



Preserving Agriculture in Riley County, Kansas

RMLUI

March 4, 2011



Planning & Development



Unique Attributes

- Shape
- Fort Riley
- Kansas State
- Tuttle Creek
- Floodplain
- Hills
- County Seat
- Two counties
- Urban – Rural
- Crop - Range

The Problem

- Residential use pushing into agricultural areas creating conflicts
- Existing regulations not working as intended



The Solution

- Adopted a new comprehensive plan “Vision 2025”
- Adopt new regulations to implement plan

Vision 2025



Plan Process

- Committee-driven
- Decision-making guide
- Objective component



Development Guidance System (DGS)

and the

LESA component

Chapter 12:

Development Guidance System

- Outlines a guidance system for making decisions on development proposals, including a Land Evaluation Site Assessment (LESA) scoring system
- The Guidance System balances four elements when making a decision:
 - Conformance to Goals, Objectives & Policies
 - Conformance w/ Chapter 11, Future Land Use
 - The LESA score
 - The hardship on the landowner by denial

The Seven Factors of LESA

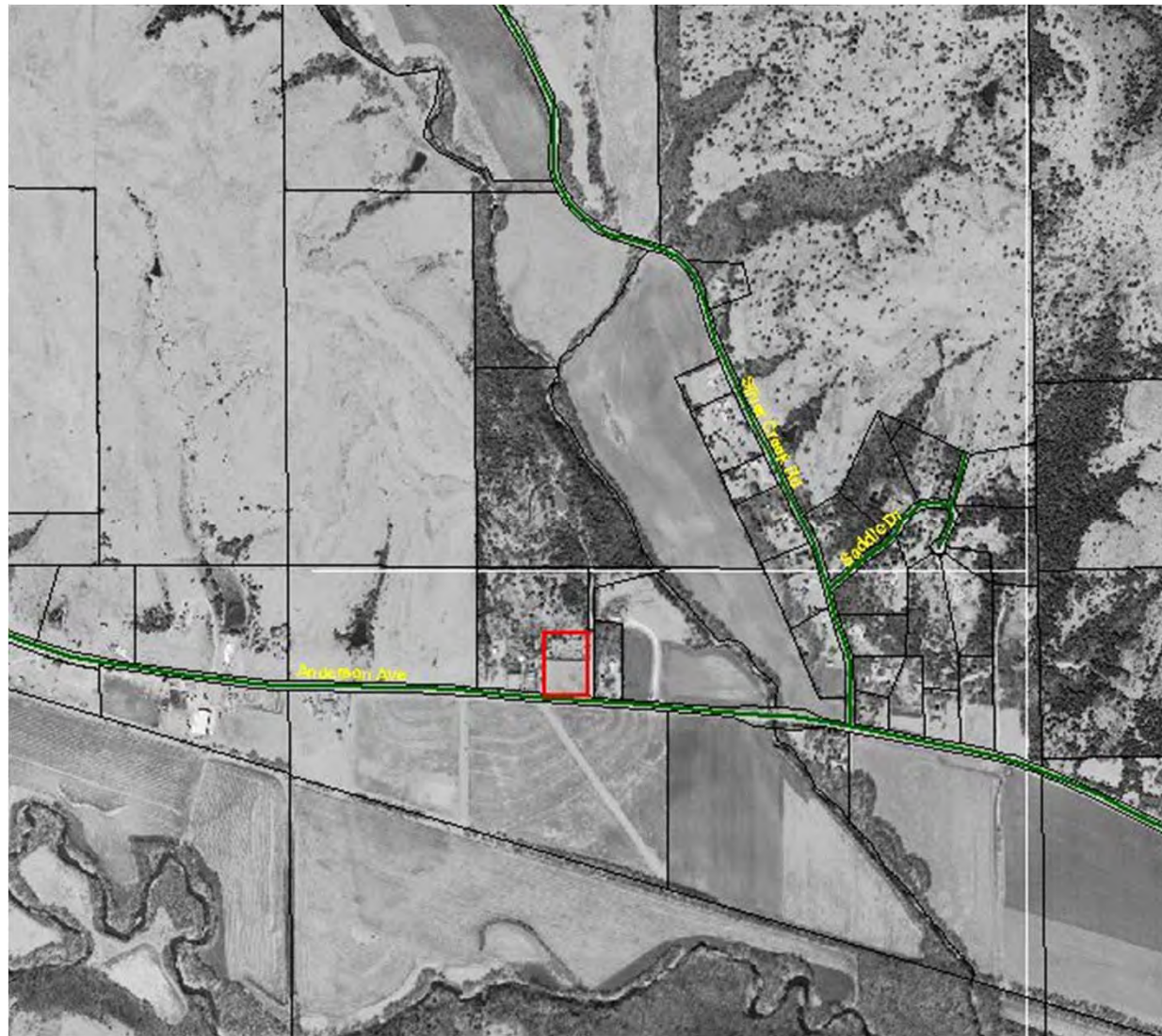
Adapted from the Kansas Supreme Court's factors for deciding a rezoning:

1. The Character of the Neighborhood (area within ¼ mile)
2. The Zoning and Uses of Nearby Property (area within 1 mile)
3. Suitability of Property for Uses Allowed under Current Zoning
4. The Impact of Rezoning on Nearby Property
5. The Impact of Rezoning on Public Health & Safety
6. The Public Cost/Benefit of Rezoning
7. Conformance to the Comprehensive Plan (Future Land Use map only)

Primary LESA Attributes

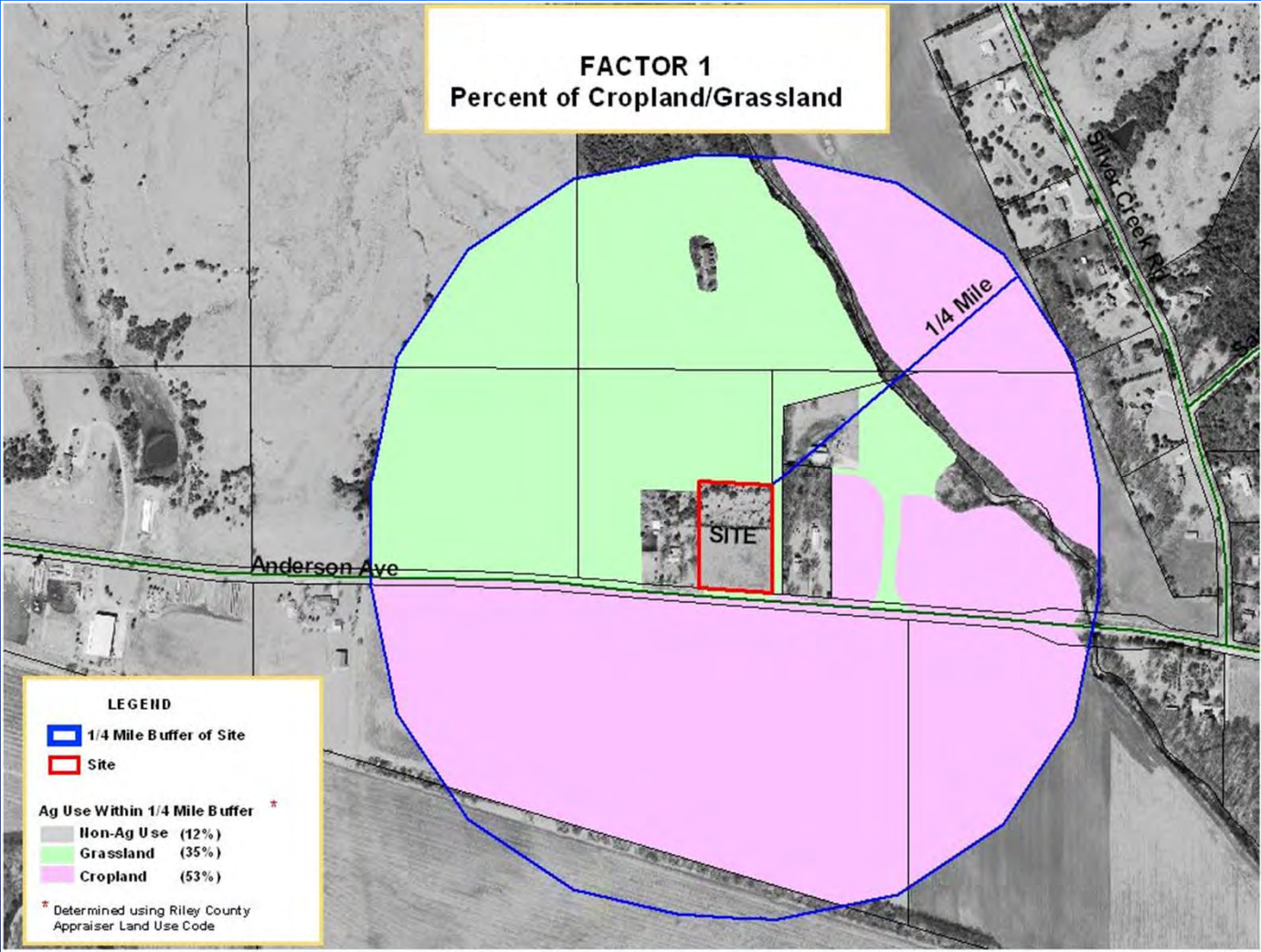
- Identifiable and Measurable criteria
- Simple and easy to explain to public
- Sample-testing critical
- Provide practical guidance
- Administratively workable

LESA example



Factor #1

Character of the Neighborhood

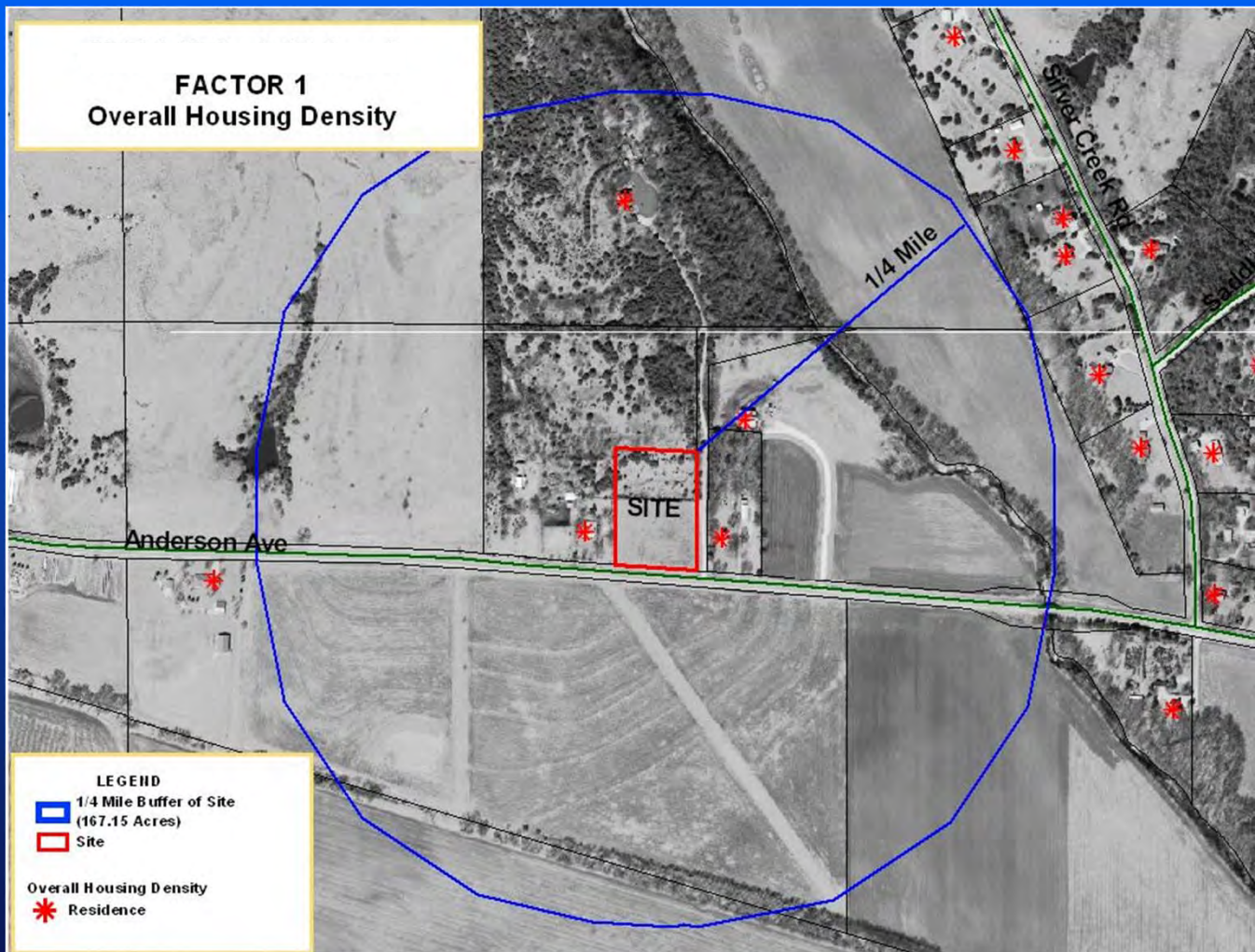


% of Cropland/ Grassland	Points
More than 95%	0
✓ 80% to 95%	80
60% to 79.99%	165
Less than 60%	250

running total: 80

Factor #1

Character of the Neighborhood (cont'd)

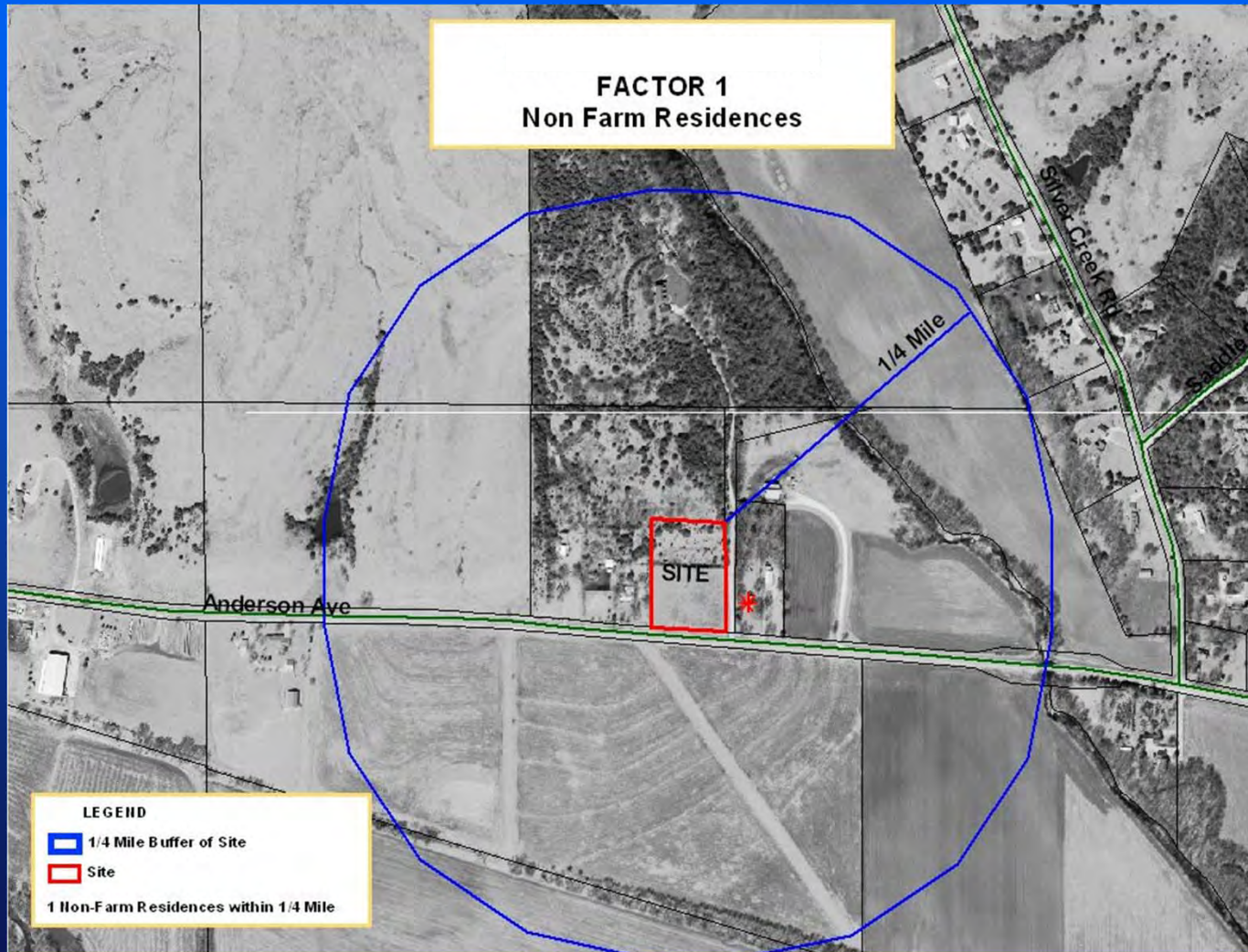


Overall Housing Density	Points
> 160 acres/house	0
80 -160 acres/house	65
✓ 40 -79.99 acres/house	130
20 -39.99 acres/house	195
<20 acres/house	250

running total: 2800

Factor #1

Character of the Neighborhood (cont'd)

