

## PART I – Chapter 2: LAND USE PLAN

Land use planning pertains to three major community components--economy, ecology, and culture. "Economy" is the organization and distribution of goods, resources, and services. "Ecology" is the interrelationship between living things and their environment. "Culture" is the shared identity or collective history and beliefs held by people of a particular area. How a community balances these three elements will shape its future.

Land use plans and their implementation influence economy, ecology, and culture by guiding development proposals, the division of land, and the allocation of public resources. The Land Use Plan for the unincorporated area of Johnson County has a 20-year time horizon and contains the County's vision, policies, and recommendations for how and where development should occur.

Implementation of the land use decisions based upon the Plan, however, will have an impact far beyond the next 20 years. The roads and utilities that are installed and the zoning decisions made predicated on the Plan will shape and influence the landscape for years to come. For this reason it is imperative that the vision, policies, and recommendations contained in the Plan be clear and representative of the common interest of the community. To that end, the Plan has undergone extensive public review and input before being adopted by the Board of County Commissioners.

Unincorporated Johnson County covers a large area with different degrees of development and different levels of infrastructure capabilities in various locations. Some areas are more capable of

remaining rural while other areas, especially near the fringes of cities and adjacent to major roadways are experiencing development pressures. This Plan sets forth the County's goals and policies for addressing these development pressures.

The Land Use Plan's goals and policies call for coordinating and balancing growth, rural conservation, and agriculture production based on the land's capabilities, including the availability of adequate infrastructure. The Policy Area Map, which is part of the Land Use Plan, incorporates the general goals and policies of the Plan and divides the unincorporated area into three general planning areas with policies tailored for each.

The Land Use Plan will be continually monitored and updated as needed. At a minimum, the Planning Commission will review the Plan, including the Policy Area Map, every year from the adoption of the Plan.

When a property within the unincorporated area is annexed, the County Plan is superseded by the city's plan and regulations. Generally, until annexation occurs, property within the unincorporated area is subject to the County's building and zoning regulations and to the recommendations and policies contained in this Plan.

Protecting the rural character of the unincorporated area of Johnson County emerged as an important issue during the planning process. So, as a conceptual design reference, the Plan includes a description of the qualities and design

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features that contribute to the rural quality of life particular to Johnson County.

The Land Use Plan also incorporates many of the concepts referred to today as “Smart Growth.” As defined by the National Association of Counties (NACo) and the Joint Center for Sustainable Communities in their joint publication *Local Tools for Smart Growth*, Smart Growth is:

*Development that serves the economy, the community, and the environment. It is an approach to urban, suburban, and rural growth that encourages local economies to grow and expand while preserving the environment and improving the quality of life for all residents. Communities across America are looking to smart growth because they have begun to challenge the traditional assumption that any development is good development.*

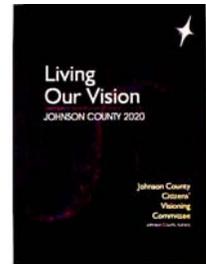
The following components of the Land Use Plan draw upon these smart growth concepts and work together to show how decisions, whether small or large, impact the growth, development, and rural nature of the unincorporated area. The Land Use Plan moves from the big picture to more detailed policies and recommendations as presented in the following six sections:

1. *Land Use Vision Statement*
2. *Planning Framework-10 Points*
3. *Goals, Policies, and Action Steps*
4. *Rural Character Design Features*
5. *Land Use Plan, and*
6. *Policy Area Map*

### 1.0 LAND USE VISION STATEMENT

The following County land use vision statement below provides the broadest description of the expected evolution of Johnson County over the next 20 years. This vision addressing future “land use” is

from the Johnson County Citizens’ Visioning Committee report *Living Our Vision: Johnson County 2020*.



### 1.1 Land Use Vision and Desired Future

- *By 2020, the hallmark of the County's stewardship of the land is well-managed growth and development coordinated with adjoining cities and supported by adequate infrastructure and open space.*
- *The County's long-term comprehensive plan is implemented through the consistent and creative application of land use and subdivision regulations.*
- *While the County has not imposed a "growth boundary," it practices innovative planning which involves citizens, neighborhoods, and special interest groups and consistently enforces strict development standards.*
- *"Leapfrog" or "piecemeal" development has been prohibited.*
- *The County has maintained a healthy balance of development and the creation and preservation of open spaces, parks and recreation areas, and agriculture.*
- *Although the percentage of farmland has decreased over the past 20 years, it is still viewed as a valuable natural resource and a vital part of the community's heritage.*

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### 1.2 Land Use Guiding Principles

- *The County should consistently and carefully weigh the merits of each individual land use proposal to decide whether it is consistent with the County's Comprehensive Plan and Zoning and Subdivision Regulations.*
- *The Commission should support development that is consistent with the Comprehensive Plan and Zoning and Subdivision Regulations.*

### 2.0 PLANNING FRAMEWORK - 10 POINTS

#### 2.1 Minimizing Uncertainty

An overarching objective of planning is to minimize uncertainty regarding the use of land – for existing and future residents as well as for County and other public decision makers. The 10-point Planning Framework below helps achieve this objective and represents a further refinement of the preceding “Land Use Vision and Desired Future” statement and the “Land Use Guiding Principles”.

