

## AGENDA

### RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, January 12, 2015  
7:00 p.m.

Commission Meeting Room  
Courthouse Plaza East

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Jim Kaup, of Kaup Law Office, will provide the Board with a program on Zoning Laws and Procedures starting at 7:00 p.m. At 7:30 p.m. the program will be suspended to allow the Board to conduct their business meeting. The program will be resumed immediately following the adjournment of the board meeting.

(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 December 8, 2014 meeting.
2. Consider the Report of Fees for the month of December 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 9 – F Zones (Floodplain) of the Riley County Zoning Regulations. **ACTION NEEDED: Recommend approval/denial to the Board of County Commissioners.**

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

## MINUTES

### RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, December 8, 2014  
7:30 pm

Courthouse Plaza East  
Commission Meeting Room  
115 North 4<sup>th</sup> Street

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

Members Absent: John Wienck

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

Others Present: Robert Boyd

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#### **OPEN PUBLIC COMMENTS**

None.

#### **CONSENT AGENDA**

The minutes of the November 10, 2014 meeting were presented and approved. The Report of Fees for the month of November (\$2,144.00) was presented and approved.

Diane Hoobler moved to adjourn the joint meeting of the Riley County Planning Board/Board of Zoning Appeals and, due to the lack of agenda items for the Board of Zoning Appeals, moved to reconvene as the Riley County Planning Board.

Tom Taul seconded. Carried 4-0.

#### **RILEY COUNTY PLANNING BOARD**

Lorn Clement opened the public hearing to amend Section 2 - Definitions and amend Section 15 – Signs and Exterior Lights of the Riley County Zoning Regulations.

Monty Wedel said the Manhattan Urban Area Planning Board (MUAPB) held a public hearing on December 1, 2014 and approved the amendments with two suggested modifications:

1. Add a definition for abandoned signs; and
2. Change the removal period for off-premise advertising signs from the proposed 90-days to 180 days.

Mr. Wedel explained that at the time the suggestion was made by the MUAPB, a definition for abandoned sign was already in the amendments. Mr. Wedel also explained the 90-day sign removal was a suggested time frame and after discussion with the MUAPB, staff agreed 180 days was a more appropriate time frame to reestablish an industrial use.

Staff recommended approval of the proposed amendments as published and shown in the referenced document Sign Regulation Amendments with the suggested modification by the

MUAPB to change the removal period for off-premise advertising signs from the proposed 90-days to 180 days.

Tom Taul moved to close the public hearing.

Julie Henton seconded. Motion carried 4-0.

Diane Hoobler moved to forward a recommendation of approval of the proposed amendments to amend Section 2 - Definitions and amend Section 15 – Signs and Exterior Lights, of the Riley County Zoning Regulations, with the recommended modification from the Manhattan Urban Planning Board to change the sign removal period from 90 days to 180 days to the Board of County Commissioners.

Julie Henton seconded. Motion carried 4-0.

Mr. Wedel announced that the Board of County Commissioners would hear the request on December 11, 2014, at 10:50 am, in the County Commission Chambers.

### **Pictometry demonstration**

Bob Isaac provided a brief explanation of what Pictometry is and how it is used. He explained that for a comparable cost for aerial photography which is purchased every few years, the County decided to go with this program that provides both orthogonal (overhead) and oblique (angle) images. He explained that the County's GIS layers could be added, such as floodplain, parcel lines, school districts, etc. He stated that measurements could be taken with a high level of accuracy. After a brief visual demonstration of the application and how it could be beneficial to the Board when reviewing upcoming agenda items, Mr. Isaac asked the Board if they would be interested in having access to it. Mr. Isaac reminded the Board that Pictometry is not for the use of the general public, hence the need to sign an access waiver. Each member of the Board in attendance stated they were interested in using the program and signed an access waiver.

### **Manhattan Urban Area Comprehensive Plan update**

Monty Wedel said a steering committee meeting will be held in January.

### **Big Blue Floodplain Management Plan Update**

Monty Wedel said the City of Manhattan will prepare a draft of the plan.

### **Agritourism Task Force update**

Monty Wedel stated the next task force meeting will be Wednesday, January 14, 2015.

### **Public hearing training reminder**

Monty Wedel reminded the Board that the training will be held at the regularly scheduled meeting January 12, 2015 and that he would like all Board members to be in attendance. The meeting will start at 7:00 instead of the usual 7:30 and a brief public hearing will be held during the meeting.

Diane Hoobler moved to adjourn.

Tom Taul seconded. Carried 4-0.

