

MINUTES

RILEY COUNTY PLANNING BOARD/ BOARD OF ZONING APPEALS

Monday, July 13, 2020
7:30 pm

Courthouse Plaza East
Commission Meeting Room
115 North 4th Street

Members Present: Dr. Tom Taul, Chair
Diane Hoobler, Vice-Chair
John Wienck
Joe Gelroth
Nathan Larson

Members Absent: None

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

Others Present: Dan Knight

OPEN PUBLIC COMMENTS

None.

CONSENT AGENDA

The minutes of the June 8, 2020 meeting and the Report of Fees for the month of June (\$3,061.00) were presented and reviewed.

John Wienck moved to approve the consent agenda as presented. Joe Gelroth seconded. Carried 5-0.

Joe Gelroth 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. John Wienck seconded. Carried 5-0.

RILEY COUNTY PLANNING BOARD

Knight – Replat

Chairman Taul opened the public hearing at the request of Daniel G. and Lisa E. Knight, petitioners, Daniel G. and Lisa E. Knight and Bryan N. and Stephanie M. Hamilton, owners, to replat Lot 3 and Lot 10, Silver Creek Farm Addition, into two (2) lots in Wildcat Township, Section 35, Township 9 South, Range 6 East, in Riley County, Kansas.

Bob Isaac presented the request explaining that the subject property was originally platted in 1973 as Lots 3 and 10 of Silver Creek Farm Addition. He said that in July 1976, Lot 3 was subdivided and sold off without replatting the property, resulting in a violation of the Riley County Subdivision Regulations. He said Mr. Hamilton owns the south portion of Lot 3 and the existing home, while Mr. Knight owns the north portion of Lot 3 and all of vacant Lot 10. He

said the two parties wish to abate the subdivision violation by replatting both Lot 3 and Lot 10 Silver Creek Farm Addition.

Nathan Larson asked if the driveway for the house to the north crosses Lot 10.

Bob Isaac replied that is Mr. Knight's house and he owns both lots. He said the driveway has no relevance to the replat.

Staff recommended that the Planning Board approve the Final Plat of Silver Creek Farm Addition Unit Three, as it had been determined to meet the minimum requirements of the Riley County Zoning and Subdivision Regulations and Sanitary Code.

Chairman Taul opened the public hearing and asked if the applicant has anything to add.

The applicant had no comments.

There were no proponents or opponents.

Nathan Larson moved to close the public hearing. Joe Gelroth seconded. Carried 5-0.

John Wienck moved to approve the request to replat Lot 3 and Lot 10, Silver Creek Farm Addition, into two (2) lots for the reasons listed in the staff report.

Joe Gelroth seconded. Carried 5-0.

Mr. Isaac announced that the Board of County Commissioners would hear the request on July 23, 2020, at 9:50 am, in the County Commission Chambers.

Annual Review of the Comprehensive Plan

Mr. Isaac stated if the Board had completed its review and was satisfied with how the Plan is working, Chairman Taul could, on behalf of the Riley County Planning Board, sign the prepared memo to the Board of County Commissioners, notifying them that the Planning Board has completed their statutory obligated annual review the Comprehensive Plan.

Diane Hoobler said the Vision 2025 Committee estimated there would be 750 additional housing in the unincorporated area of the county by 2025. She asked how many houses have been built since the plan was implemented.

Mrs. Hoobler referred to Objective A3 of Chapter 3 – Executive Summary which discourages the premature subdivision and development of agricultural land for non-agricultural purposes. She wanted to know if the plan is working as intended.

Monty Wedel stated that information would need to be compiled from the annual reports.

John Wienck expressed his concern with all the out-of-state deer hunters that are buying agricultural land for recreational purposes. He said they are not maintaining the land and taking it out of agricultural production.

Diane Hoobler referred to Policy A4.3 in the Plan, which states, "Residential, commercial or industrial uses shall not be permitted in agricultural areas if they are likely to generate an amount or type of vehicular traffic which will exceed existing or planned road capacity and/or interfere with existing farm traffic in the area." She stated traffic along Zeandale Road and the intersection of Zeandale Road and Pillsbury Drive hinders agricultural movement.

Diane Hoobler then questioned why manufactured housing is being allowed in areas of site built houses.

Mr. Wedel explained if it is a residential-designed manufactured home, it is allowed where site built houses are allowed under state statutes.

Chairman Taul stated if no one had any recommendations for changes to the Plan he would ask for a motion to forward a recommendation to the Board of County Commissioners that no changes are necessary for the comprehensive plan.