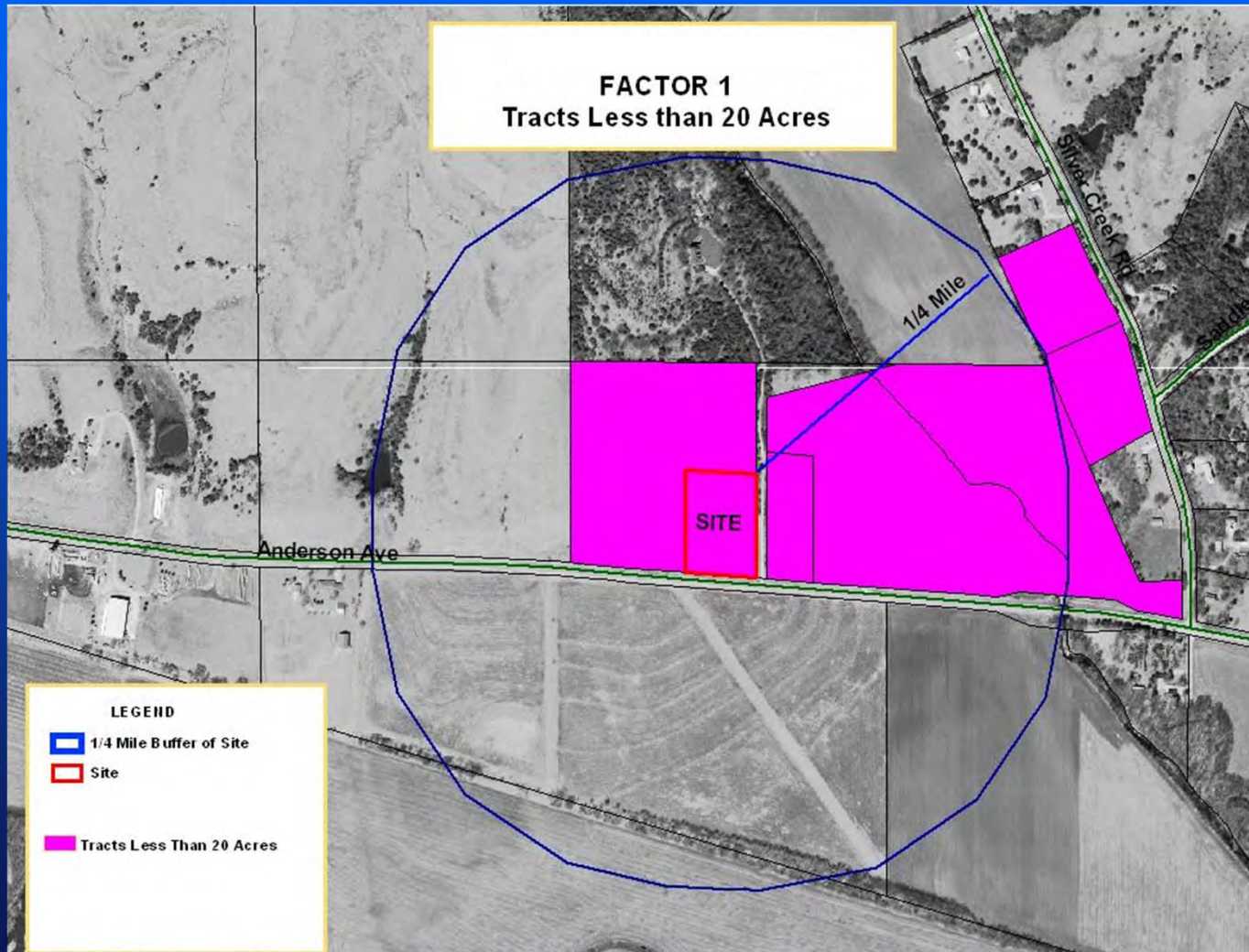


Non-Farm Residences	Points
0	0
✓ 1	50
2	100
3	150
4	200
5 or more	250

running total: **260**

Factor #1

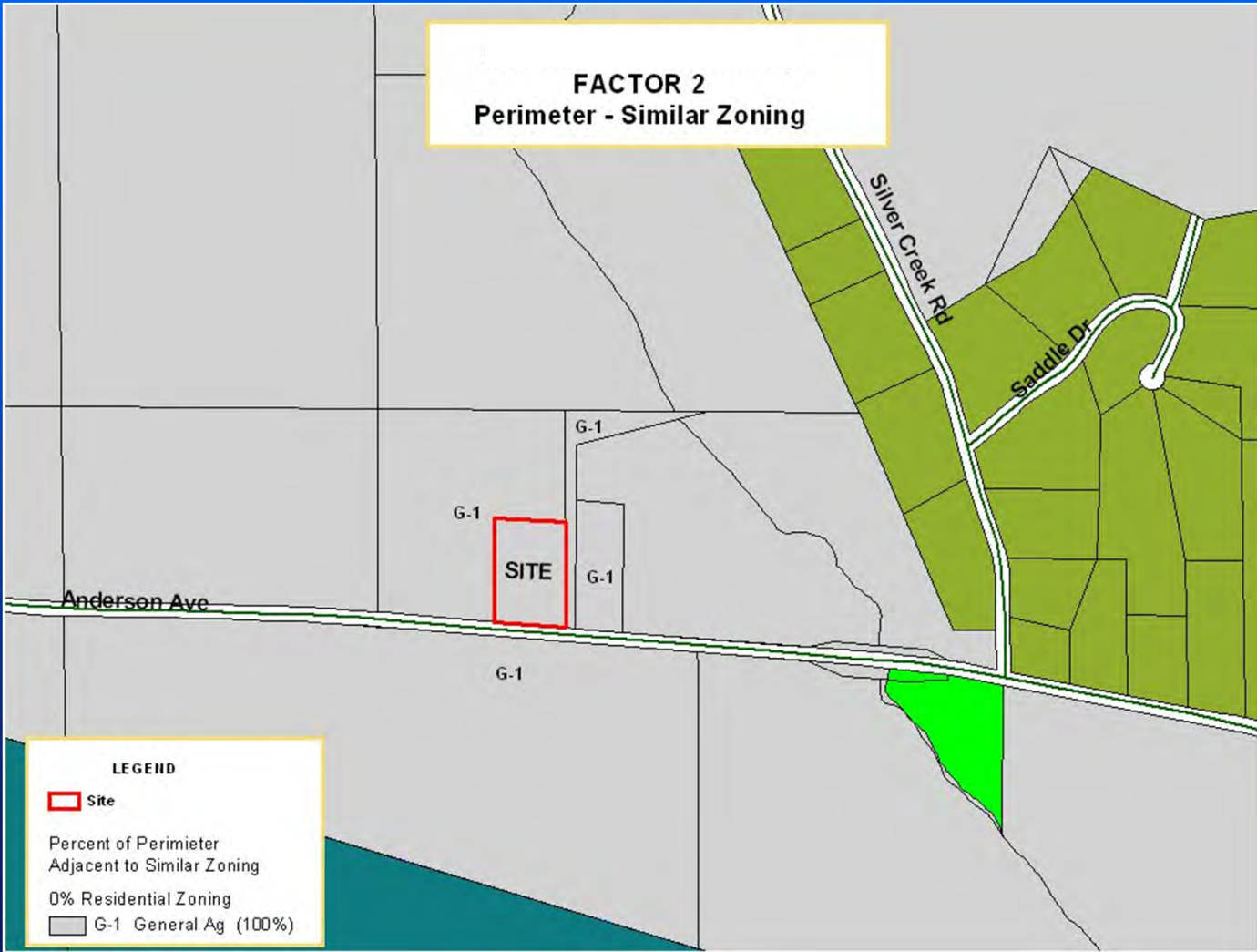
Character of the Neighborhood (cont'd)




Tracts >20 acres	Points
0	0
1	50
2	100
3	150
4	200
✓ 5 or more	250

running total: **260**

<p style="text-align: center;">Factor #2</p> <p style="text-align: center;">Zoning and Uses of Nearby Property</p>
--

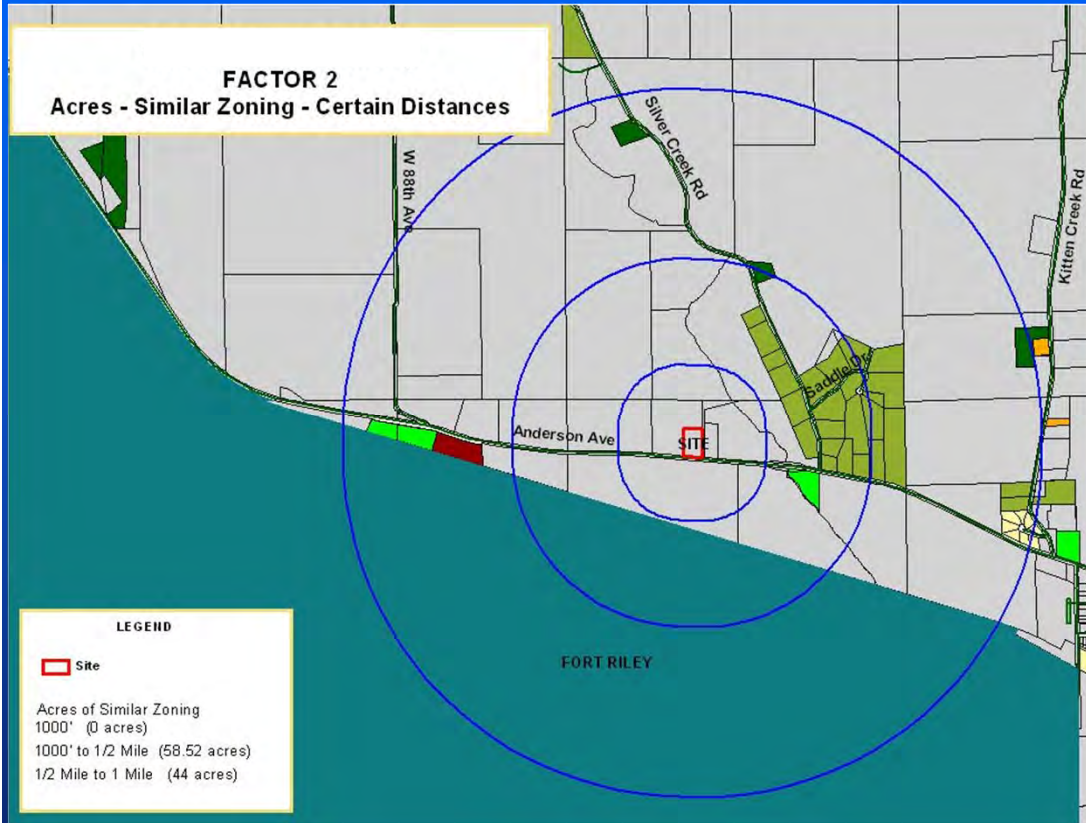


% of perimeter adjacent to similar zoning	Points
 No adjacency	0
1% - 9.99%	50
10% - 24.99%	100
25% - 50%	200
Over 50%	250

running total: 510

Factor #2

Character of the Neighborhood (cont'd)

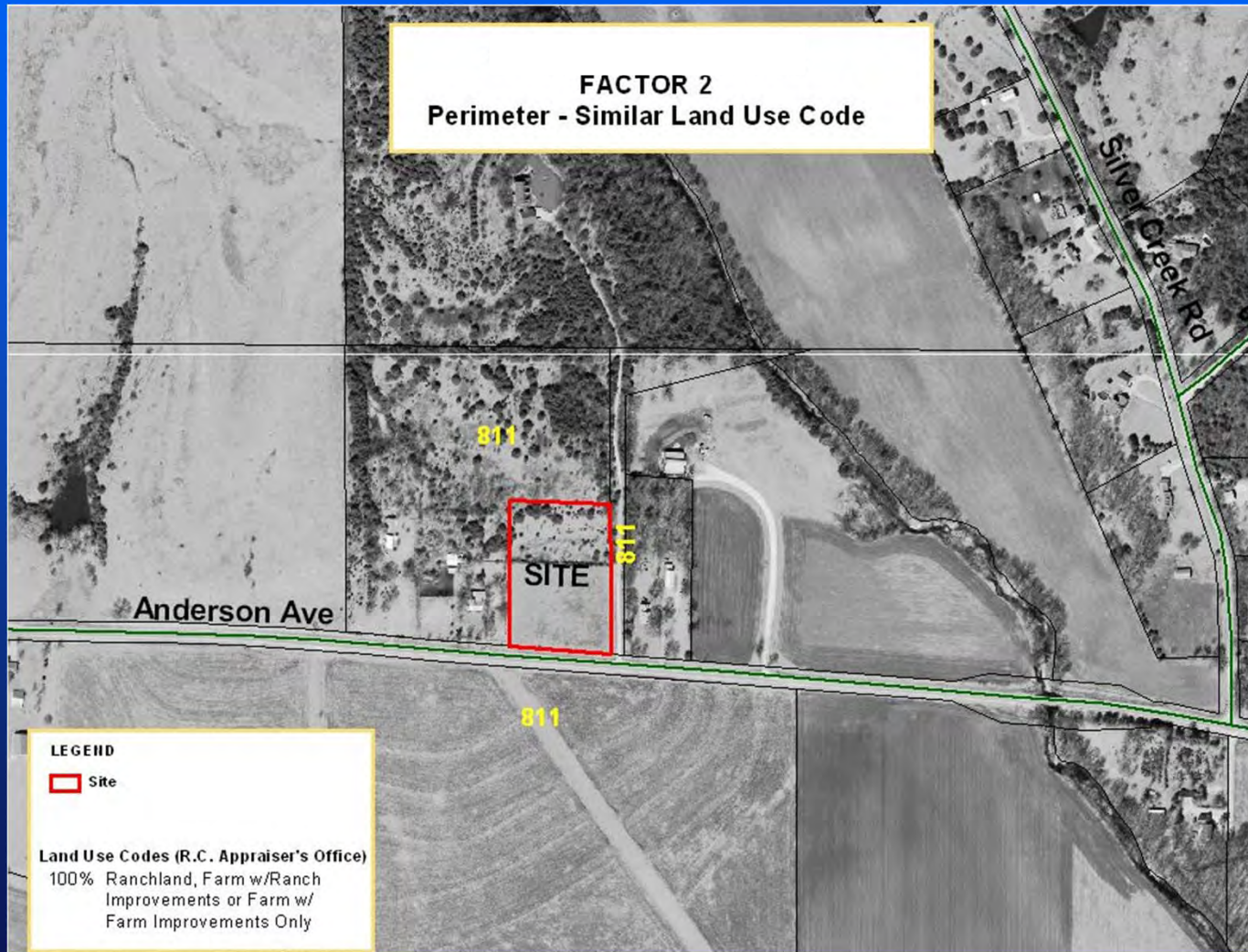


Acres (proximity) zoning	Points	Within 1000'	Between 1000' and 1/2 mile	Between 1/2 mile and 1 mile
0	0	✓ 0		
.1-2	10			
2.1-5	20			
5.1-10	30			
10.1-15	40			
Over 15	50		✓ 50	✓ 50
weighting		2.5	1.5	1
SUBTOTAL		0	75	50
TOTAL	125			