*The general public, however, should be aware that the recommendations contained in the Plan are guidelines that may be subject to change. Caution, therefore, should be used if land purchases are to be based upon the recommendations contained in the Plan.*

As the foundation of the County's Land Use Plan, the Framework's ten points establish general parameters for “how” development should occur within the unincorporated area.

The Planning Framework is the result of public participation in the workshops and discussions held regarding the various development scenarios considered during the preparation of this Plan.

### 2.2 Background – Unincorporated Area Land Use

The predominate land uses within the unincorporated area today are residential and agricultural. Relatively few commercial or industrial uses are found there. With the exception of the businesses located at New Century AirCenter, most of the non-residential development in the unincorporated area is of a relatively low intensity, primarily serving area residents. Because of earlier limited planning guidelines, many older residences and residential subdivisions are found scattered throughout the unincorporated area, non-contiguous to other developments.

In contrast, the vast majority of development in Johnson County occurs in a relatively compact manner within the cities. City boundaries are continually being extended to accommodate future growth. This pattern of development is expected to continue.

Municipal governments, however, are concerned that development in the unincorporated area near their boundaries often does not occur according to city standards and does not help cover the costs of meeting these standards. This can result in major costs to the cities to modify public facilities after annexation has occurred. In addition, unlike the fringe cities, development within the unincorporated area is not required to pay excise taxes.

Because of the County's limited resources for serving the unincorporated area, it is not feasible to provide full municipal-like services on a scattered basis throughout the rural area. As a result, the County has generally restricted development within the unincorporated area to planned low-density land uses that can be supported with only modest expansions of traditional rural-agricultural service levels. Because of anticipated continuing limitations on County resources, this constraint on development in the unincorporated area is

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expected to continue throughout the planning period.

### 2.3 10-Point Planning Framework

The following Planning Framework is based on the preceding overview and has served as the basis for establishing the goals, policies, action steps, and Policy Area Map contained in the remainder of this chapter.

#### 1. Continued Slow Growth in the Unincorporated Area

As it has in the past, over the next 20 years the vast majority of Johnson County's population growth will occur within its cities. Today, Johnson County's 20 cities account for 53% of the County's total 477-sq. miles of land area and 97% of the County's population. In contrast, only 3% of the County's population resides in the unincorporated area, which accounts for the remaining 47% of total land area in the County. Over the next 20 years this general trend of city expansions and slow population growth in the unincorporated area is expected to continue.



Typical large-lot residential development

Rooftop-to-rooftop development is not envisioned within the unincorporated area over the next 20 years. Instead, the existing development pattern of low-

density residences, limited commercial development, and predominately agricultural uses is expected to continue. Continuance of this trend is reinforced because of the County's limited resources available to provide major infrastructure improvements or increase the public services necessary to support extensive growth in the unincorporated area. Development outside of cities, therefore, is expected to continue at its current relatively slow rate (e.g., approximately 100 residential building permits issued annually).

#### 2. Natural Resources Protection

Johnson County's city and rural residents place a high value on the protection and enhancement of open spaces, rural character, and environmentally sensitive areas not only for today but also into the future. The goals, policies, and action steps contained in this Plan reflect this high priority.

The County Park and Recreation District's master plan, *MAP 2020*, includes a "Natural Resources Map" that shows the locations of the County's existing and proposed parks, streamway trails, and other natural amenities that are recommended for preservation. This Plan uses the Natural Resources Map as a guide for delineating and protecting these important natural features within the unincorporated area.

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Natural resources such as streamways should be protected

### 3. Continued Agriculture Production

The goals, policies, and action steps contained in this Plan support small scale agriculture (e.g. truck farming and wholesale nurseries), as well as large scale farm production as a valued County resource. Farming creates jobs; brings fresh produce to local markets; requires little public infrastructure; and preserves rural character, scenic views, and wildlife habitats.

Because of the relatively slow growth expected to occur within the unincorporated area, agricultural activities are expected to be able to continue without excessive pressures to convert farmland for development purposes. This is especially likely for the more remote areas of the County such as in the far western reaches of McCamish Township where there is very limited infrastructure to support development (e.g., lack of central water systems).

The Plan recognizes the importance of managing and guiding development to avoid or

minimize potential land use conflicts between agricultural uses and development.



Agriculture activities will continue throughout the unincorporated area.

### 4. "Sense of Community" and "Sense of Place" - Development Quality

Distinctive and coordinated development that fosters a strong "sense of community" and a "sense of place" is encouraged. This type of development is sensitive to cultural and natural resources and blends well with existing surroundings. The neighborhoods created are attractive and walkable, promoting a sense of neighborliness and belonging. Quality development is sustainable and served by adequate public infrastructure and services. The Plan discourages fragmented, unending, or incompatible development requiring major funding allocations to provide adequate public infrastructure or services.

The Plan further recognizes that the County is an attractive and desirable place to live and work. The Plan supports the continued maintenance of high development standards and supports the protection of existing and future residential areas from encroach-

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ment by incompatible development.

### 5. Limited Housing Choices

This Plan recognizes and supports the desire of Johnson County citizens to have a range of housing options from which to choose throughout the County. Housing choices within the unincorporated area, however, are generally limited to low-density residences (homes on 10-acre and larger lots to 2-acre lots) due to County regulations and the limited availability of infrastructure to support more dense development.

Although there may be some exceptions, this Plan, in combination with the County's *Zoning and Subdivision Regulations*, enables the opportunity for primarily low-density single-family residences provided necessary conditions are met (e.g., County Minimum Infrastructure Requirements) and the Board of County Commissioners authorizes such development.



