Farms. Although this was technically a relocation for the business due to the K-18 realignment project, it followed policy C2.1 under Objective C2, which states:

"C2.1 Planned commercial areas shall be provided for large lot users (i.e. lumberyards, farm implement dealers, auto dealers, discount stores, supermarkets). These uses should always be directed to the cities first. However, if suitable tracts and/or locations are not available within the cities, areas should be made available adjacent to or in close proximity to the cities."

In June 2013, the Board of Commissioners of Riley County placed a one year moratorium on permits for digital on-site business signs. Planning & Development has been working on updating Section 15 Signs of the Riley County Zoning Regulations in order to meet the objective of the moratorium.

Industrial:

Since the adoption of the Plan, there has only been one (1) request to rezone land to an industrial classification (Thomas – February 2014). The rezoning was consistent with Objective I1 which states:

“Industrial developments should generally be directed to the cities or the designated city growth areas in the County where public and semi-public resources are available to accommodate the development.”

Chapter 9: Transportation

This chapter identifies a goal with objectives and policies to help guide the future transportation system of Riley County. As stated, mobility, efficiency and safety are important components of a transportation system. As mentioned previously the FHMPO provides multimodal transportation planning for the metropolitan area.

This chapter also described the Functional Classification for Roads. This chapter states that this classification system will be used to plan for the various roads in Riley County in accordance with the policies outlined. In response to this directive, the Board of County Commissioners approved amendments to the Riley County Zoning and Subdivision Regulations to remove all language pertaining to Major/Minor Trafficways and replace with Functional Classification for Roads (June 2013). The following classifications are established by the Functional Classification Map, as approved by the Kansas Department of Transportation (KDOT):

- Interstate
- Freeway/Expressway (Non-Interstate)
- Principal Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Local Road

Chapter 10: Public Facilities and Services

This chapter states that Riley County will promote a development pattern that provides for long-term development needs, while achieving a cost-effective and efficient provision of infrastructure and public facilities. A new item not mentioned in this chapter is that the county is considering the formation of a Public Building Commission to facilitate the construction of several new county buildings.

Chapter 11: Future Land Use

(see Chapter 5: Agricultural Preservation and Rural Character)

Chapter 12: Development Guidance System

Since the adoption of the Plan, all development requests have been reviewed with the Development Guidance System (DGS). The Land Evaluation Site Assessment (LESA) has been particularly helpful in making decisions regarding land use. Though not all developments require a LESA (certain residential use designators and replats), all LESA scores, including those of preliminary LESA requests (prior to making application) have been tracked in order to test the accuracy of the system (see Figure 4). As recommended in Chapter 13: Monitoring and Updates, the LESA system should be scrutinized quarterly for effectiveness in the first two years, then annually thereafter. Staff and the Riley County Planning Board continue to monitor the accuracy of the LESA. Thus far, no modifications have been necessary.