running total: **636**

Factor #2

Zoning and Uses of Nearby Property

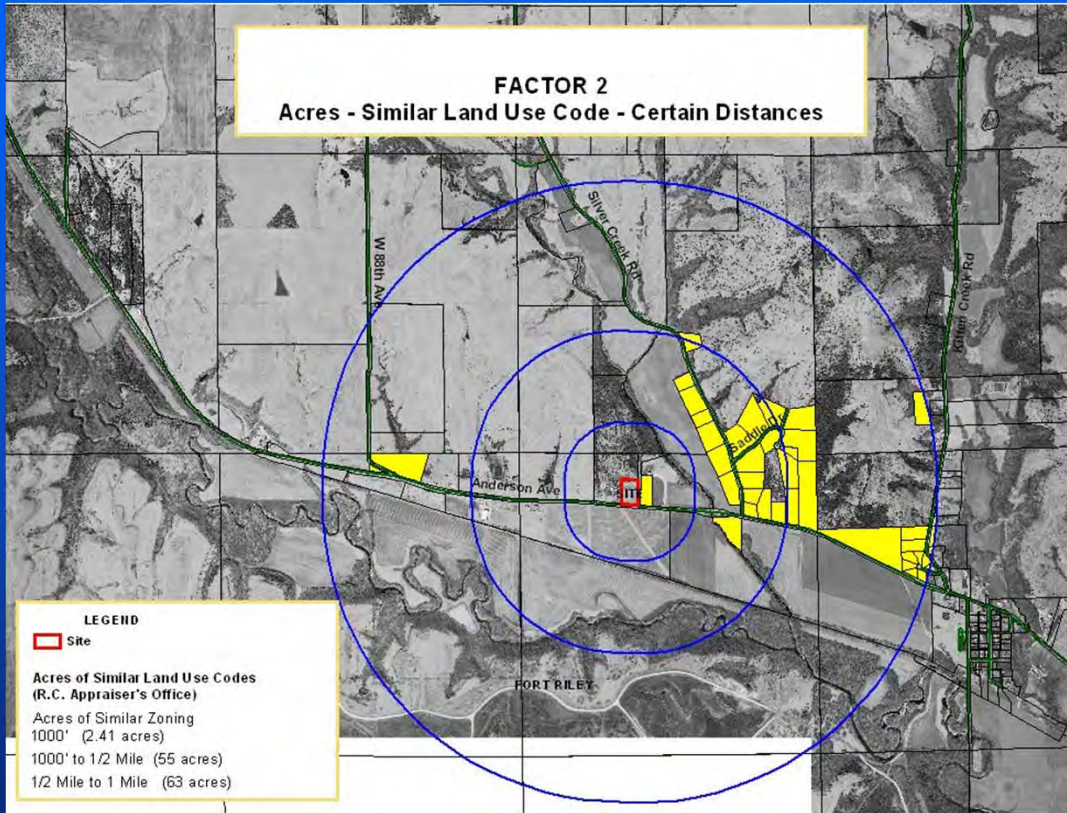


% of perimeter adjacent to similar land use	Points
✓ No adjacency	0
1% - 9.99%	50
10% - 24.99%	100
25% - 50%	200
Over 50%	250

running total: **635**

Factor #2

Character of the Neighborhood (cont'd)

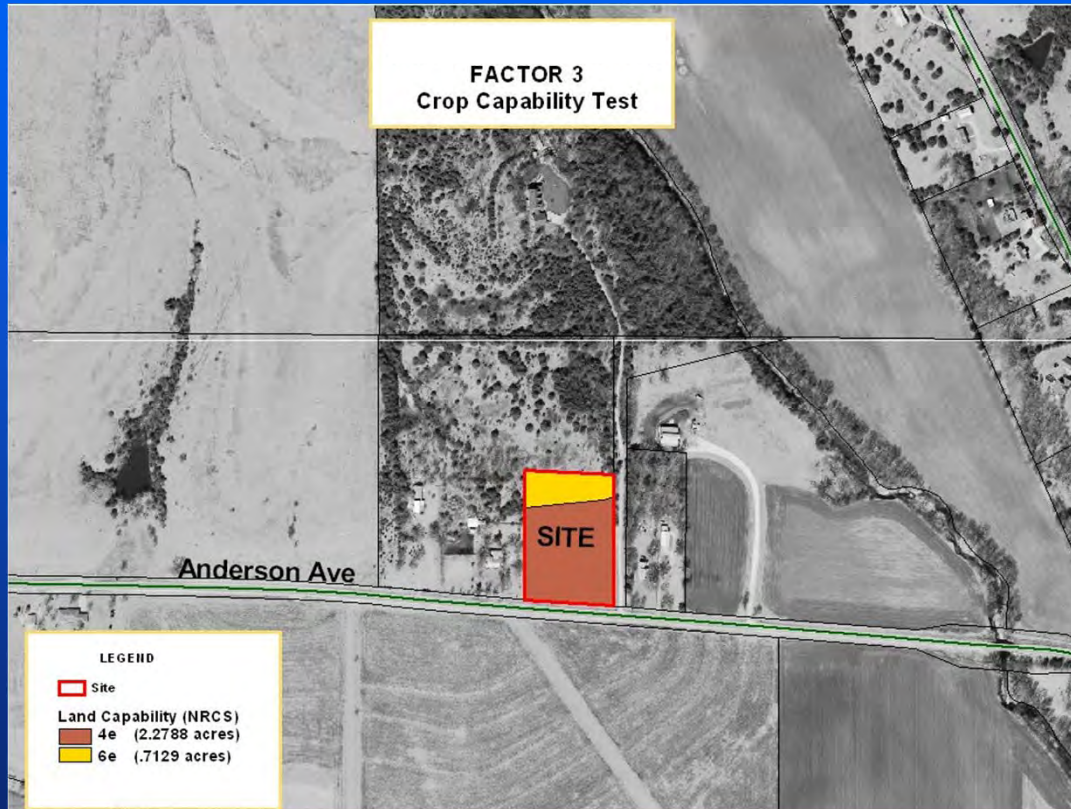


Acres (proximity) Land Use	Points	Within 1000'	Between 1000' and 1/2 mile	Between 1/2 mile and 1 mile
0	0			
.1-2	10			
2.1-5	20	✓ 20		
5.1-10	30			
10.1-15	40			
Over 15	50		✓ 50	✓ 50
weighting		2.5	1.5	1
SUBTOTAL		50	75	50
TOTAL	175			

running total: **836**

Factor #3

Suitability of the property for the uses allowed under the current zoning

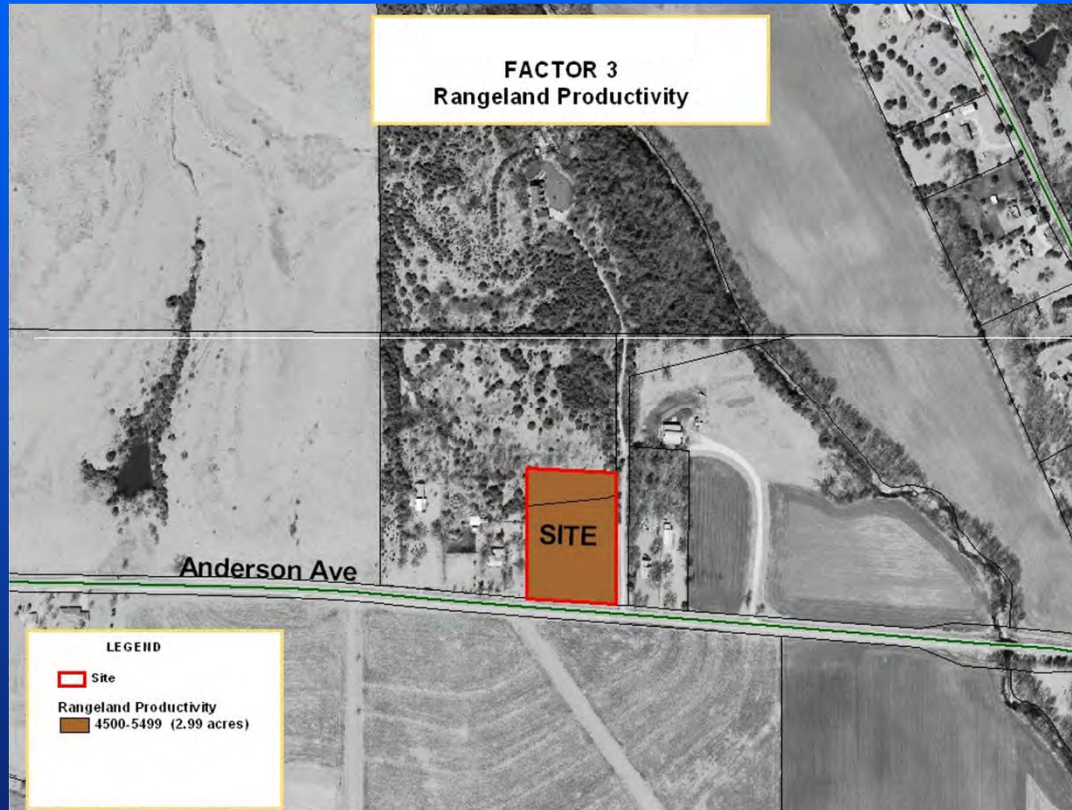


Land Capability Class	Relative Value (RV)	# of Acres in site	RV x # of acres	Average Site Value
1	0			
2	25			
3	50			
✓ 4	75	2.279	170.91	
5	150			
✓ 6	225	.713	160.40	
7	300			
8	375			
TOTALS		2.99	331.31	111

running total: **920**

Factor #3

Suitability of the property for the uses allowed under the
current zoning (cont'd)



Total Dry Weight Production (norm. yr.)	Relative Value (RV)	# of Acres in site	RV x # of acres	Average Site Value
8500+	0			
7500-8499	50			
6500-7499	100			
5500-6499	150			
✓ 4500-5499	225	2.99	672.75	
3500-4499	300			
2500-3499	375			
TOTALS		2.99	672.75	225


running total: 19246

Factor #3

Suitability of the property for the uses allowed under the current zoning (cont'd)

Site Suitability Test


- Attributes Reducing Agricultural Site Suitability

Size of Site in Acres	Points	Score
 0-3	125	125
3.1-5	90	
5.1-10	45	
Over 10	0	
TOTAL		125

Isolation of Site from other Agricultural Land

(Site must be less than 10 acres in Size)

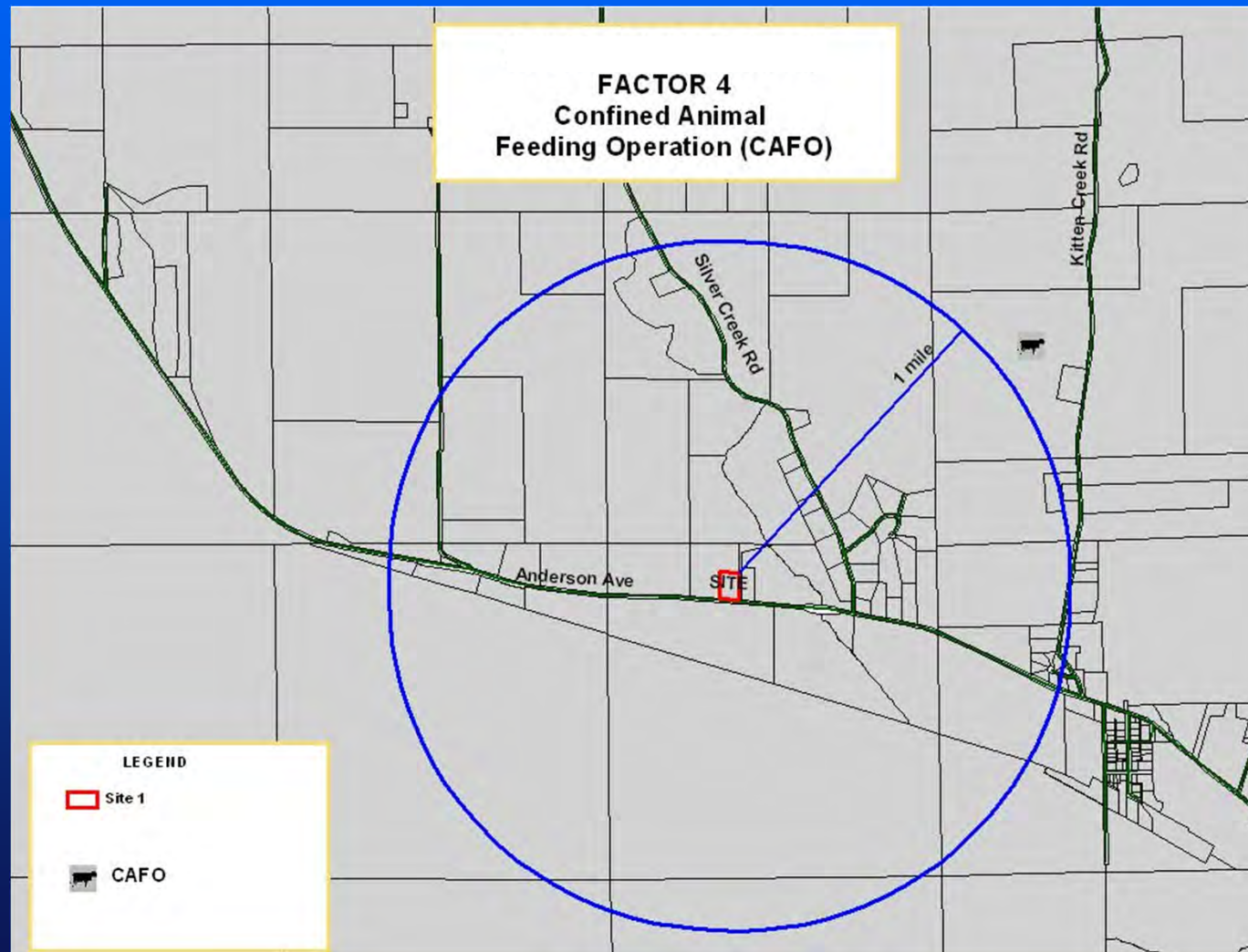
(Isolation may be created by ownership or physical features, e.g. riparian areas, roads, topographic features, etc.)