Typical large-lot residential development



The Plan recognizes and supports the desire of residents to have a range of housing choices.

### 6. Fiscal Responsibility - Adequate and Cost Effective Infrastructure and Public Services

Johnson County has always sought to achieve the highest level of fiscal responsibility in its delivery of public infrastructure and services. In order to maintain a high quality of life while minimizing the burden on taxpayers countywide, the County has provided both adequate and cost effective infrastructure in keeping with the rural nature and limited development in the unincorporated area.

The County, however, has traditionally not provided the much higher levels of services and infrastructure needed to serve dense residential or very intensive nonresidential developments normally found within cities. This Plan continues that practice and does not promote nor facilitate urban development in the unincorporated area. Development requiring a high degree of community or public services (e.g., public safety and road maintenance), therefore, is encouraged to locate within cities where such necessary infrastructure and services are available.

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Adequate infrastructure should be in place prior to or concurrent with new development.

### 7. County/City Coordination

Development allowed within the unincorporated area generally within a mile of cities will be closely coordinated with the cities and will be of a transitional nature, preserving open space and natural amenities and land for future development. The County will also continue to work with cities to develop new or update existing Area Plans (e.g., *Blue Valley Plan* and the *Lone Elm Vicinity Plan*) near or adjacent to city boundaries. The objective is to ensure that future growth by cities is orderly so that the extension of future municipal infrastructure and services will be unencumbered and coordinated with the County.

### 8. Public Services and Utilities Coordination

To achieve development that occurs in an orderly and efficient manner, continued close coordination is needed between County service providers (e.g. County Wastewater District, Public Works, and public safety) and community facility and utility providers (e.g., school districts and water districts).

### 9. Quality Transportation

The County's adopted *Comprehensive Arterial Road Network Plan* (CARNP) identifies future major transportation routes and construction standards, as well as supports multi-modal forms of transportation where feasible (mass transit, pedestrian, and bicycling). CARNP will continue to serve as the County's plan for guiding future transportation improvements within the unincorporated area.

Recognizing that rural patterns of development generally promote reliance on motor vehicles, development patterns that reduce this reliance and promote multi-modal forms of transportation are encouraged. New development should provide for safe, efficient pedestrian facilities.

### 10. Predictability and Public Involvement

The County is committed to making development decisions predictable, fair, and cost effective by encouraging community and stakeholder information sharing, problem solving, and collaboration in the decision-making process.

## 3.0 GOALS, POLICIES, AND ACTION STEPS

The goals and policies express the County's collective sentiment for the future of the unincorporated area of Johnson County and lay the groundwork for action steps. Goals identify the desirable future conditions toward which land development in the County should be guided. Policies are the means for implementing goals and are used to choose between

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alternatives. Action steps include both short-term and long-term recommendations.

The eight categories of goals with their respective policies and action steps are:

- a. Sense of Community and Rural Character
- b. Citizen Participation
- c. Coordinated Approach to Development
- d. Availability of Public Facilities and Services
- e. Regional Coordination
- f. Transportation
- g. Environmental Quality
- h. Land Use

The following goals, policies, and actions steps are based on input received from the Board of County Commissioners, the County Planning Commission, and citizens throughout the Plan update process. Direction was also provided by three previous major County planning efforts: 1) *Living Our Vision: Johnson County 2020*; 2) *Countyscape 2020: Growing Together*; and 3) *Preserving Our Future*.

The following goals, policies, and actions steps build on the foundation established by the preceding ten-point Planning Framework. The goals and policies provide guidance for land use decisions by describing the nature and character of activities and conditions that are desired within the unincorporated area of Johnson County. Action steps are recommended measures to be taken over time to help implement the goals and policies. Also, there are measures already in place (e.g., zoning regulations) that the County will continue to use to achieve implementation of the goals and policies.

The goals, policies, and action steps below apply to future proposed development within the unincorporated area of the County that complies with the County's zoning, subdivision, and building regulations and infrastructure (roads, wastewater, etc.) requirements.

### 3.1 Sense of Community and Rural Character

*Goal:* Residents feel a sense of community and a connection to the surrounding environment with its open spaces and rural character.

*Policies:*

1. Development should contribute as an enduring asset to the community.
2. Neighborhoods should be cohesive and designed to foster opportunities for interaction among residents.
3. New residential development, to the extent practical, should be contiguous to existing residential development, and isolated subdivisions should be avoided.
4. Historic structures and architectural or archeological remnants (e.g., trails) should be protected and development should be sensitive to the area's history.
5. Development in predominantly rural areas should be designed with compatible elements (e.g., larger setbacks, low densities, buffering, landscaping) that blend the development into the surrounding rural character.
6. Development should be sensitive to the natural environment, in-

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corporating or connecting with existing natural resources (e.g., open space and woodlands). Scattered development that interrupts open spaces and does not contribute to the continuation of existing natural areas should be discouraged.