The meeting was adjourned at 8:04 P.M.



**RILEY COUNTY  
PLANNING & DEVELOPMENT**

**REPORT OF FEES**

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**December 2014**

<u>DATE</u>	<u>NAME</u>	<u>AMOUNT</u>
12-02-2014	Penner, Water Screening Report	\$ 10.00
12-05-2014	NorthCrest, MHP License (NorthCrest)	60.00
12-08-2014	Carrara, MHP License (Sedalia)	25.00
12-08-2014	Frisbie, Easement Vacation	300.00
12-08-2014	White, Septic Installer License	50.00
12-08-2014	Kramer, Repair Permit	75.00
12-08-2014	Frankfort Porta Potty, Septic Hauler License	50.00
12-09-2014	Campbell, Repair Permit	75.00
12-09-2014	A-1 Rental, Septic Haulers License	50.00
12-10-2014	Ryan & Sons, Repair Permit	75.00
12-10-2014	Greg & Theresa LLC, Excavation License	150.00
12-11-2014	Aviles, MHP License (O'Callaghan's)	40.00
12-11-2014	Jones, MHP Wastewater Permit (TDJ Stables)	100.00
12-15-2014	Mid-America, Septic Installer License	50.00
12-15-2014	Sunflower Storage, Building Permit #14-0104 & #14-0105	275.00
12-16-2014	Larson Construction, Septic Installer License x 2	100.00
12-17-2014	Johnson, Septic Installer License	50.00
12-17-2014	Brenner Excavating, Septic Installer License	50.00
12-17-2014	Tim's Backhoe, Septic Installer License	50.00
12-18-2014	Mitchell's Plumbing, Septic Hauler License	50.00
12-18-2014	Leonard Backhoe, Septic Installer License	50.00
12-18-2014	Martin, 2 Randon Kits	10.00
12-18-2014	Hartford Sand & Gravel, Excavation License	150.00
12-19-2014	Connet, Septic Installer License	50.00
12-19-2014	L&L Trenching, Septic Installer License	50.00
12-19-2014	Scharfe, Environmental Site Evaluation	100.00
12-19-2014	Gideon, Septic Installer License	50.00
12-19-2014	Jones, MHP License (TDJ Stables)	25.00
12-22-2014	Baker, Environmental Site Evaluation	100.00
12-23-2014	Kansas Pumping, Septic Haulers License	50.00
12-24-2014	Reid Plumbing, Septic Installer License	50.00
12-29-2014	Lind, Water Screening Report	10.00
12-29-2014	Dale, Repair Permit	75.00
12-29-2014	Johnson, Septic Hauler License	50.00
12-29-2014	Cat Cans, Septic Hauler License	50.00
12-29-2014	Cat Cans, Septic Installer License	50.00
12-30-2014	Bluestem, Building Permit #14-0106	225.00
12-30-2014	J&G Plumbing, Septic Installer License	50.00

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12-31-2014	Lee Plumbing, Septic Installer License	50.00
	<b>TOTAL</b>	<b>\$2,930.00</b>

**DEPOSITS MADE:**

12-11-2014	\$ 960.00
12-19-2014	1,210.00
12-31-2014	760.00
<b>TOTAL</b>	<b>\$2,930.00</b>

Permit #	App Date	Ownr	Type of Bldg	Use of Bldg	Const Cost	Amnt Paid	Property Address	City & Zp
14-0104	12/15/2014	Tom Abbott	Storage (commercial)	Mini-warehouse	\$60,000.00	\$225.00	2630 Tuttle Creek Blvd	Manhattan (66502)
14-0105	12/15/2014	Tom Abbott	Storage (commercial)	Mini-warehouse	\$58,000.00	\$50.00	2630 Tuttle Creek Blvd	Manhattan (66502)
14-0106	12/30/2014	Bluestem Electric Cooperative	Miscellaneous	Stationary Generator	\$75,000.00	\$225.00	00000 Cavalry Rd	Leonardville (66449)



# PLANNING & DEVELOPMENT

## STAFF REPORT

### Regulation Amendment

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**PETITION:** #15-03

**APPLICANT:** Board of Commissioners of Riley County

**REQUEST:** Amend Section 9 (F Zones (Floodplain)) of the Riley County Zoning Regulations

#### RILEY COUNTY ZONING REGULATIONS

#### SECTION 9-F ZONES (FLOODPLAIN) REGULATIONS

**Amend as follows: (Additions are in italics, deletions are struck out)**

#### Part 1. STATUTORY AUTHORIZATION, FACT, PURPOSES AND GENERAL PROVISIONS

9.11 The following floodplain management regulations, as written, were approved in draft form by the Chief Engineer of the Division of Water Resources of the Kansas Department of Agriculture on ~~February 3, 2010~~ *November 25, 2014*.