	Points	Score
 Isolated	125	125
Not Isolated	0	
TOTAL		125

running total: **1396**

Factor #4

Impact of rezoning on nearby property



Proximity to a CAFO	Points
✓ more than 1 mile	250
between 1 mile and ¼ mile	0
within ¼ mile	-250

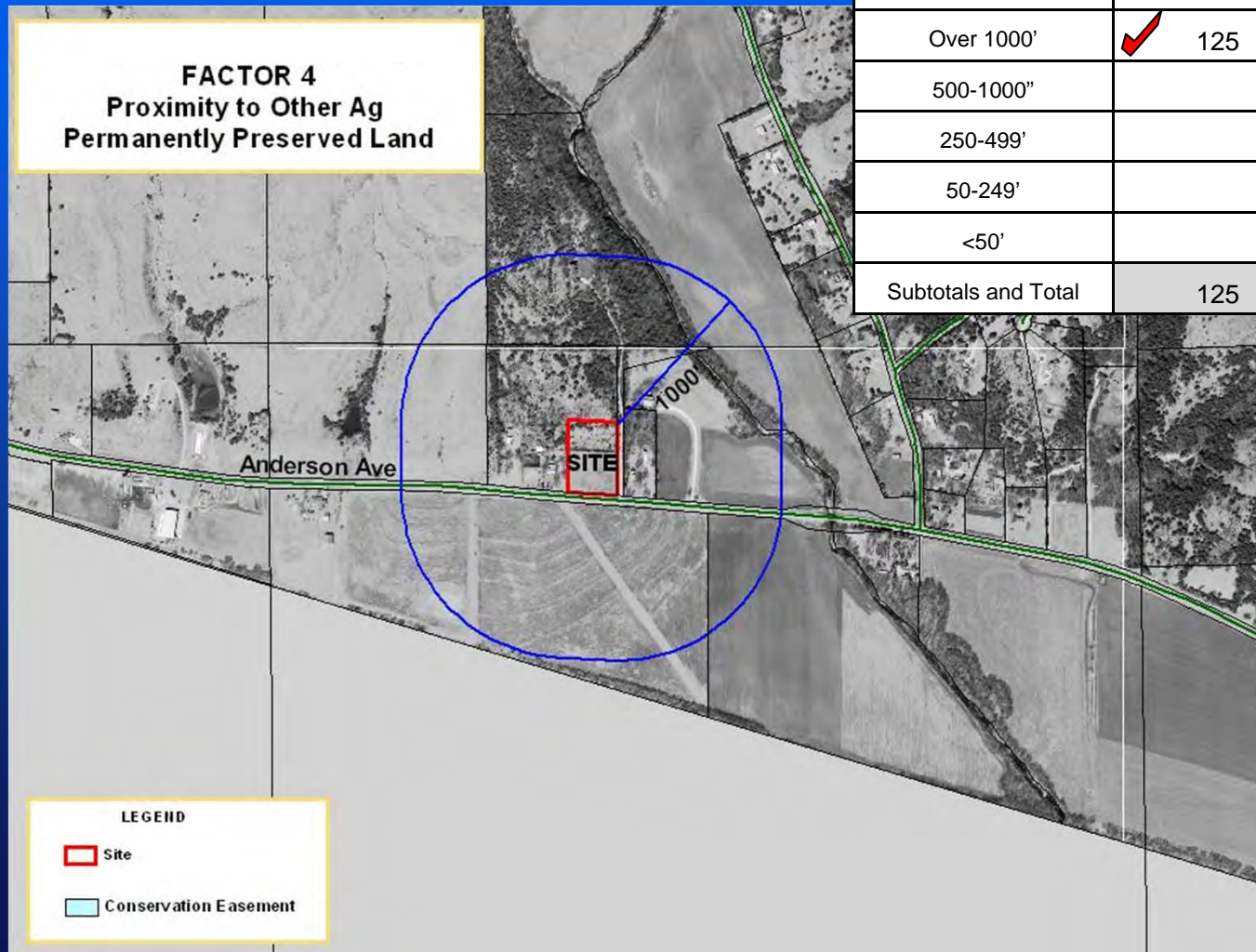
running total: **1696**

Factor #4

Impact of rezoning on nearby property

FACTOR 4 Proximity to Other Ag Permanently Preserved Land

Proximity to other agricultural activities	Permanently preserved land	Cropping operation	Grassland Tract (>20 acres; no home)	Points
Over 1000'	✓ 125			125
500-1000'				100
250-499'				75
50-249'				50
<50'				0
Subtotals and Total	125			

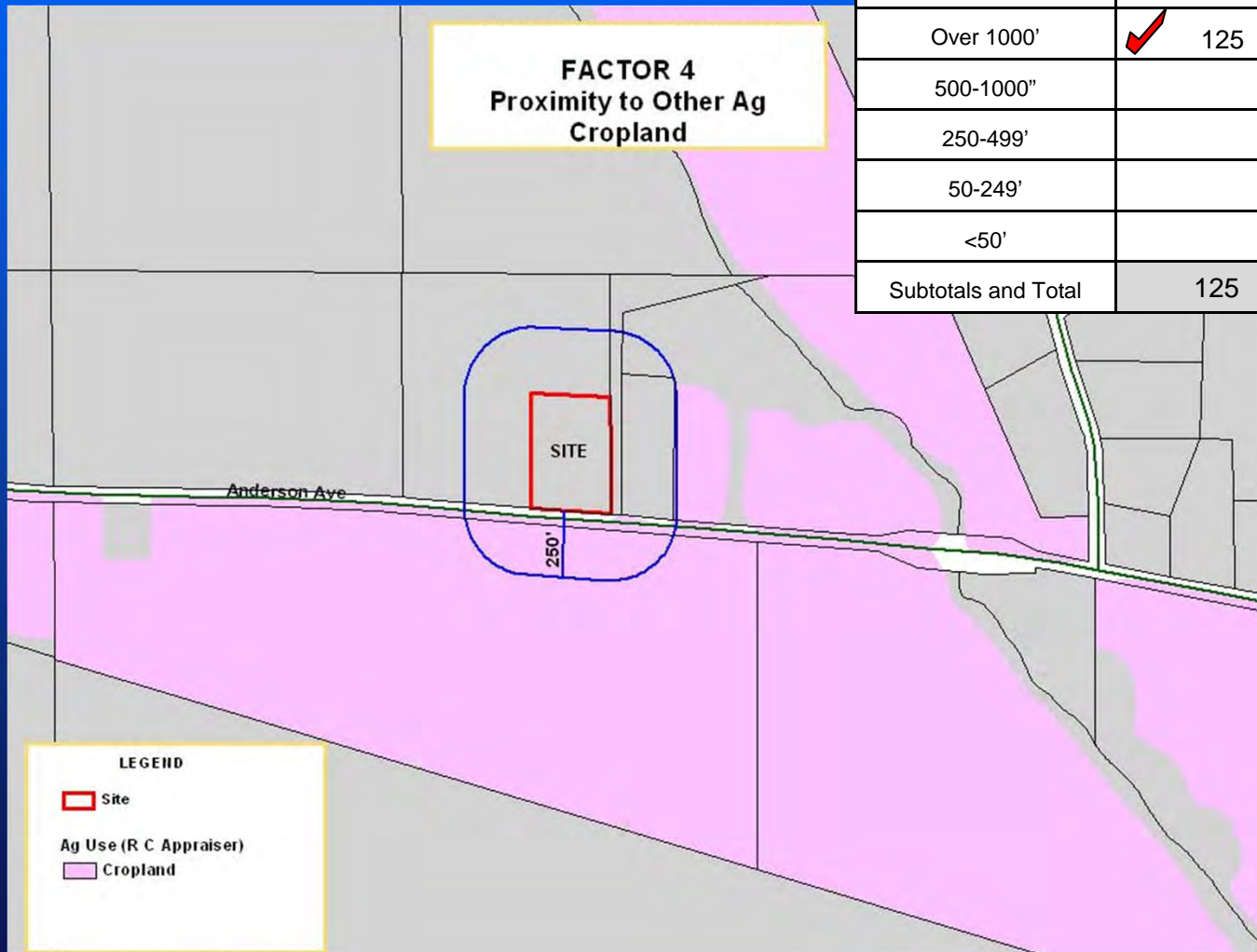


running total: **1376**

Factor #4

Impact of rezoning on nearby property

Proximity to other agricultural activities	Permanently preserved land	Cropping operation	Grassland Tract (>20 acres; no home)	Points
Over 1000'	✓ 125			125
500-1000'				100
250-499'				75
50-249'				50
<50'		✓ 50		0
Subtotals and Total	125	50		

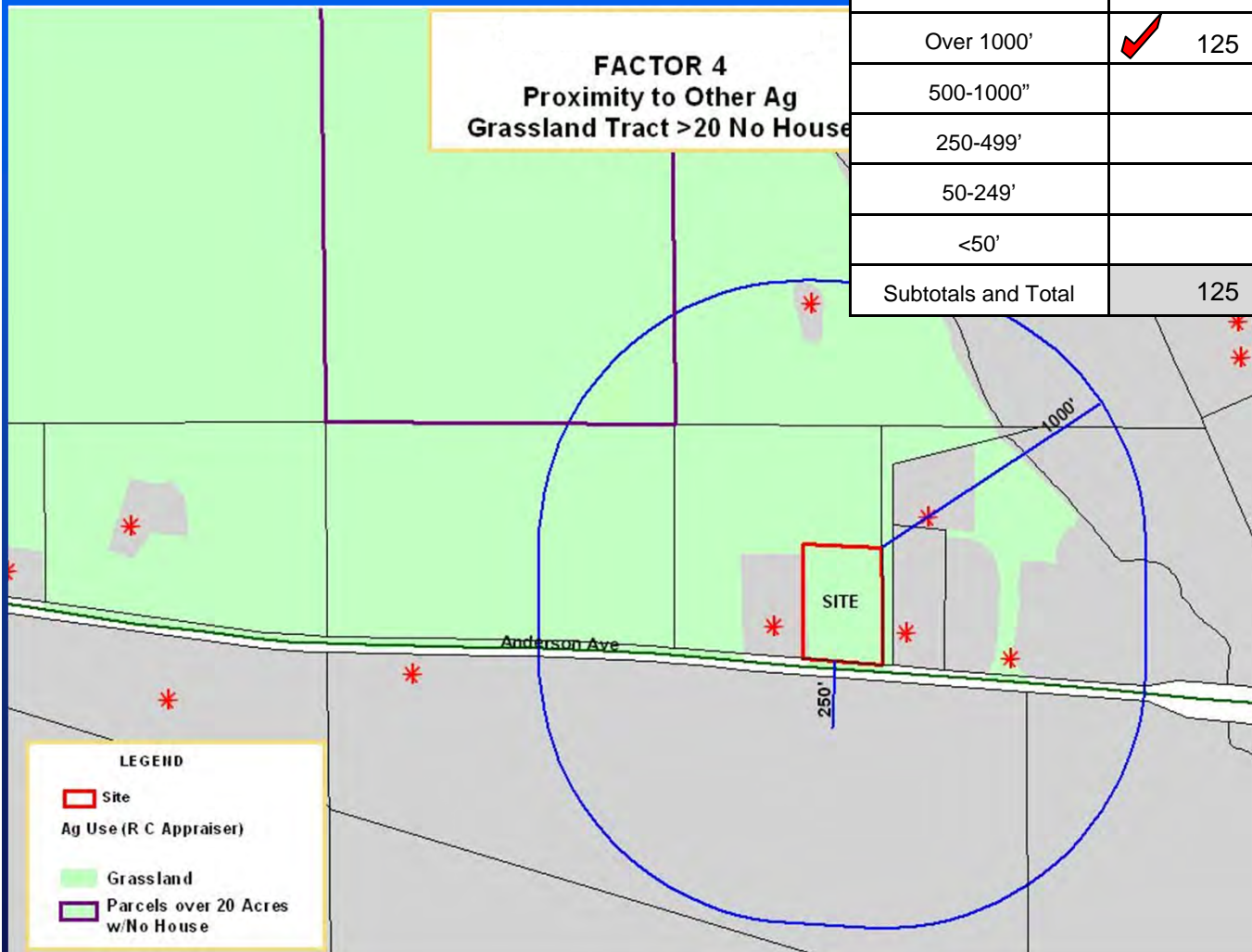


running total: **1821**

Factor #4

Impact of rezoning on nearby property

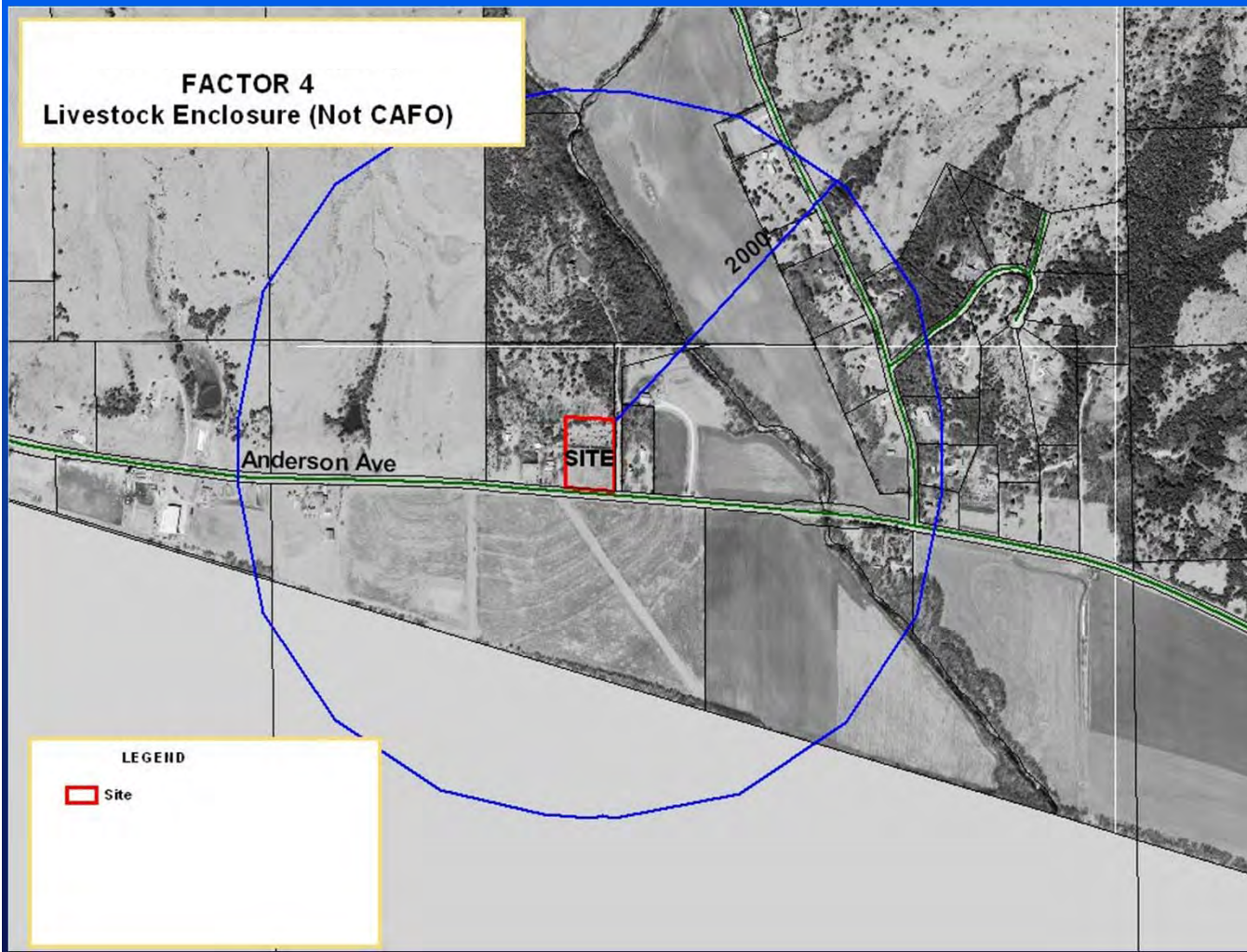
Proximity to other agricultural activities	Permanently preserved land	Cropping operation	Grassland Tract (>20 acres; no home)	Points
Over 1000'	✓ 125			125
500-1000"			✓ 100	100
250-499'				75
50-249'				50
<50'		✓ 50		0
Subtotals and Total	125	50	100	275



running total: **1921**

Factor #4

Impact of rezoning on nearby property (cont'd)