### *Action Steps:*

- a. Use the Johnson County Museum’s inventory of historic structures and sites when reviewing development applications and minimize possible adverse impacts on the County’s historic resources.
- b. Gateway markers, open spaces, woodlands, and riparian corridors (e.g., streams, rivers, wetlands) should contribute to a sense of identity.
- c. Develop measures to enhance and protect scenic routes and vistas before or as development occurs.
- d. Support the promotion and marking of historic trail routes in the unincorporated area and ensure that development is sensitive to these recognized landmarks.
- e. Consider the adoption of historic preservation regulations.
- f. Prepare a community-centered mixed-use plan for Stilwell in the vicinity of 199<sup>th</sup> and Metcalf Avenue as recommended in the Aubry Oxford Township Planning Committee (AOTPC) Report.
- g. Review development applications with regard to the Johnson County Park and Recreation

District Plan, *Map 2020*, and coordinate with Johnson County Public Works to protect riparian corridors and streamways, especially those that have special advantages for stormwater and water quality management. Where possible, easements or land dedications should be used to protect these designated areas for future public use.

- h. Update the Zoning and Subdivision Regulations, as needed, to permit clustered/conservation subdivisions, where homes are “clustered” on part of a property leaving the remaining area as open space.
- i. Review and update subdivision regulations to support connecting new development to existing or future adjoining developments through the use of networks of streets, sidewalks, and trails.

### **3.2 Citizen Participation**

*Goal:* Public participation is active and open with well-informed and engaged citizens.

#### *Policies:*

1. The public should have the opportunity to meaningfully participate in the review of zoning and subdivision requests.
2. The public and members of the development community should be informed about land use and development issues and have the opportunity to meaningfully participate in the preparation of plans, programs, or changes to the Zoning and Subdivision Regulations.

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3. The public and members of the development community should be notified of their opportunities to provide input regarding proposed planning changes that may affect their individual properties or development plans.

### *Action Steps:*

- a. Provide notice of planning meetings in compliance with State laws and County regulations.
- b. Work with the media to disseminate planning and development information.
- c. Study the use of a variety of information distribution methods (e.g., special ads, email, special courtesy notices, mail outs) to additionally notify the public of planning matters.
- d. For special planning projects (e.g., area plans) learn community views through public meetings with focus groups, neighborhood groups, civic organizations (e.g., Grange, 4H), Very Interested Group of Residents (VIGOR), and meetings with individuals.
- e. Work with the Johnson County/K-State Research & Extension Council to distribute information by informing their staff, contributing to their newsletters, and using their mailing list.
- f. Provide educational materials and programs on planning and land use issues for boards, commissions, and the public.
- g. Utilize the Planning, Development, and Codes Department

website as a public information resource.

<http://planning.jocogov.org/>

- h. Seek opportunities to educate and engage youth in planning issues.
- i. Maintain and use up-to-date mailing lists of interested citizens.

### **3.3 Coordinated Approach to Development**

*Goal:* Political and service jurisdictions throughout Johnson County have a coordinated decision-making framework for ensuring the orderly location and orientation of future land uses with adequate public improvements and services.

#### *Policies:*

1. The County should cooperate with affected governmental entities, utilities (e.g., water, electric), and public service providers (e.g., school districts, fire districts), by the exchange of relevant land use planning information.
2. Islands of unincorporated area surrounded by cities are not desirable from a planning perspective due to the inefficiencies and difficulties of providing County services to these areas.
3. Island annexations, non-contiguous to city boundaries should be avoided unless there is coordinated and appropriate planning between the County and the city annexing the property.
4. Areas within unincorporated Johnson County that are currently developing or are ex-

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pected to develop near cities should be planned in cooperation with the nearby city or cities.

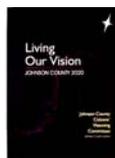
### *Action Steps:*

- a. Continue to facilitate periodic meetings of County, city, and utility representatives such as the Infrastructure City/County Coordinating Committee (I4C), to exchange information on development trends and to coordinate the provision of public infrastructure and services.
- b. Evaluate proposals for new or expanded sewer districts and water system expansions within and near unincorporated Johnson County with regard to the capacities and availability of other public services and facilities needed for development.
- c. The County's Capital Improvements Program (CIP) should consider that upgrading gravel roads to paved conditions, in combination with other infrastructure improvements, may contribute to additional pressures for growth in the area of the proposed road upgrade.
- d. Utilize the County Automated Information Mapping System (AIMS) to evaluate development



patterns along with infrastructure and the provision of public services.

- e. Consolidate zoning boards as recommended by the *Living Our Vision: Johnson County 2020* Report.



- f. Prepare or update joint City/County plans as needed.
- g. When cities adjacent to the unincorporated area update or evaluate their comprehensive plans, participate by exchanging information and determining if joint area plans may be needed. An Interlocal Agreement may be needed if formal joint area planning is undertaken.
- h. To the extent feasible a proposed development in the unincorporated area, near any city, should be coordinated with the plans, regulations, and standards of the nearest city.
- i. Coordinate the dedication and acquisition of rights-of-way and easements with other utility providers to achieve efficient and cost effective installations of future roads and utilities.
- j. Consult with cities in the County to explore mutual land use interests and possible ways to jointly review land use proposals. This might be implemented through the use of interlocal agreements or through joint overlay zoning districts (e.g., between the City of De Soto and Johnson County for the K-10 Highway Corridor).

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### 3.4 Availability of Public Facilities and Services

*Goal:* Adequate public facilities and services are available and in place as development occurs and development patterns reflect an efficient, equitable, and effective use of public and private dollars.