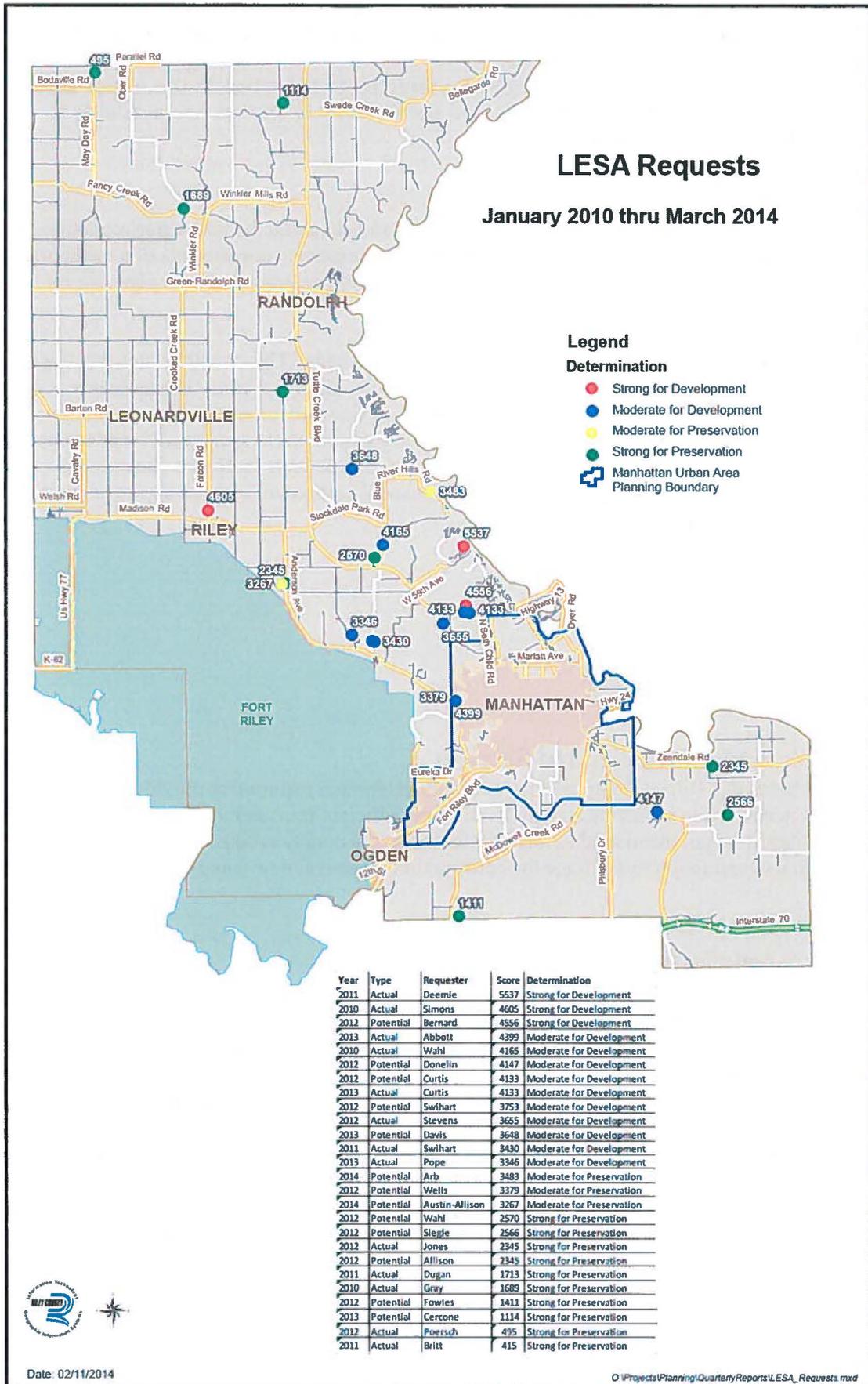


Figure 4

Chapter 14: Action Plan

SUMMARY OF PRIORITY ACTIONS

The Action Plan identifies a number of immediate priority items that should be implemented as soon as possible, in order to ensure the County's land use actions and decisions are aligned with the policies contained in the Plan. These are summarized below.

Agricultural Land Preservation

The Comprehensive Plan places a strong emphasis on preserving agricultural lands for future generations and protecting agricultural lands from conflicting development, particularly residential development. In order to implement this aspect of the Plan, the following priority actions are recommended:

1. Change the Current 20-Acre Minimum Lot Size Requirement in the Agricultural Zone

The Plan suggested that all non-agricultural development proposals proceed through a review or rezoning process and that the Development Guidance System (DGS) outlined in Chapter 12 be used to make the determination of approval or disapproval. Thus, the 20-acre minimum lot size in the agricultural zoning district was eliminated. A primary concern, however, was for those individuals who may have purchased a 20-acre or larger tract with the intent of building a residence in the future. Specific criteria for defining non-conforming lots of record (grandfathered) were included in Section 18 - Nonconformities. A written Lot of Record determination by staff is necessary for a residential building permit to be issued on any "grandfathered" tract.

If a 20-acre or larger tract was purchased or established by a recorded deed between July 10, 1980 (the date establishing the 20-acre requirement) and May 21, 2012 (adoption of Vision 2025 amendments); OR, if a tract less than 20-acres in size was established by recorded deed prior to July 10, 1980, it is determined to be a lot of record and may be built on, provided all other requirements for grandfathering are met.