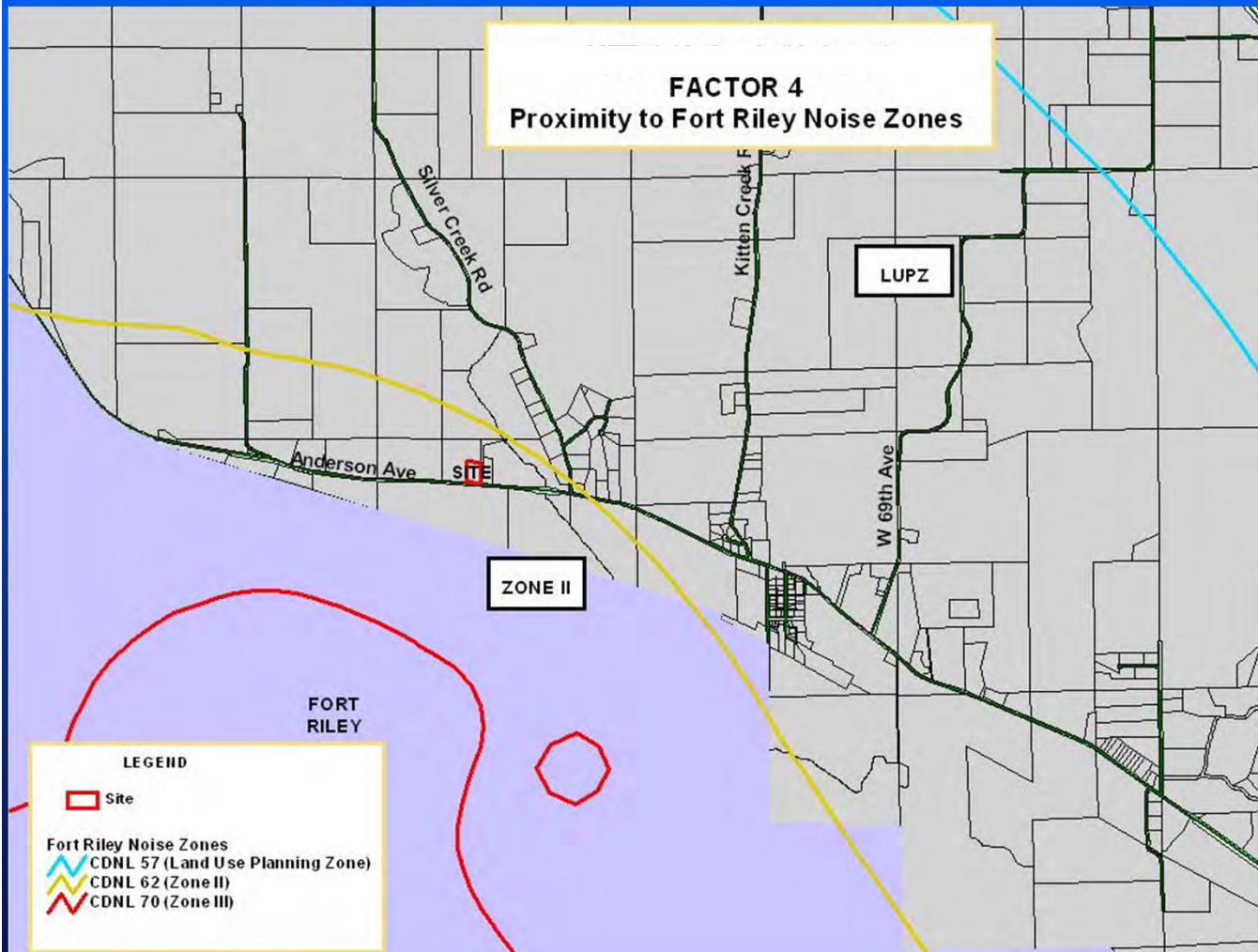



Proximity to livestock enclosure (no CAFO)	Points
✓ Over 2000'	125
1000 – 2000'	100
500 – 999'	75
100 – 499'	50
less than 100'	0

running total: **2026**

Factor #4

Impact of rezoning on nearby property (cont'd)



Proximity to Fort Riley Noise Zones	Points
Outside of NZ II and LUPZ	250
Within LUPZ	125
 within NZ II	0

running total: **2046**

Factor #4

Impact of rezoning on nearby property (cont'd)

ADDITIONAL POSITIVE/NEGATIVE POINTS FOR MITIGATIVE/DETRIMENTAL IMPACTS

- Effect of Rezoning on Valuation of Adjoining Property *

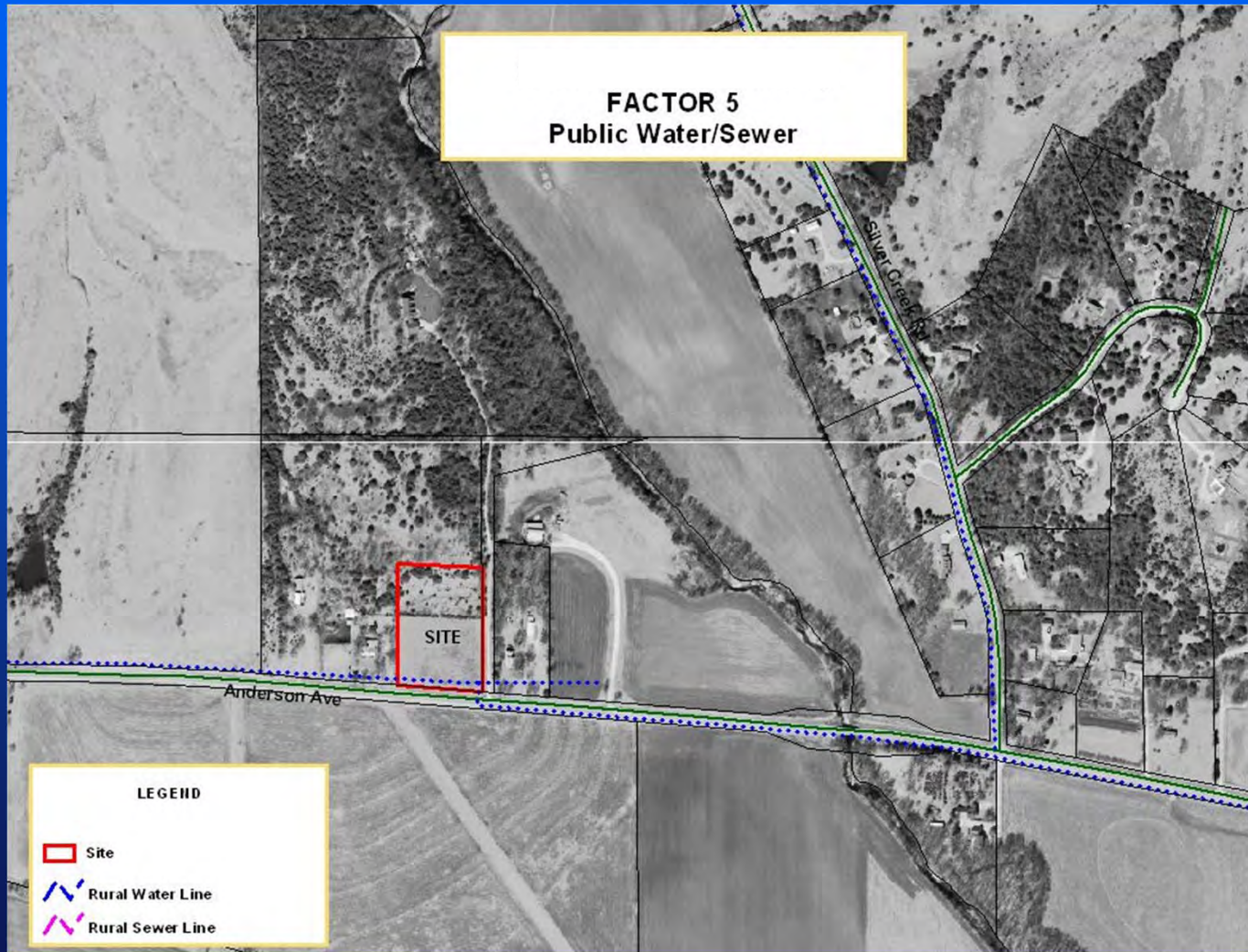
	Points	Score
Evidence that rezoning will increase value of adjoining property	250	
Evidence that rezoning will not devalue adjoining property	125	
✓ No evidence that rezoning will/will not devalue adjoining property	0	
Evidence that rezoning will devalue adjoining property	-250	
	TOTAL	<input type="text"/>

* Evidence must be from a professional source

running total: **2046**

Factor #5

Impact of rezoning on public health and safety

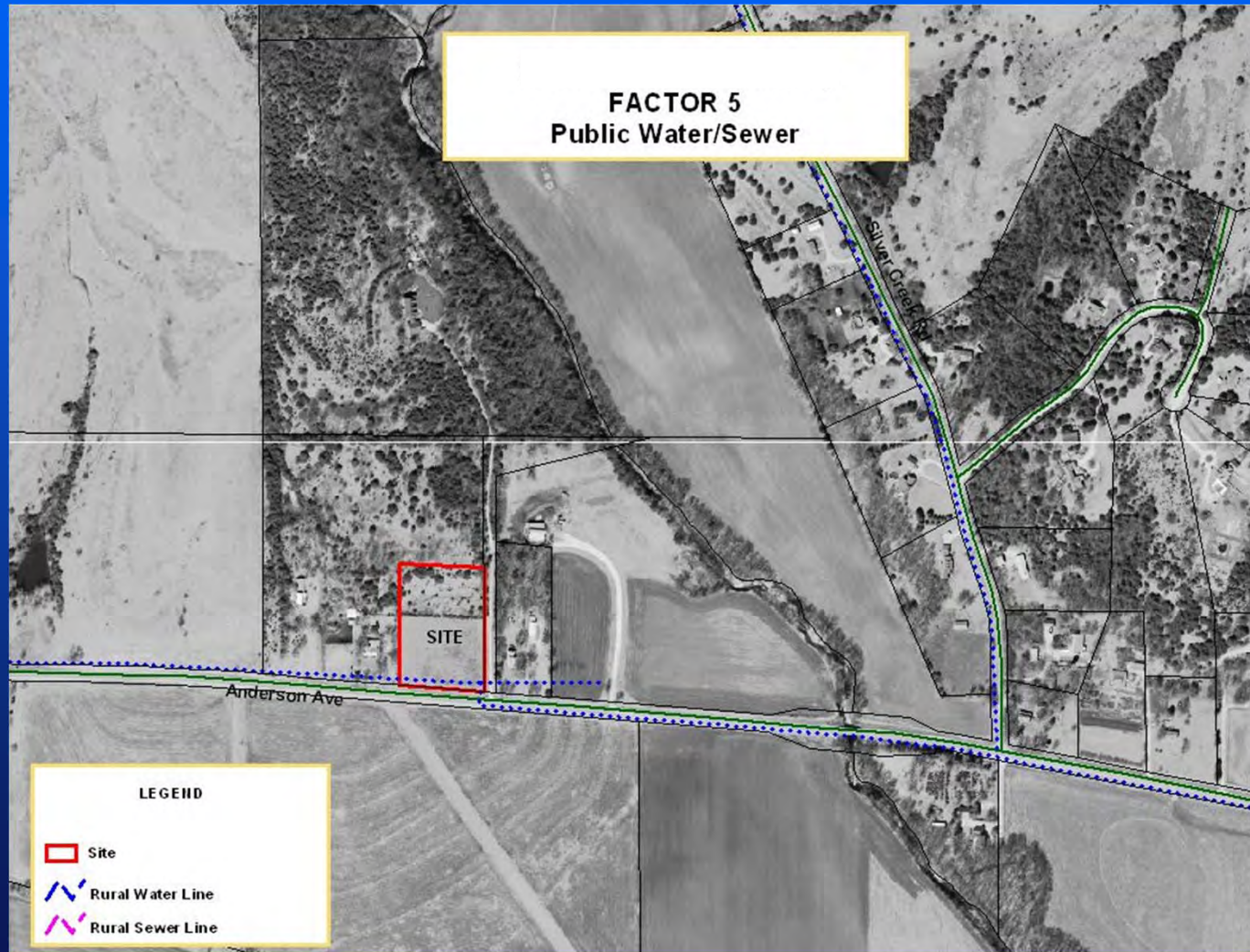


availability & connection to public sanitary sewer	Points
available at site	200
within 400'	175
400' - .24 mile	150
.25 - .49 mile	100
.5 - .99 mile	50
✓ more than a mile	0

running total: **2046**

Factor #5

Impact of rezoning on public health and safety (cont'd)

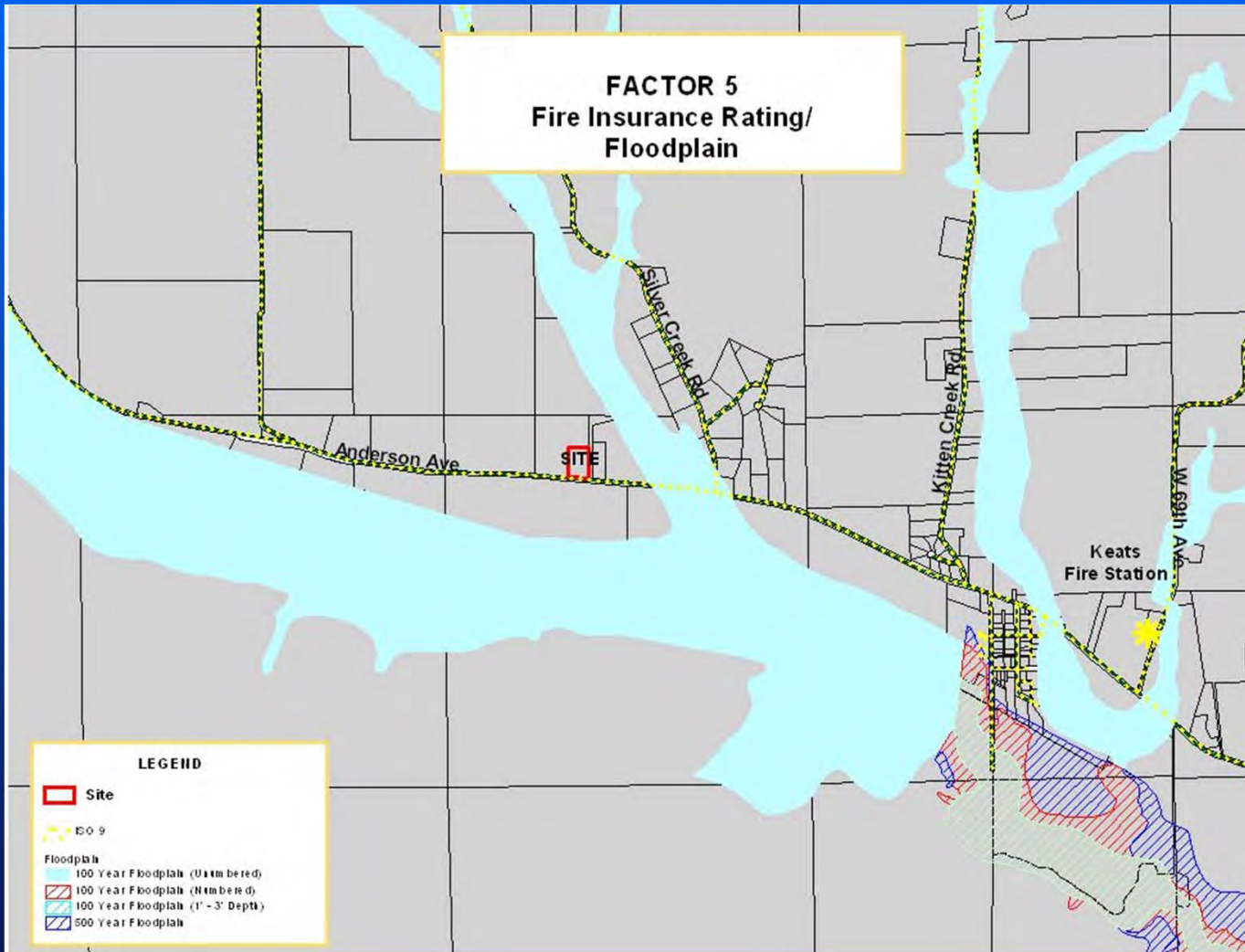


availability & connection to public water	Points
✓ available at site	200
Within 400'	175
400' - .24 mile	150
.25 - .49 mile	100
.5 - .99 mile	50
more than a mile	0

running total: **2046**

Factor #5

Impact of rezoning on public health and safety (cont'd)