Joe Gelroth moved and John Wienck seconded. Carried 5-0

Diane Hoobler moved that the Riley County Planning Board had conducted the annual review of the Comprehensive Plan and for Chairman Taul to sign the memo on behalf of the Riley County Planning Board and forward it to the Board of County Commissioners. Joe Gelroth seconded. Carried 5-0.

Update on Zoning and Subdivision Regulations Re-write

Article 6: Development Standards

Monty Wedel stated he would provide a simple recap of the article. He said the consultant provided a very complicated article that was more geared towards highly urbanized areas and even cities. He said staff scaled it down to the basics to keep it as simple as possible. Mr. Wedel explained the following:

Section 6.1 Steep Slope Development - Applies to platting of subdivisions that have steep lots. For example, University Park has steep lots that can't be built on and this will help prevent the platting of future subdivision lots that may be unbuildable. This section will not apply to any existing lots that do not meet the slope requirements.

Section 6.3 Riparian Buffer and Section 6.4 Agricultural Buffer - Remains pretty much the same as the current regulations.

Joe Gelroth asked if there was an error in Table 6-1: Riparian Buffers by Stream Order; the first rows for First Order are exactly the same.

Monty Wedel responded that the table appears to be incorrect. Staff will review and correct the table.

Section 6.5 Erosion Prevention and Sedimentation Control – Within the urbanized area by Census, which is different than the urban area, the County is required to do erosion prevention and sedimentation control. Permits are required and the County has to monitor the erosion control practices.

He said in order to do that, a document had to be created under the authority and direction of the Public Works Department with the assistance of a consultant from SMH. He explained that the document also has to be approved by the State. Wedel explained that this document will now be used to apply to the entire unincorporated area so it provides the County the ability to deal with severe erosion problems that have occurred in the past with certain development activities.

Section 6.6 Streets, Driveways, and Pedestrian Circulation – Certain standards are in this section and it also covers the Functional Classification of Roads and Setback Standards. Driveways are also addressed in this section.

Diane Hoobler asked about shared driveways and asked if it is mentioned somewhere.

Monty Wedel stated it is mentioned in the Subdivision Regulations. He said property owners are allowed to share an entrance (e.g. a curb cut in the city). He explained they may also share a driveway as well as an entrance but travel easements that cross someone else’s property will not be allowed. He said the shared driveway and shared entrance are both defined in Article 9: Definitions. He also mentioned that the subdivision regulations include a reference to driveway standards, which will be adopted by separate resolution.

Section 6.7 Parking, Loading, and Access Drives – This section mirrors the Land Use Table from Article 5: Use Regulations by listing each use category and its parking requirements. A process for variations to the parking requirements will be available through the submittal of a parking study.

Section 6.8 Landscaping and Screening - This section only includes minimal front yard landscaping requirements for beautification and screening requirements primarily between commercial/industrial and residential uses. Screening will now have to be either a fence or wall. Unless there is already a sufficient vegetative screen, vegetative screening will not be allowed as it takes too long and becomes an enforcement problem.

Section 6.9 Design Standards – The standards primarily only cover multi-family complexes, which generally be on central sewer and therefore not likely outside city limits, and commercial design standards such as breaking up the façade on long buildings.

Section 6.10 Fire Suppression - References NFPA standards which are the requirements.

Section 6.11 Outdoor Lighting - This section includes a standard that a light can’t generate more the 0.5 footcandles at the adjoining property line of a residential use or more than 2.5 footcandles at the adjoining property line of a non-residential use. The purpose is to limit light trespass. Outdoor recreational lighting standards is also included.

Section 6.12 Signs - This section is a whole new approach on signs and moves away from content based regulations. The only content related issue is you have to able to read a sign to determine if it is on premise or off premise, which is acceptable under the law. The lighting standards are also referenced for signs so the same lighting limitations at a property line apply for signs as well. All electronic sign were rolled into one category called Electronic Message Centers (EMCs) and are permitted wherever any non-electronic sign is permitted, provided it meets the EMC standards.

Article 9: Definitions

Diane Hoobler asked about “hobby farm”.

Monty Wedel explained a “hobby farm”, by definition, does not include tracts occupied by a residence nor does it qualify for an agricultural exemption to construct a residence.

John Wienck moved to adjourn. Joe Gelroth seconded. Carried 5-0.

The meeting was adjourned at 8:50 P.M.