As mentioned previously, accommodations have been made for non-agricultural residences, such as extraneous farmsteads, isolated homesites, reconversion lots, etc., within the agricultural zoning district. To comply with Kansas Statutes, all residences considered to be agricultural continue to be exempt from the requirements of the Riley County Zoning Regulations.

2. Provide an Incentive to Direct Growth to Appropriate Areas

The Plan suggests developing incentives, such as density bonuses, transfer of development rights, impact fees or similar programs, to encourage preservation of highly agricultural areas and direct non-agricultural growth to locations which are determined to be the best for development. At this time, Riley County has not implemented such programs or incentives.

3. Require a Surrounding Agricultural Land Easement (SALE) or Alternatively, an Acknowledgement and Waiver

The Plan described a Surrounding Agricultural Land Easement (SALE) which would grant an air easement right to surrounding agricultural landowners, thus eliminating the threat of nuisance lawsuits. Although the "SALE" acronym was abandoned over the concern of confusion, the concept was kept and implemented. As a result, the Agricultural Protection Easement (APE) was created within the Vision 2025 amendments. Essentially an APE serves as an acknowledgement by those who choose to develop in the rural area that they are aware they are moving into an agricultural area where there may be associated annoyances. The APEs have been tracked since their inception and are shown in Figure 5 below.