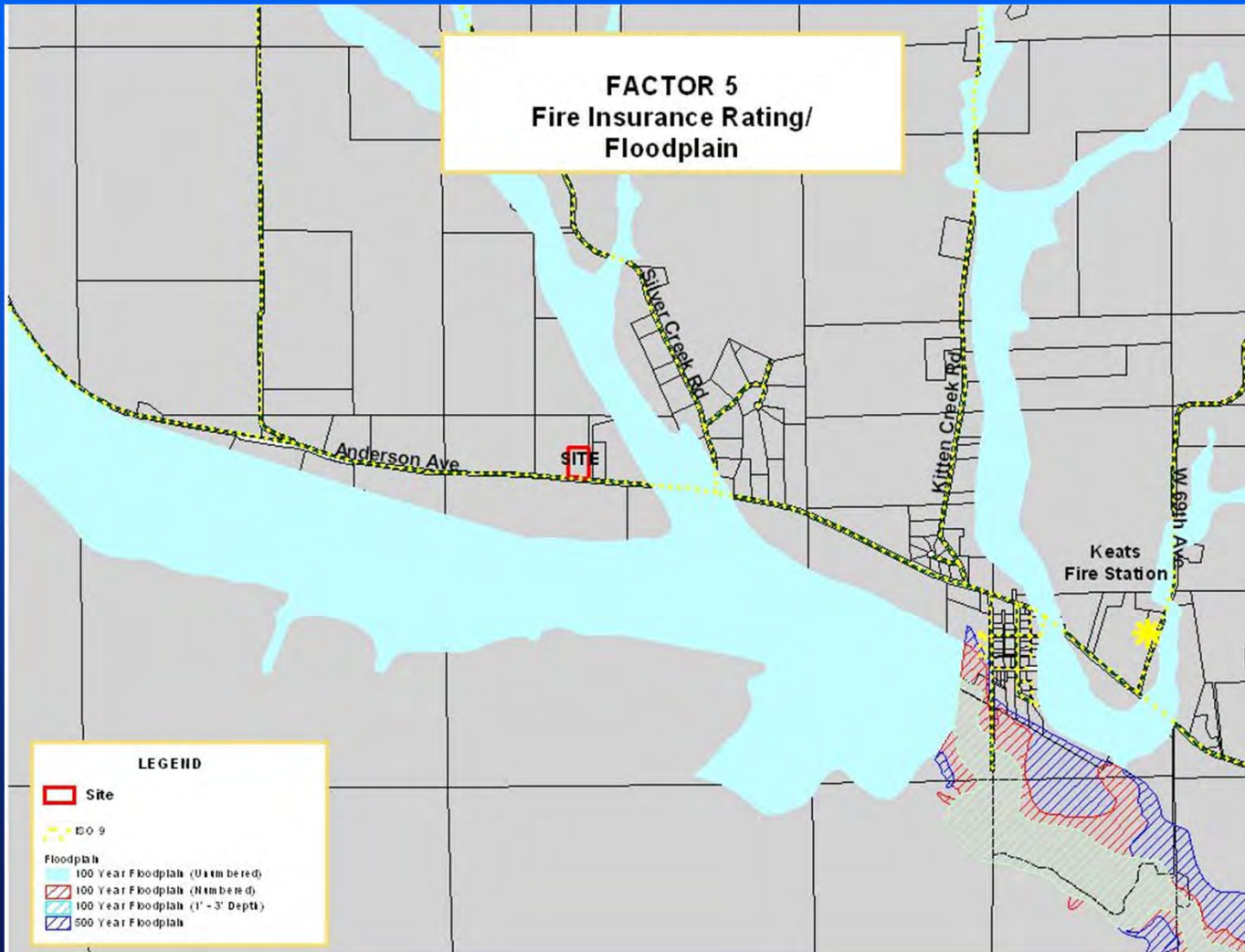


Public Protection Classification (fire insurance rating)	Points
within ISO Class 7	200
✓ within ISO Class 9	100
within ISO Class 10	0

running total: **2346**

Factor #5

Impact of rezoning on public health and safety (cont'd)

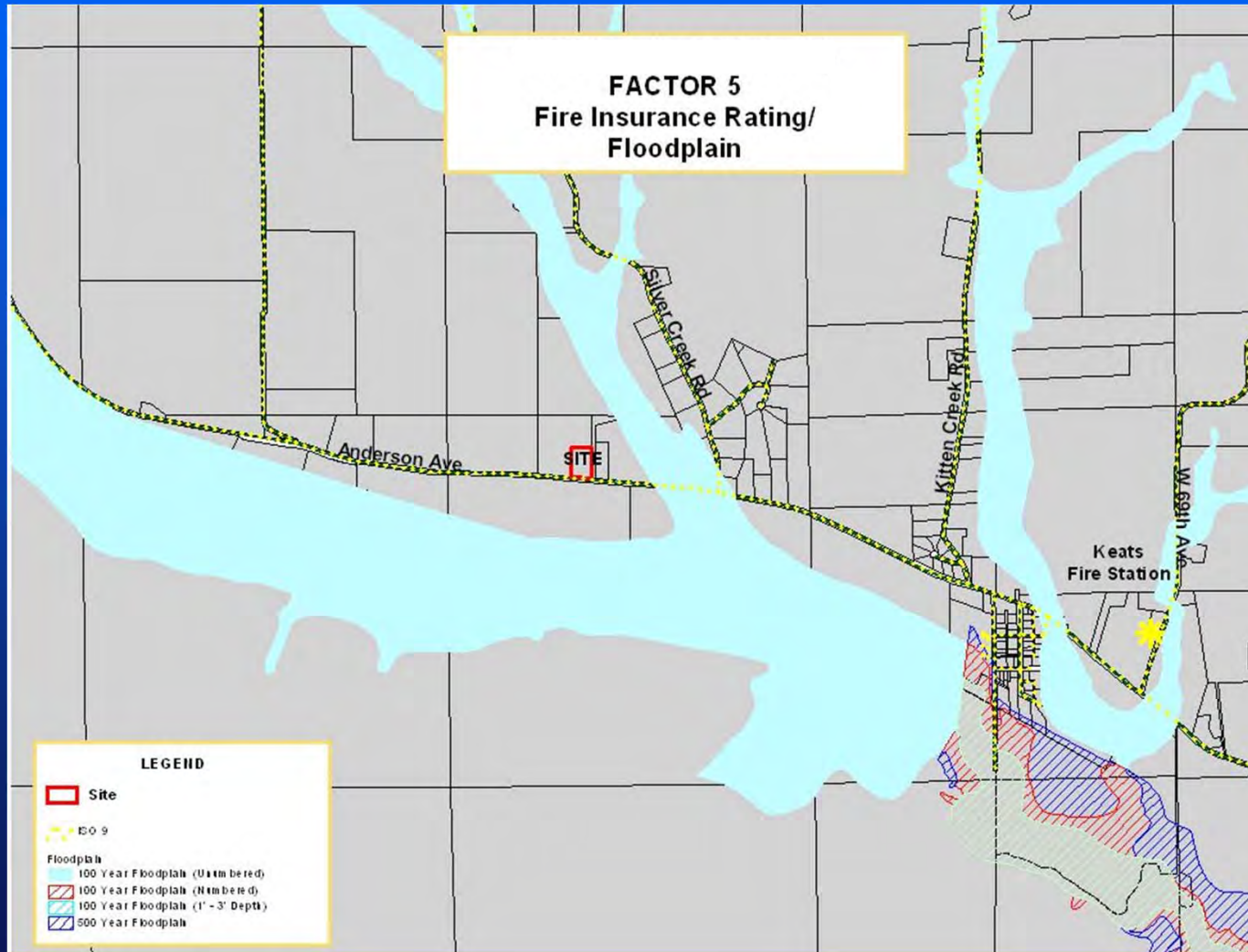


Site relative to floodplain	Points
✓ not in a floodplain	200
within 500-year floodplain	0
within 100-year floodplain	-200

running total: **2546**

Factor #5

Impact of rezoning on public health and safety (cont'd)



Access to site relative to floodplain	Points
✓ not in a floodplain	200
within 500-year floodplain	0
within 100-year floodplain	-200

running total: **2346**

Factor #5

Impact of rezoning on public health and safety (cont'd)

- Expected Impact of Proposed Development on Existing Road *

	Points	Score
Current Road Adequate, No Changes Required	150	
Minor Improvements Needed	0	
Major Improvements Needed	-150	
Additional Off-Site Improvements Needed **	-150	
	TOTAL	0

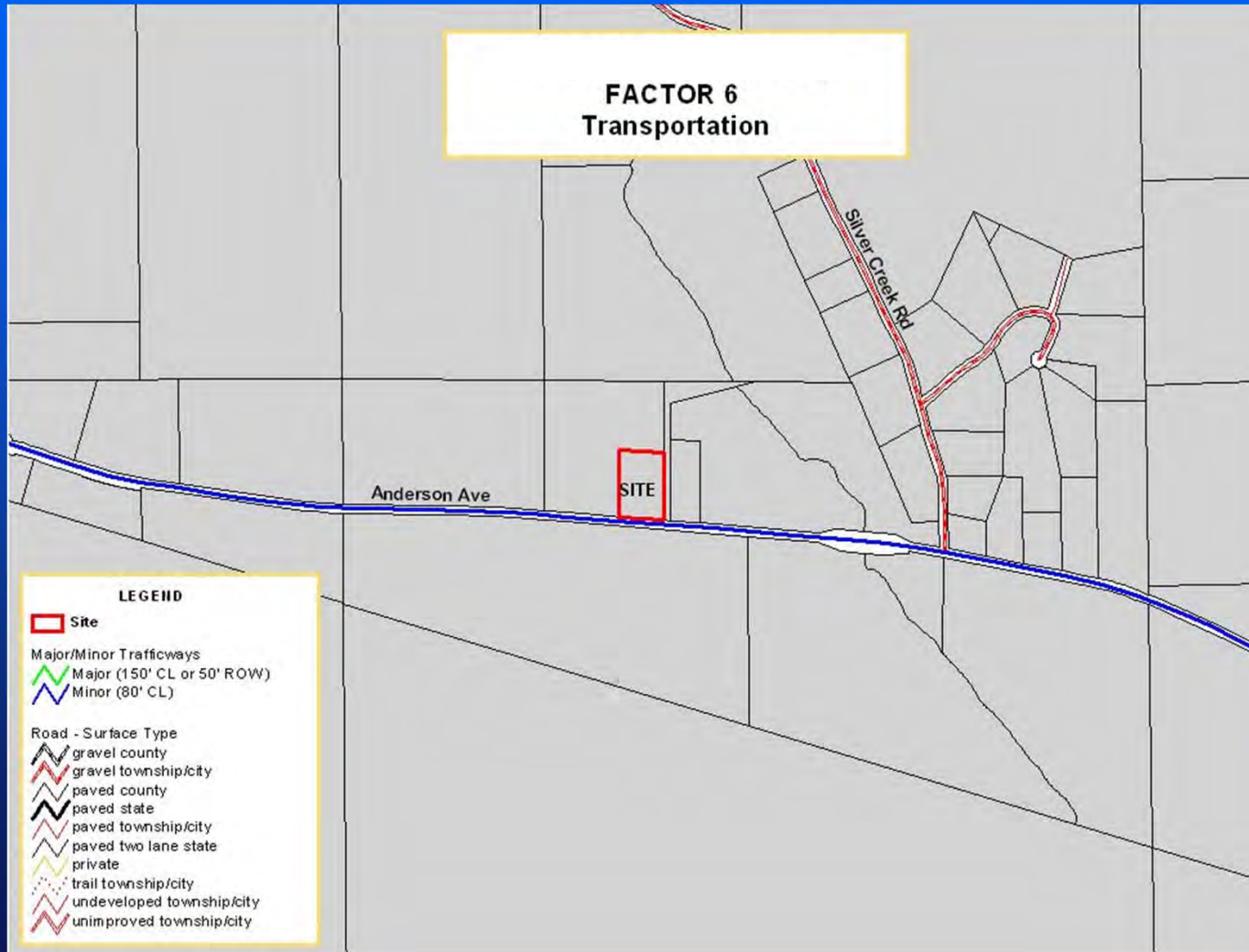
* Determination of anticipated traffic impacts from traffic study using assumed trip generation models. Minor/major improvements determined by County Engineer based on evaluation of degree of surface alterations required to meet the impact. Maximum points given for improvements funded by developer.