*Policies:*

1. The *Preserving Our Future* (POF) Report, the County's Capital Improvement Plan (CIP), which identify County goals for needed infrastructure (e.g., roads), and the County's Triggers Policy, which provides a basis for determining when certain major road improvements may be needed, should be used to help coordinate where and what kinds of capital improvements should be made.
2. Development should be located where public infrastructure (e.g., water, sewer, and roads) is already adequate or can be most cost effectively extended.
3. New businesses should be discouraged from locating where there are no public sanitary sewers to serve them.
4. Public improvements should also support social and recreational opportunities (e.g., streamway corridors) for County residents as well as protect and promote the general public's health, safety, and welfare.

*Action Steps:*

- a. Evaluate and update the Zoning and Subdivision Regulations

minimum infrastructure requirements, as needed, so that the requirements are consistent with development needs and impacts.

- b. Consider developing additional strategies to protect, maintain, or possibly acquire land for future rights-of way and easements (e.g., sanitary sewers or water).
- c. Consider developing additional strategies to protect, maintain, or possibly acquire riparian corridors, greenways, and parkland (e.g., streamway trails).
- d. As improved floodplain data becomes available, consider adopting regulations to protect flood prone areas and to manage development near those areas.
- e. As streamway inventory data becomes available, consider adopting streamway buffer regulations as a tool to protect streamway integrity and water quality.

### 3.5 Regional Coordination

*Goal:* Johnson County coordinates its planning and development to contribute to the physical, social, and economic well being of the greater Kansas City region.

*Policies:*

1. Major development proposals that may have regional impacts should be coordinated with neighboring community plans.
2. Guidelines for growth and development, as recommended by

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the Mid-America Regional Council (MARC), should be considered when developing plans and undertaking area planning [e.g., *MetroGreen*, *Creating Quality Places*, and *Long-Range Transportation Plan* (LRTP)].

### Action Steps:

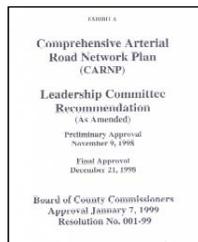
- a. Exchange relevant information with surrounding counties and cities on development, planning, and public improvement trends and issues.
- b. Actively participate in metropolitan forums, task forces, and studies involving socioeconomic trends, land use and development issues, and the provision of public services.
- c. Exchange relevant planning and land use information with Federal and State governmental agencies.
- d. Continue to participate in the MARC regional population forecasting process and other regional planning efforts.

### 3.6 Transportation

*Goal:* Unincorporated Johnson County has an efficient and safe transportation system.

### *Policies:*

1. County road routes should be coordinated with the State highway system and the street systems of area cities.
2. The County's *Comprehensive Arterial Road Network Plan*



(CARNP) and *Preserving Our Future* (POF) report should be utilized as the basis for major road improvements within the unincorporated area.

3. The CARNP Triggers Policy should be used to determine when improvements should be made to designated Type II Major Arterials and Type III Parkway routes.
4. Type I Minor Arterial CARNP roadway improvements should be prioritized based on traffic counts, safety considerations, elimination of missing links, and proximity to urban growth areas.
5. The capacity of arterial roads should be enhanced by limiting the number and location of driveways and street intersections and by other access control measures.
6. Engineered improvements to paved roads should be planned, and where appropriate, should support bicycle and pedestrian facilities (e.g., bicycle routes, sidewalks, and trails) as recommended in the *Bicycle Transportation Plan for Johnson and Wyandotte Counties*.
7. Developments should be designed to recognize and minimize the impacts of the traffic generated on area roads.
8. County road improvements should minimize possible adverse impacts (e.g., tree removal or noise) on adjacent residential properties, where practical.

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9. New subdivisions should provide internal street connections to existing and future developments.

### *Action Steps:*

- a. Adhere to CARNP when evaluating development proposals.
- b. As needed, review and update the Zoning and Subdivision Regulations to require through streets to adjoining properties, where appropriate.
- c. Coordinate new development in urban fringe locations to provide pedestrian connections (e.g., sidewalks, walking/biking trails) or greenway connections within the developments and to existing and future similar adjacent developments.
- d. Work with the Park and Recreation District and Public Works Department to develop bikeway and trail plans that are integrated with both the road network and greenway network.
- e. Utilize the estimates of the County Public Works Department for the optimum traffic count of roads when evaluating the feasibility or impact of developments that would use those roads.

### **3.7 Environmental Quality**

*Goal:* Development is integrated with the natural environment, respects the limitations imposed by environmental factors, and protects the amenities that natural assets offer.

### *Policies:*

1. Development should respect existing natural assets and minimize any adverse impacts on the natural environment.
2. Developments should utilize natural drainage systems and appropriate control methods as part of their stormwater management.
3. Development should be avoided in locations where there is a potential for flooding by the one percent annual chance flood.
4. Developments should minimize the increase in stormwater runoff through the use of low-impact development strategies.
5. Consideration should be given to the impact of development on upstream and downstream stormwater flows and water quality.
6. Development should be designed to take advantage of energy conservation through innovative site designs, solar or other renewable energy sources.

### *Action Steps:*

- a. Consider developing and using additional strategies to minimize adverse impacts on environmentally sensitive areas (e.g., riparian corridors, streamways, steep slopes, wetlands, woodlands).
- b. Use the County's Stormwater Management Program recommendations to guide and coordinate stormwater management.