9.13 Finding of Fact.

(C) Method Used to Analyze Flood Hazards.

The areas of special flood hazard identified by the Federal Emergency Management Agency in a scientific and engineering report entitled "The Flood Insurance Study for the County of Riley, Kansas" dated ~~July 6, 2010~~ *March 16, 2015*, with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway Maps. The Flood Insurance Study is on file in the County Office Building, 110 Courthouse Plaza, Manhattan, Kansas.

9.15 General Provisions.

(B) Establishment of Official Maps.

This resolution shall apply to all lands within the jurisdiction of Riley County identified as numbered and unnumbered A Zones, AE, AO and AH zones, on the Index Map dated ~~July 6, 2010~~ *March 16, 2015* of the Flood Insurance Rate Map (FIRM) and any future revisions thereto.

#### Part 2. DEFINITIONS.

FLOOD-PROOFING means any combination of structural and non-structural additions, change or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

*When dry floodproofing methods are utilized, such methods shall be certified by a registered professional engineer or other qualified person identified on Floodproofing Certificate FEMA Form 086-0-34.*

### Part 3. ADMINISTRATION.

#### 9.32 Floodplain Development (FPD) Permit.

- (C) ... The applicant shall be required to submit certification by a registered professional engineer or other qualified person *identified on Floodproofing Certificate FEMA Form 086-0-34* that the finished fill and building flood elevations, floodproofing or other flood protection measures were accomplished in compliance with the provisions of this Resolution and any approvals granted hereunder.

### Part 5. PERFORMANCE STANDARDS FOR DEVELOPMENT.

#### 9.51 Preferred Uses

Any use may be permitted within the floodplain overlay districts, provided that the standards for the appropriate district (floodway or floodplain), as stated herein, are met *and* the specific requirements of the underlying zoning district do not prohibit said use. The following uses are examples of *preferred* uses in the floodway and flood fringe overlay districts, due to having a low damage potential and the capacity to not obstruct flood flows. Uses other than those listed below should be discouraged from locating in flood-prone areas.

#### 9.52 General Standards

- (G) Until a regulatory floodway is designated for an area, no new construction, substantial improvements, or other development (including fill) shall be permitted within the ~~A Zones A1-30~~ *as indicated* on the County's FIRM unless it is demonstrated by a professional engineer that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the County.

#### 9.53 Specific Standards

- (A) Residential Construction (excluding manufactured homes).

All new construction or substantial improvements of residential structures shall have the lowest floor, including basement, elevated to a point one (1) foot or more above the base flood elevation. *Mechanical equipment and HVAC shall be protected to the same level as the lowest floor. **The elevation of the lowest floor shall be certified by a licensed land surveyor identified on FEMA Form 086-0-33 (Elevation Certificate).***

- (B) Manufactured Homes.

...shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to a point one (1) foot or more above the base flood elevation and shall be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement. *Mechanical equipment and HVAC shall be protected to the same level as the lowest floor. **The elevation of the lowest floor shall be***

**certified by a licensed land surveyor identified on FEMA Form 086-0-33 (Elevation Certificate).**

(C) Non-Residential Construction.

(2) ...Such certification, including the specific elevation (to mean sea level) to which such structures are floodproofed, shall be provided to the Floodplain Administrator as set forth in subsection 9.31(B). *Mechanical equipment and HVAC shall be protected to the same level as the lowest floor. The elevation of the lowest floor shall be certified by a licensed land surveyor identified on FEMA Form 086-0-33 (Elevation Certificate).*

Part 8. STANDARDS FOR FLOODPLAIN VARIANCES

9.83 Conditions for approving variances for accessory structures.

(E) Any mechanical, electrical, or other utility equipment must be located a *minimum of one foot* above the BFE or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions.

**BACKGROUND:**

Anticipating the adoption of the new Flood Insurance Rate Maps (FIRM) and in order to remain in conformance with the National Flood Insurance Program and the State of Kansas, it is necessary to update specific language of the Riley County Zoning Regulations, Section 9 (as outlined previously). Minor text modifications were also made in order to make the regulation more efficient and less confusing.

**STAFF RECOMMENDATIONS:**

Staff recommends adoption of the regulations as published.

**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  
December 15, 2014