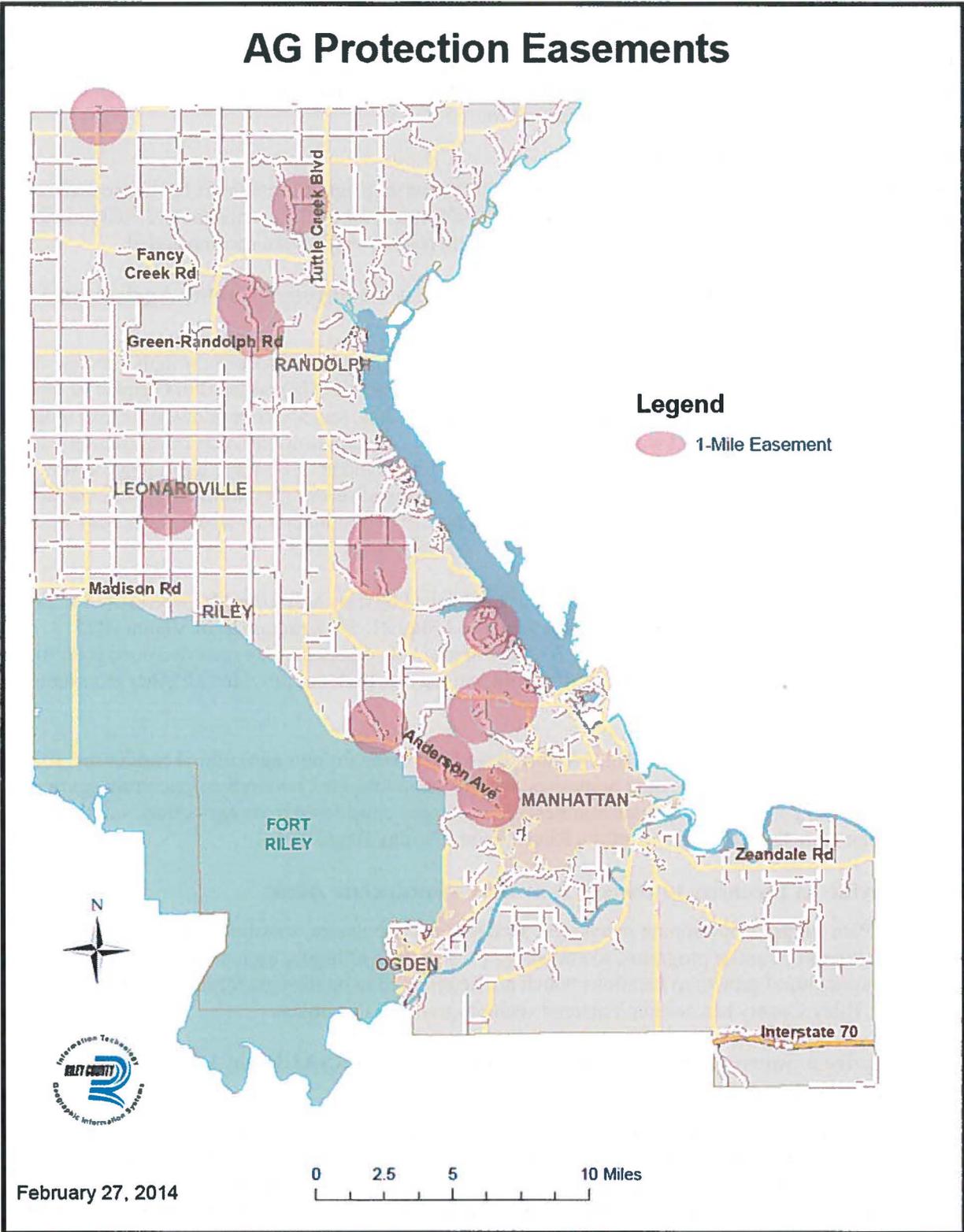


Figure 5

4. Promote the Re-Conversion of 20-acre Home Sites

In response to this priority action, Riley County has established a Reconversion Lot option as one of the four Residential Use Designators listed in the AG (Agricultural District) zoning district. These were a part of the Vision 2025 amendments adopted in May 2012. This method allows the establishment of a 2 to 5- acre home site on eligible 20-acre tracts subject to certain criteria. As the

Plan states, this would potentially allow the remainder of the 20-acre tract to be sold and returned back to agricultural use.

5. Adopt an Agricultural Buffer Requirement

The Plan states that utilizing a buffer between new residential developments and adjoining agricultural uses is a common practice in rural jurisdictions. The Plan recommends establishing a setback distance of 200 feet, with flexibility for adjustments. As part of the Vision 2025 amendments, a new section was added to the zoning regulations (Section 21C - Development Standards) providing the criteria for this requirement.

6. Adopt New Rules Regarding Extraneous Farmsteads

In response to this priority action, one of the new residential designators listed in the new AG (Agricultural) zoning district was created for extraneous farmstead situations.

7. Allow for Flexibility for Home Sites on Isolated Tracts

In response to this priority action, Riley County has established an Isolated Homesite option as one of the four Residential Use Designators listed in the AG (Agricultural District) zoning district. This option focuses on tracts of land within the AG district that are not desirable for agricultural use due to physical constraints that isolate the tract from other agricultural lands and therefore make it difficult to use for agricultural production. The regulations have specific criteria regarding this option.

Natural Resources and Environment

(see Chapter 6: Environment and Natural Resources above)

Residential Development Incentive

The Plan suggests there should be incentives provided for rural residential development to occur in the most desirable locations within Riley County. It recommends the area indicated on the Future Land Use Map as “Residential Low/Medium Density Designated Growth Area” along Tuttle Creek Reservoir be proactively rezoned to an appropriate residential zoning category. Although Riley County has not proposed proactively rezoning property, as the need hasn’t presented itself, residential development within the designated growth areas should be strongly encouraged and be as inconvenient as possible. For example, the Plan shows that these areas generally coincide with the growth of cities or the expansion of areas with existing urban/suburban sized lots, with an emphasis on non-agricultural residential development. Agricultural uses may continue within these areas, but the preservation of such activity should not be priority. Requiring a 50-200 foot agricultural buffer along property lines for lots that are located entirely within a designated growth area forces the development of larger tracts, just to accommodate the buffer. Conversely, it serves as a disincentive and results in the inefficient development of areas where new lots should be the minimum size required to accommodate a new residence and any accessory buildings. Thus, the Zoning Regulations should be amended to waive the requirement for agricultural buffers along property lines for lots that are located entirely within designated growth areas to allow the development of much smaller lots.

Public Participation

The Plan recognizes that participation of the public in zoning processes is critical to a democratic society. The following recommendation was offered as a method to increase public participation.

1. Increase Rezoning Notification Area

Although the Kansas statutory notification requirement for rezoning is 1000 feet in the unincorporated area, it was recommended the notification area be increased to 2000 feet to provide greater awareness to agricultural producers of potential developments that may impact their operations. Staff has not yet implemented this recommendation.