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- c. Continue to update and implement the County's Floodplain Management program.
- d. Undertake a comprehensive inventory of environmentally sensitive areas (Natural Resources Survey) in the unincorporated area to determine the location of natural features and areas (streams, riparian corridors, woodlands, grasslands, wetlands, steep slopes, floodplains, important habitats, and other natural features) of special significance. Information from such a survey should be used to help develop ways to protect these significant features.
- e. Coordinate land use planning with the countywide and regional water quality efforts of the Hillsdale Water Quality Project, Johnson County Public Works, Mid-America Regional Council, Johnson County/K-State Research & Extension Council, the Kansas Department of Agriculture Division of Water Resources and the National Resource Conservation Service.
- f. Implement the National Pollution Discharge Elimination System (NPDES) Phase II permit requirements.
- g. Floodplains should be considered as part of the County's infrastructure and should be managed to protect the environment as well as to minimize the impact of flooding on development.
- h. Stormwater management and planning in the unincorporated area should be coordinated by County agencies including Public Works, Planning, Parks and Recreation, and Environmental Departments.
- i. Develop and make available to County residents information that will help them be aware of maintenance methods and requirements for on-site wastewater systems.
- j. Consider adopting and implementing the stormwater engineering standards, and design guidelines prepared with the Kansas City Metropolitan Chapter of the American Public Works Association and the Mid-America Regional Council in 2003. These include the "Stormwater Standards" known as Section 5600, the "Erosion/ Sediment Control Standards and Specifications" known as Sections 2100 and 5100, and the "Best Management Practices Manual for Stormwater Quality."
- k. To minimize the potential for leaking on-site wastewater systems, and in accordance with the Sanitary Code, whenever a property in the unincorporated area changes ownership, required County inspections and permits for on-site wastewater systems should be enforced.

### 3.8 Land Use

*Goal:* Johnson County has achieved the compatible physical and economic coexistence of rural residences, agriculture uses, and cities.

*Policies:*

#### General

1. The *Johnson County Rural Comprehensive Plan* is the County's

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- policy for growth management within the unincorporated area. County officials and others should use the Plan as a guide for determining “how,” “when,” and “where” future development should occur within the unincorporated area of the County.
2. The “Policy Area Map” in the *Johnson County Rural Comprehensive Plan*, designates the recommended location for various types of future development to occur within the unincorporated area of the County. The Policy Area Map should be continually monitored and updated as needed. At a minimum, the Planning Commission should formally review the Policy Area Map every year from the date of adoption of the Plan.
  3. The availability of land for the vital expansion of nonagricultural activities should be balanced with maintaining rural areas to prevent the random, premature conversion of agriculture or undeveloped lands to isolated residential, commercial, or industrial uses.
  4. Proposed development plans will be reviewed and considered on their individual merits for consistency with this Plan and the County’s regulations, irrespective of the existing zoning district in which the development is proposed.
  5. Development patterns that promote orderly growth and minimize conflicts with adjacent land uses should be encouraged.
  6. Developments that have a low impact on water quality and the natural environment should be encouraged.
  7. The efficient allocation of public facilities, services, and resources should be maximized by encouraging contiguous development and avoiding “leapfrog” development.
  8. Proposed development with densities greater than allowed within the designated policy area should be directed to cities or locations within the unincorporated area where there is planned or existing infrastructure to support it (e.g., existing sanitary sewer districts, New Century AirCenter) and where such development would not require an upgrade of existing infrastructure at the County’s expense.
  9. The visual quality found in portions of the unincorporated area (e.g., aesthetic panoramas and vistas) should be preserved and enhanced whenever possible.
  10. Environmentally sensitive areas should be protected to the extent reasonable.
  11. Development should be planned so that it is coordinated with future orderly urban expansion especially with regard to roads and public utilities.
  12. County infrastructure upgrades and new infrastructure should be considered for its impact as a possible catalyst for new development and should in some cases be used as a growth management tool to guide the timing and locations of new development.

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13. More intensive land uses or higher densities may be appropriate in certain areas served by public utilities and facilities that meet the Minimum Infrastructure Requirements of the County’s Zoning and Subdivision Regulations if the development is carefully designed to be compatible with surrounding land uses and is appropriate for the land use policy area in which it is located.

### Agriculture

1. Agriculture is a valued resource and asset that should be encouraged and protected from premature or incompatible development.
2. In the Rural Traditional Policy Area, public infrastructure improvements should be timed and designed to accommodate existing needs or the limited growth of low-density rural populations and not become an incentive for new subdivisions that might conflict with existing agriculture production.

### Residential

1. The character, scale, and density of residential subdivisions should be integrated with adjoining residential development to optimize land use compatibility and to respect prevailing environmental conditions.
2. New residential developments should be designed to avoid long and narrow “piano key” type lots.
3. Subdivision designs should minimize the number of access points onto major roads.

4. The design of residential developments near or adjacent to cities should be coordinated with the respective city through joint planning and joint reviews of development proposals.
5. Subdivisions should provide ample green spaces that contribute to a pleasant environment and high quality of life.
6. Residential areas should be buffered from incompatible or nonresidential land uses and adjacent arterial roads.