** Additional off-site improvements include addition of turning lanes, improvement of drainage structures and similar improvements that are not re-surfacing improvements. If alteration of surface and additional off-site improvements are needed, both point totals shall apply. No points subtracted for improvements funded by developer.

running total: **2746**

Factor #6

The Public Costs/Benefits of Rezoning

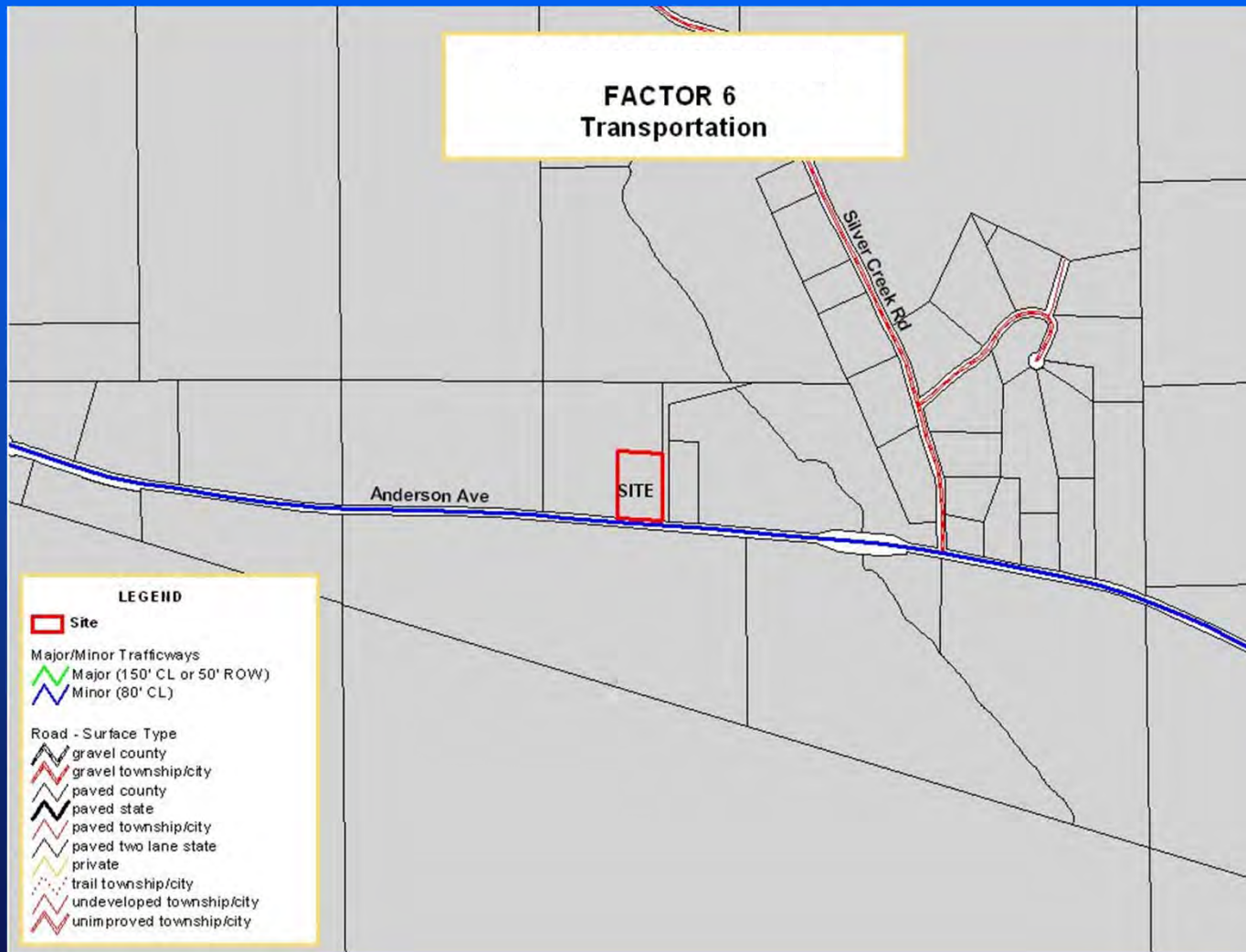


Adequacy of the access road surface	Points
 paved	150
gravel w/24' roadbed	100
gravel w/22' roadbed	50
gravel w/20' roadbed	0
gravel w/18' roadbed	-50
unimproved	-100
trail or undeveloped	-150

running total: **2896**

Factor #6

The Public Costs/Benefits of Rezoning (cont'd)

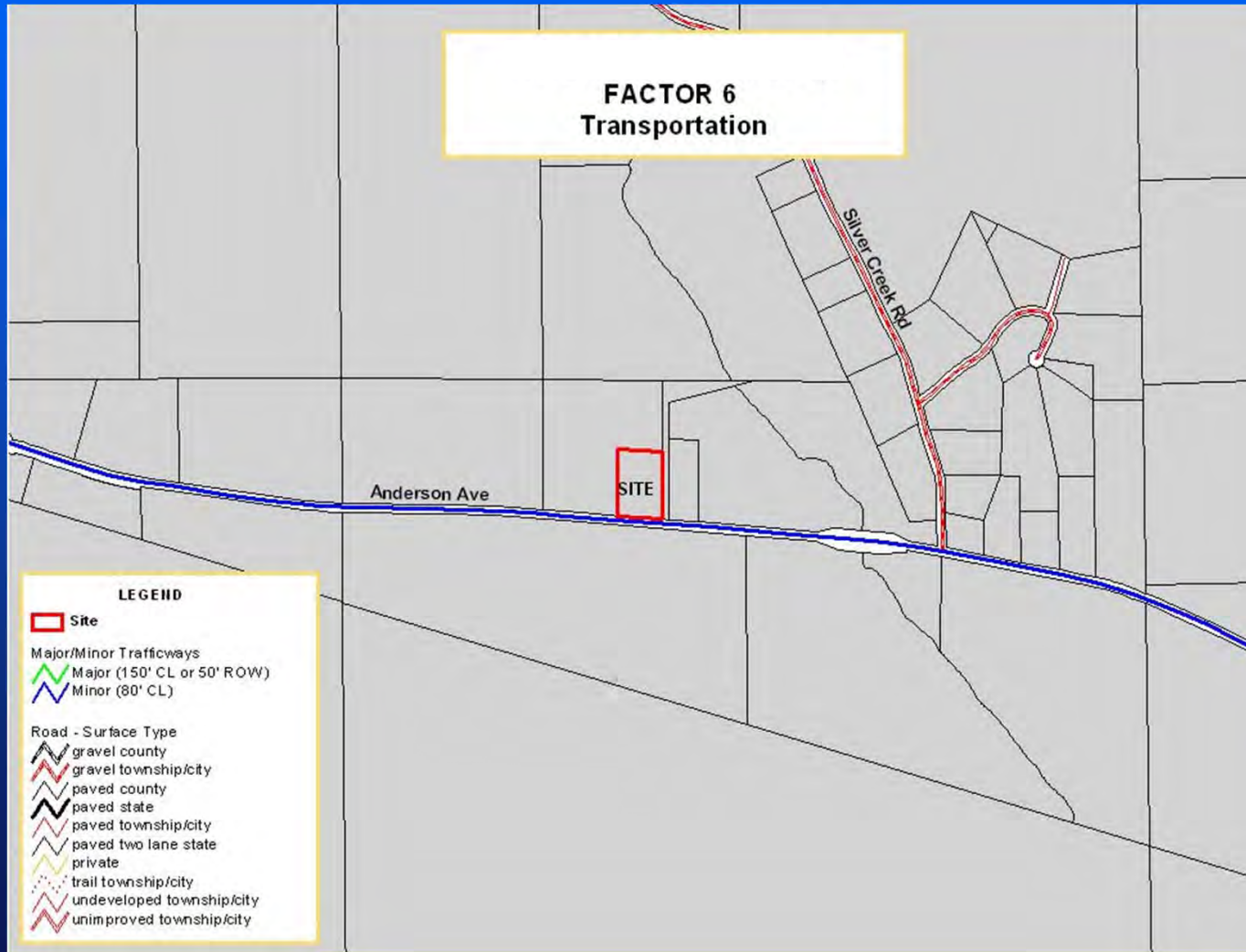


Distance from a Paved Road	Points
✓ direct access	150
within .25 mile	100
.25 to .49 mile	50
.5 to .99 mile	0
1 to 3 miles	-50
Over 3 miles	-100

running total: **2046**

Factor #6

The Public Costs/Benefits of Rezoning (cont'd)

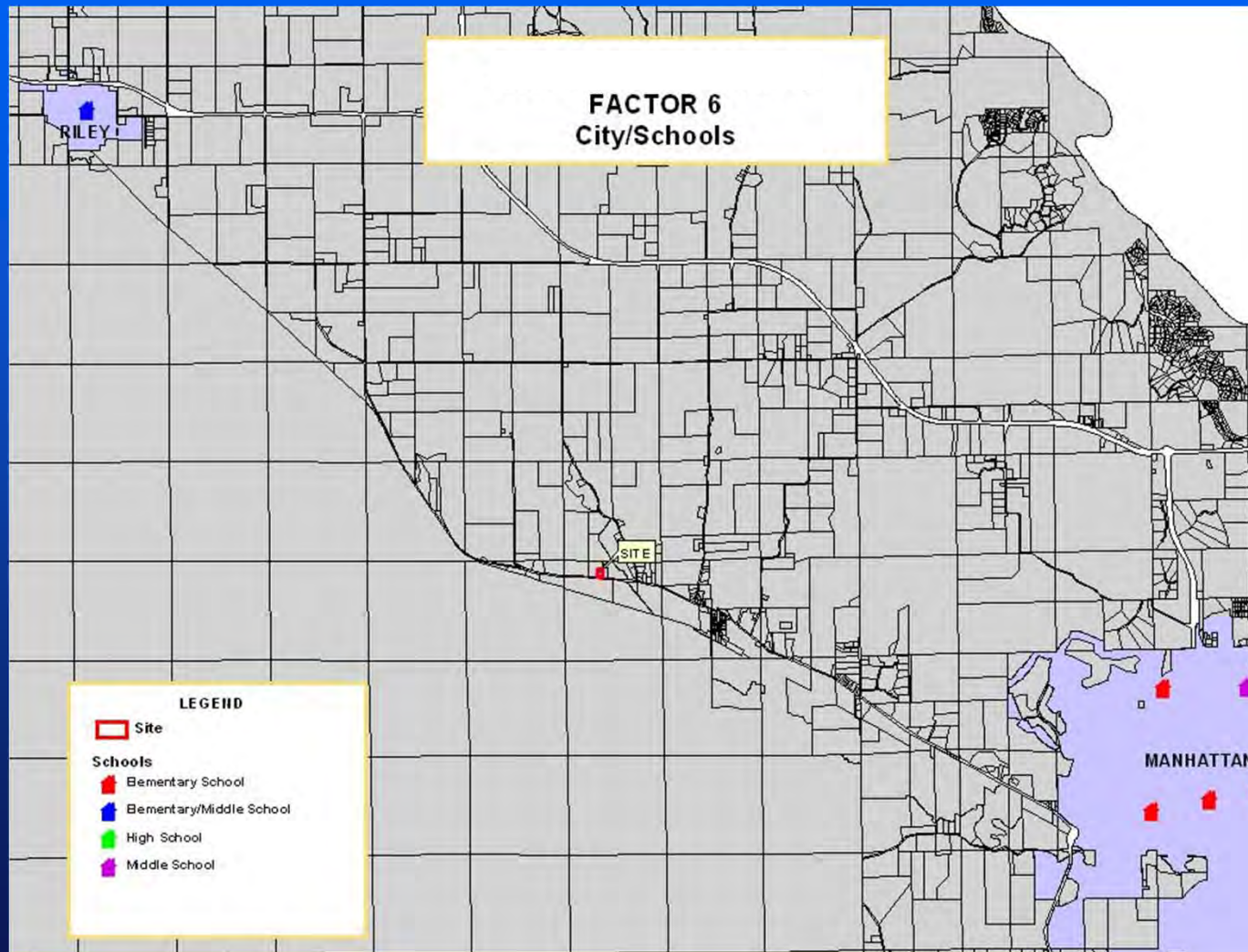


Distance to a Major/Minor Trafficway	Points
✓ direct access	150
within .5 mile	100
.5 to .99 mile	50
1 to 2.9 mile	0
3 to 5 miles	-50
Over 5 miles	-100

running total: **3096**

Factor #6

The Public Costs/Benefits of Rezoning (cont'd)

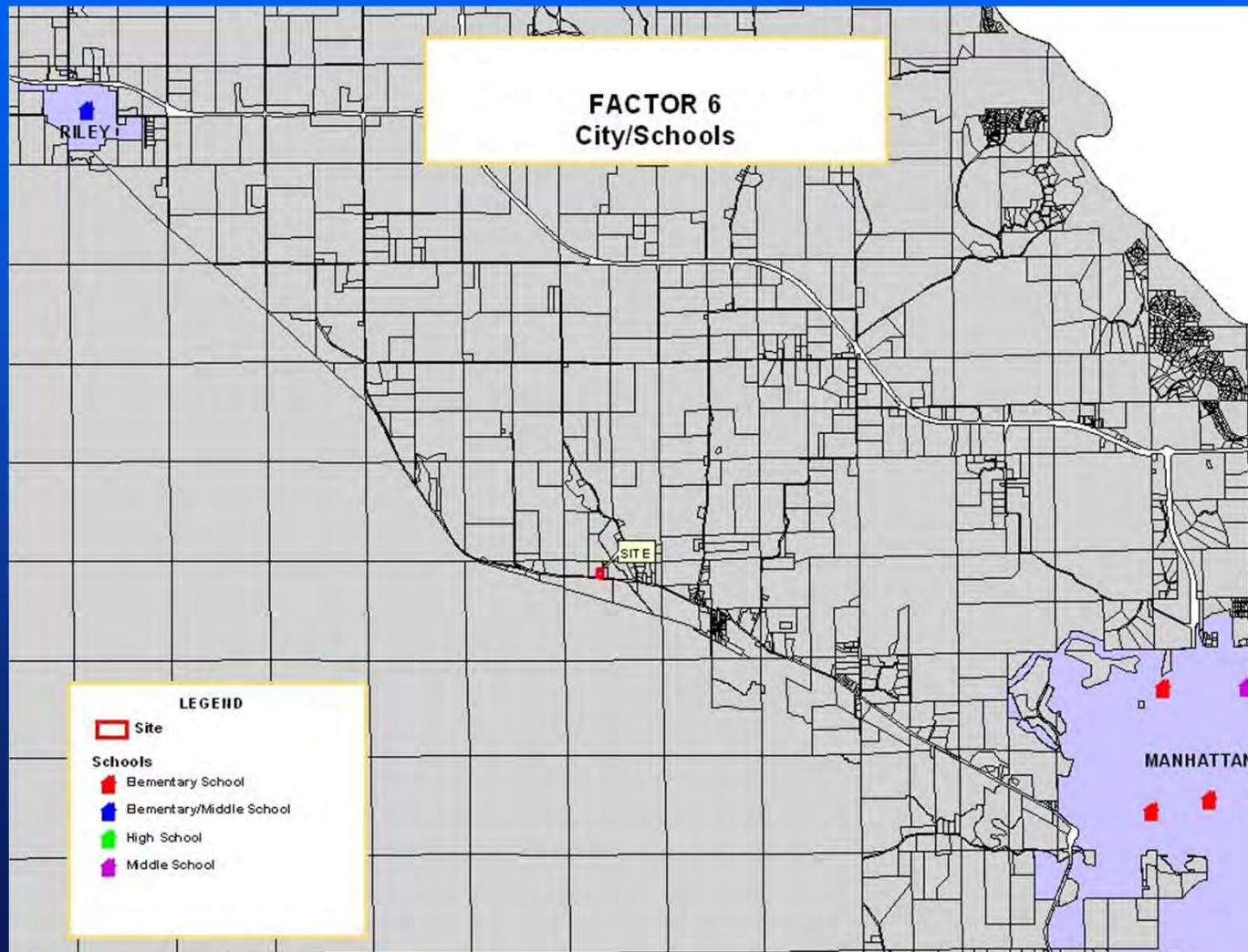



Distance from a City (in Riley County)	Points
contiguous to city limits	200
within .25 mile of a city	150
.26 - .5 mile of a city	100
.51 - 1 mile of a city	50
1.1 - 3 miles of a city	0
✓ over 3 miles from a city	-50

running total: **3196**

Factor #6

The Public Costs/Benefits of Rezoning (cont'd)