### Nonresidential

1. Commercial and industrial development is best suited in cities or the New Century AirCenter or where there is existing commercial/industrial zoning for it and where there is or will be adequate infrastructure to support it (i.e. roads, public sanitary sewer, and public water).
2. Within the unincorporated area, nonresidential development may be suitable only in those locations where there is adequate infrastructure and where there is an adopted area plan that recommends it.
3. Direct the clustering of industrial and commercial uses toward strategic intersections, corridors and areas adjacent to such existing uses. Such uses should be unified developments, should be compatible with any adjacent industrial or commercial development, and should be appropriately transitioned from any nearby residential development. Such areas should contain compatible environmental char-

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acteristics and adequate infrastructure. An appropriate wastewater disposal system shall be required with a preference for sanitary sewers but alternative systems may be allowed on an interim basis until sanitary sewers reasonably become available and where all other Minimum Infrastructure Requirements of the County's zoning regulations are met.

4. Allowed nonresidential development should protect the environment and be compatible with or buffered to avoid adverse impacts on the surrounding area, particularly residences.
5. Where allowed, commercial development, especially retail activities, should not be spread along major roadways and should be grouped together to share parking and driveways so that customers can walk easily and safely from store to store.
6. Commercial development should be compatible with nearby development and adequately buffered (e.g., screening, landscaping, controlled outdoor lighting, separate traffic flows, and noise levels) to mitigate possible adverse impacts, particularly with residential development.
7. Necessary utility equipment (e.g. electrical substations, pump stations, cellular towers) should be designed and directed to locations to prevent or minimize potential adverse impacts (visual, noise, odors, etc.) on nearby residential areas.
8. Some major land uses, such as major employment centers, pub-

lic or quasi-public uses, or mineral extraction, may be found to be significantly important to the overall economic vitality of the entire County to such a great extent that, if appropriate sites are not available within cities in the County, the uses may be found to be appropriate at strategic locations within the unincorporated area. Any such development allowed within the unincorporated area must be carefully integrated into the overall, orderly development pattern, and it must be provided with all needed infrastructure in an efficient manner.

### *Action Steps:*

- a. Use goals, policies, and Land Use Planning Policy Areas (Urban Fringe, Rural, and Rural Traditional) in this Plan to review proposed development throughout the unincorporated area.
- b. Create a countywide map showing each city's future land use plan.
- c. Use appropriate transition methods (e.g. site and building orientation, buffering, landscaping, and lighting) where non-residential uses abut or are near residential areas.
- d. To avoid problems associated with premature development, particularly in areas lacking adequate infrastructure (e.g., sanitary sewers) periodically review existing zoning and consider downzoning properties that are now zoned for intensive land uses.

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- e. Update the Zoning and Sub-division Regulations regarding, but not limited to:
  - Accessory dwellings/apartments,
  - Access management techniques,
  - Clustered/conservation subdivisions,
  - Nonconforming uses, and
  - Limitations on the sizes of commercial buildings.
- f. Review and update subdivision regulations to ensure development dedicates or to the extent reasonable, protects appropriate open space for parks, riparian corridors, and rural areas.
- g. In the rural areas of the County, consider the recommendations of the Johnson County/K-State Research & Extension Council, the Natural Resources Conservation Service, and the Hillsdale Water Quality Project, to support agriculture uses
- h. Agricultural production has certain rights under State and County regulations to protect farming operations. People considering developing within the unincorporated area should be made aware of these farming rights.
- i. Develop or promote the use of existing incentives for property owners who set aside areas for open space, and study the possible use of conservation easements (e.g., with the Kansas Land Trust).
- j. Consider using “shadow platting” as a technique for reviewing subdivision applications near cities to show how the subdivisions might be developed further in the future when sanitary sewers become available.
- k. To assure coordinated development and the orderly transition of unincorporated areas into cities, undertake joint planning with cities located adjacent to the urban fringe.

### 4.0 RURAL CHARACTER DESIGN FEATURES

*“Perhaps the most valuable enduring asset of America’s small towns and rural communities is their character. Americans value the rural lifestyle.”*

National Association of Counties (NACo) and the Joint Center for Sustainable Communities, Local Tools for Smart Growth.

Throughout the planning process the public voiced strong support for protecting the “rural character” as they perceive it to exist in portions of Johnson County’s unincorporated area. Locations exhibiting this “ruralness” are generally less developed and fairly distant from the urban fringe.

The following is a general description of some of the natural and man-made features that contribute to this sense of rural character that County residents value. This list of features was useful in the preparation of this Plan and may be useful as a conceptual design reference to discuss with prospective developers when they meet with staff to present their preliminary proposals. Although neither a regulation nor adopted guidelines, this list may also be a useful reference for

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planners, zoning board members, and commissioners when considering development proposals.

While all development need not be of a “rural” style, certain kinds of development interrupt or intrude on the appearance of rural or scenic areas. This type of development is often unwelcome by existing area residents. On the other hand, designs that blend with the visual character of the area are generally more in keeping with the expectations of nearby residents who want to live “in the country.”

### 4.1 Rural Features

The following is a summary list of many of the features that can be found in the unincorporated area of Johnson County that contribute to a sense of rural character.

#### 4.1.1 General Features

- Most development is symmetrical and at right angles, reflective of the predominant rural grid pattern established by the network of section-line roads and reinforced by the division of land into half, quarter, and quarter-quarter grid sections.
- Large expanses of open space and agricultural lands (crops, pasture, prairies, nurseries, orchards, etc.) exist throughout the area.



- Wooded areas and natural habitat for wildlife are found throughout the area.
- Streams, ponds, wetlands, and riparian areas are found throughout the area.