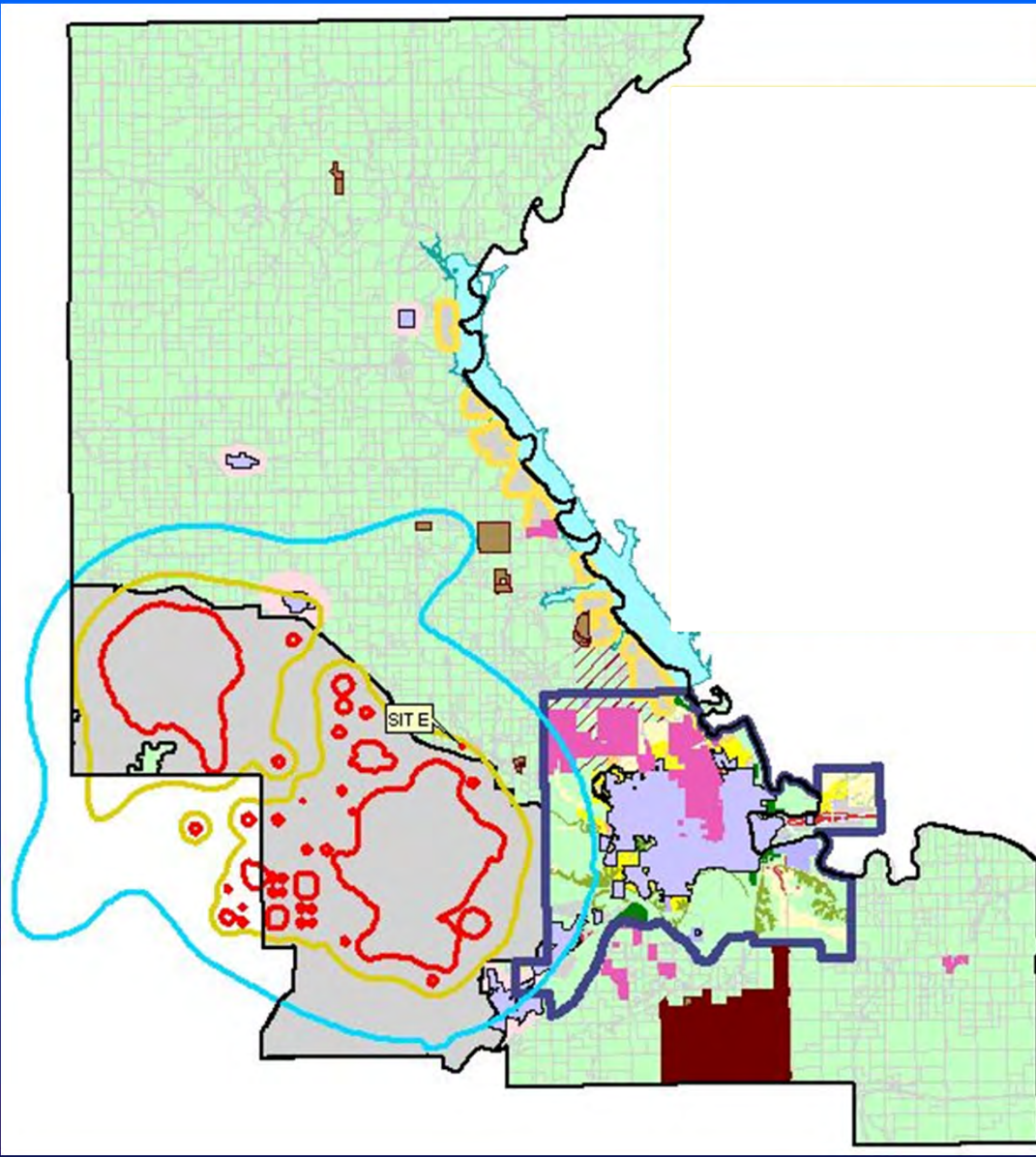


Distance from nearest public school	Points
within 1 mile	200
1.1 - 2 miles	100
2.1 - 3 miles	0
 beyond 3 miles	-100

running total: **3046**

Factor #7

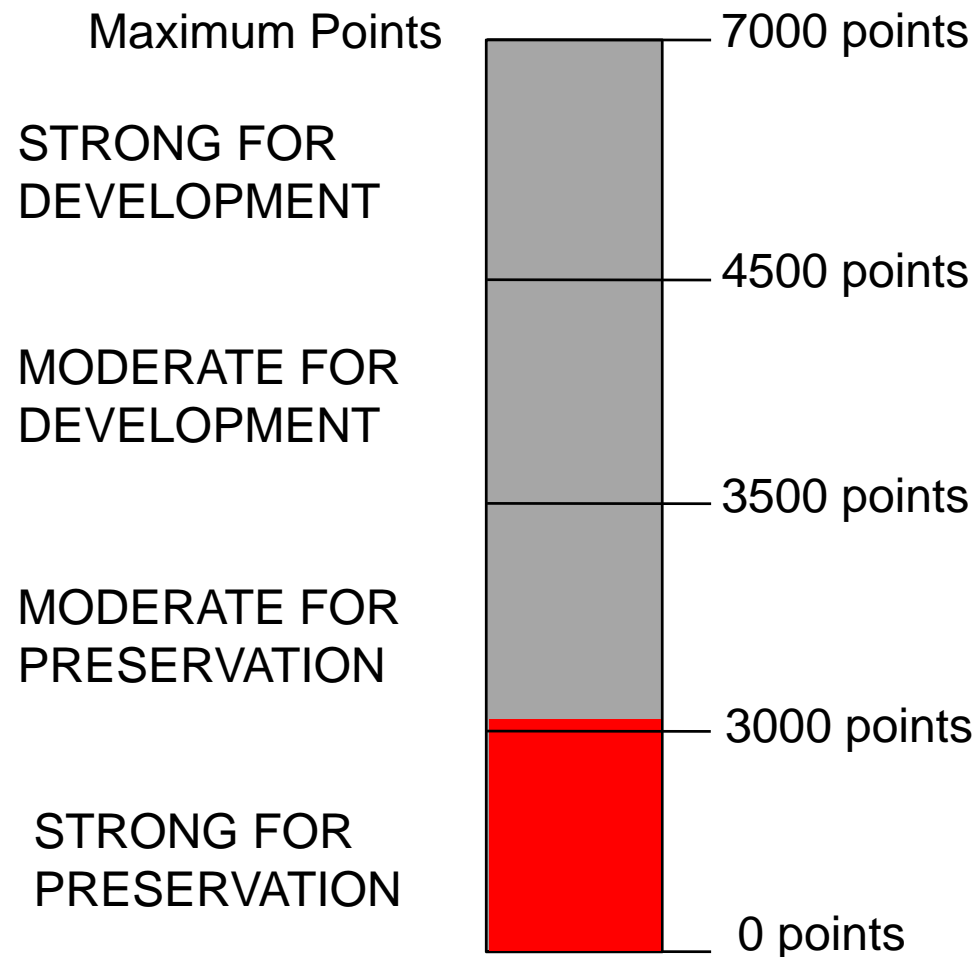
Conformance to the Comprehensive Plan



Conformance to the Future Land Use Map	Points
within a designated growth area (DGA)	1000
within ¼ mile of DGA	500
between ¼ - ½ mile of DGA	250
✓ Over ½ mile from DGA	0

running total: **3046**

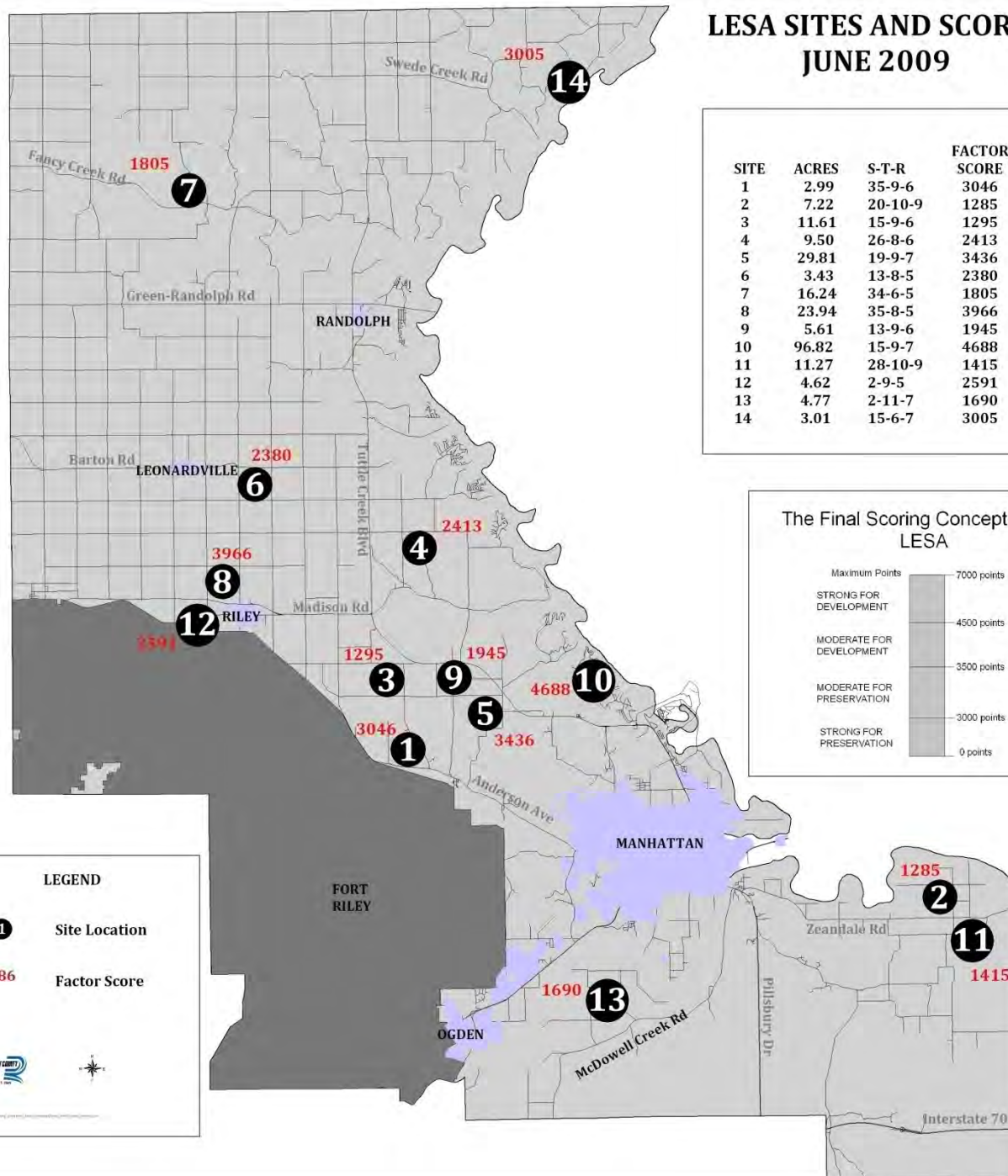
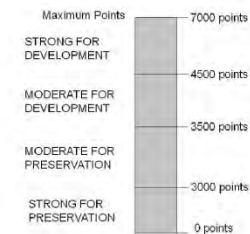
Final Scoring Chart



LESA SITES AND SCORES JUNE 2009

SITE	ACRES	S-T-R	FACTOR SCORE
1	2.99	35-9-6	3046
2	7.22	20-10-9	1285
3	11.61	15-9-6	1295
4	9.50	26-8-6	2413
5	29.81	19-9-7	3436
6	3.43	13-8-5	2380
7	16.24	34-6-5	1805
8	23.94	35-8-5	3966
9	5.61	13-9-6	1945
10	96.82	15-9-7	4688
11	11.27	28-10-9	1415
12	4.62	2-9-5	2591
13	4.77	2-11-7	1690
14	3.01	15-6-7	3005

The Final Scoring Concept for the LESA



Implementation

- Eliminate Minimum Lot Size
- Solidify Ag Exemption Process
- Incorporate DGS by reference
- Build Flexibility with Designators
- Limit Grandfathering
- Institute Agricultural Easement

Designator Lots

Extraneous Farmstead

Process:

- Existing farming operation with home and outbuildings.
- Split off home/outbuildings from ag land, with at least enough land to comply with sanitary code; must plat.
- Must sign an Agricultural Protection Easement.
- Remaining unplatted land stays in ag use w/o platting or rezoning.



Reconversion Lot

Process:

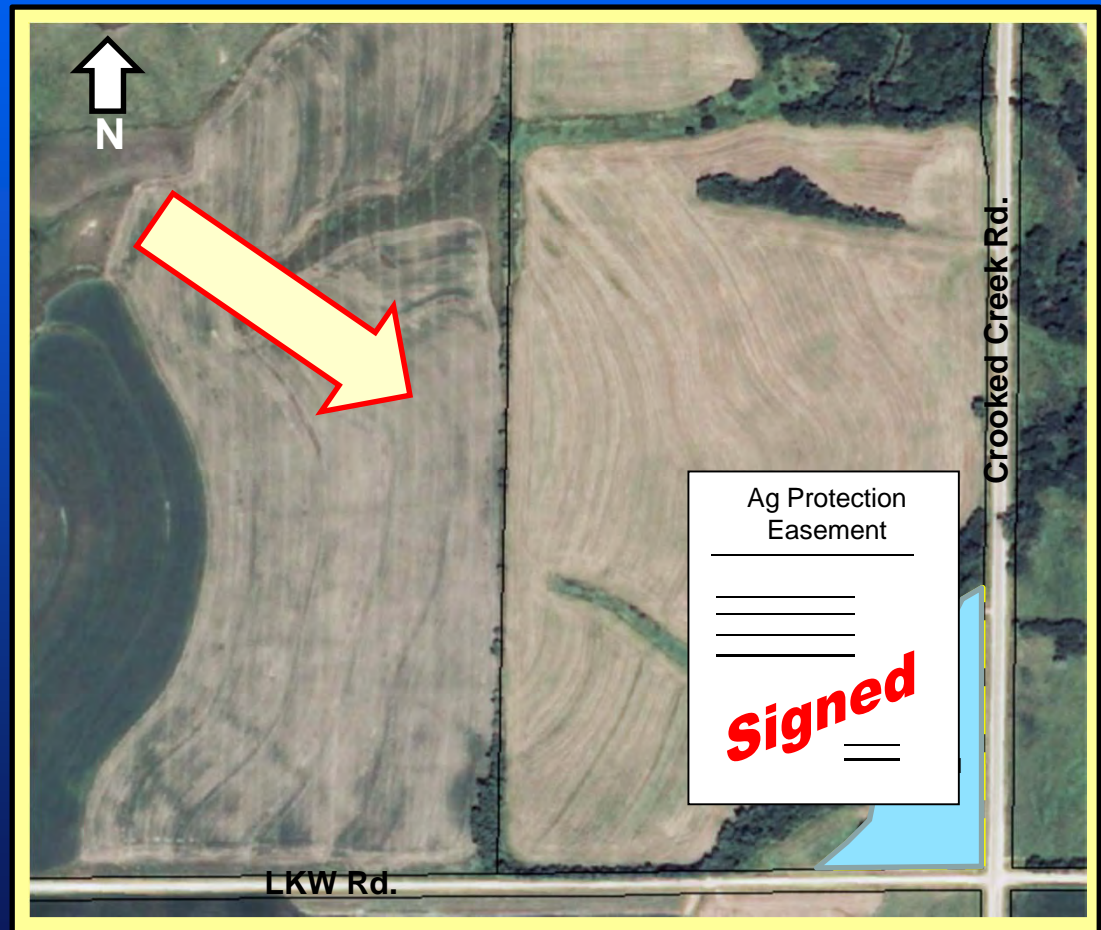
- 20-acre tract with or without a house.
- Split off 2-5 acres (must comply with sanitary code); must plat.
- Must sign an Agricultural Protection Easement.
- Remainder of tract returned to ag use w/o platting or rezoning.



Isolated Homesite

Process:

- Site must be isolated from surrounding ag lands by streets, topography, water, etc.
- Portion split off must be large enough to comply with sanitary code; must plat.
- A site plan is required.
- Must sign an Agricultural Protection Easement.
- Remaining unplatted land stays in ag use w/o platting or rezoning.



Country Estate

Process:

- Minimum 15 acres; no platting requirement for tracts >20 acres.
- Approval contingent upon positive DGS analysis to determine compatibility.
- A site plan is required.
- Must sign an Agricultural Protection Easement.
- Remaining parent tract is not platted or rezoned.



QUESTIONS & DISCUSSION

Contact: Monty Wedel, AICP
Director of Planning & Development
Riley County, KS
Ph. (785) 537-6332
mwedel@rileycountyks.gov



Planning & Development

website: www.rileycountyks.gov