- Roofs, almost without exception, have a pitch of at least 4” to 12” and do not tend to be greater than 12” to 12”. Mechanical equipment is rarely seen on rooftops.
- Except for numerous barnyard security lights, lighting levels are low.
- Gravel roads are common in agricultural or undeveloped areas while paved roads serve as connectors to cities and activity centers within the unincorporated area.



- Outside storage of farming and agricultural equipment is common. Existing buildings often screen such storage.

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- Residential developments are often separated from each other by large farmsteads or agricultural uses.
- Numerous rustic and some historic structures are found throughout the unincorporated area, (e.g., the Turner Barn built in 1898, located at 199th St. and Moonlight Rd).

### 4.1.2 Residential Features

- Nearly all residential structures are made of natural materials (e.g., wood, stone, masonry - not concrete blocks or metal).
- Home designs are generally of a traditional style - one-story ranch style, two-story farmhouses, and new, large, estates (many of which are larger replicas of traditional farmhouse designs). Some older farmhouses and their barns or stables have gambrel roofs, parapets, porches, flared eaves, dormers, and cupolas.
- Farmhouses are framed by stands of large old trees and windbreaks.
- Residences are well maintained and have many windows to take advantage of the views.
- There are clear and distinct entrances to most residential properties.



- Many newer barns are made of metal.
- There are many wooden and barbwire fences and some new white vinyl or plastic horse fences – but little chain-link fencing or board-on-board privacy fencing.



- New residential structures have large setbacks. Buildings don't crowd the site.

### 4.1.3 Nonresidential and Nonagricultural Features

- Nonresidential and nonagricultural structures are generally limited to only two major locations within the unincorporated area where there is zoning for it: along Metcalf Avenue and 199<sup>th</sup> Street, in the Stilwell area, and in the New Century AirCenter adjacent to the city of Gardner. A few other older nonresidential structures may also be found in isolated locations in the unincorporated area, often near cities or along highways or at the intersections of arterial roads.

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- Although the Stilwell area has developed to the extent that it is no longer entirely “rural,” this unincorporated community’s image is that of a small town or village, which many of the residents there want to retain. Commercial structures that fit with this image are generally small scale with pitched roofs, earth tone colors, made of natural materials (wood, stone, masonry), well landscaped, with screened parking, and relatively small attractive signs.
- New Century AirCenter is a rapidly developing location for nonresidential development including institutional uses. (Johnson County correction facilities) as well as manufacturing uses. The location of a former U.S. Naval Airbase, the boundaries of New Century AirCenter (NCAC) are defined and buffered from the surrounding area. Structures at the AirCenter are large scale and compatible with each other. Any new construction there must comply with the NCAC Preliminary Development Plan approved in 1995.

<http://jcac.jocogov.org/PreliminaryDevelopmentPlan.pdf>

- Utility equipment (power lines, cellular towers, natural gas facilities, telephone switching stations, etc.) is found throughout the unincorporated area. The degree of screening and compatibility of this equipment with their surrounding areas vary. Usually because of the distance between such facilities, they are less noticeable.

### 5.0 LAND USE PLAN

The Land Use Plan provides more detailed recommendations for where and how future development is to occur within the unincorporated area. As noted in the Introduction section, the Land Use Plan, included herein as part of the Plan, is reviewed annually by the County Planning Commission to ensure that it remains current and that the goals, policies, action steps, and Policy Area Map are still relevant. As noted, the *Johnson County Rural Comprehensive Plan*, including the Land Use Plan, contains only recommended planning guidelines, and, therefore, is subject to change or variation. Caution, therefore, should be exercised if land purchases are based upon recommendations contained herein.

#### 5.1 Balanced and Orderly Growth Strategy

The underlying strategy of the Land Use Plan is to achieve “balanced and orderly growth” in the unincorporated area. This strategy recognizes that population growth pressures will continue in the unincorporated area and that some locations are better suited for development or for continued rural uses than others.

Under a balanced and orderly growth strategy, the issue is not having to choose between either accepting growth versus protecting the environment and rural character. Instead, the issue is how to balance and allow development so that the quality of life in the unincorporated area remains high and an economic asset, while at the same time supporting the environment and preserving as much of the existing open space and rural character as is reasonable.

The objective of balanced and orderly growth, therefore, is to manage growth in a manner that may allow development but not at the expense of the environment

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or in a way that results in sprawl and the inefficient use of public resources. From this perspective, development in combination with environmental protection, energy conservation, and the wise allocation of public resources are attainable objectives that are not mutually exclusive.

In recognition of the wide range of densities that exist within the unincorporated area, the Land Use Plan is based upon the previous County Rural Comprehensive Plan objective that complementary zoning districts and development standards will be continued into the future. A fundamental concept of balanced and orderly growth is that appropriate development standards are a function of density, i.e., urban development requires urban standards for public improvement, whereas low-density rural residential uses require lesser improvements, in keeping with the characteristics and use patterns of such areas.

A balanced and orderly growth strategy, therefore, encourages higher intensity development to occur in cities or locations where there is already infrastructure and services to support it. Doing so maximizes existing community resources by strengthening the tax base, increasing efficiencies in already developed land and infrastructure, while at the same time reducing development pressures on the unincorporated area thereby preserving farmland and open spaces.

Implementation of a balanced and orderly growth strategy allows for the orderly and gradual expansion of cities while protecting as much natural and open space areas as possible. This strategy seeks to prevent premature development, thereby supporting continued farming and agricultural production as well as sustaining the sense of rural character so strongly supported by many of the County's residents.

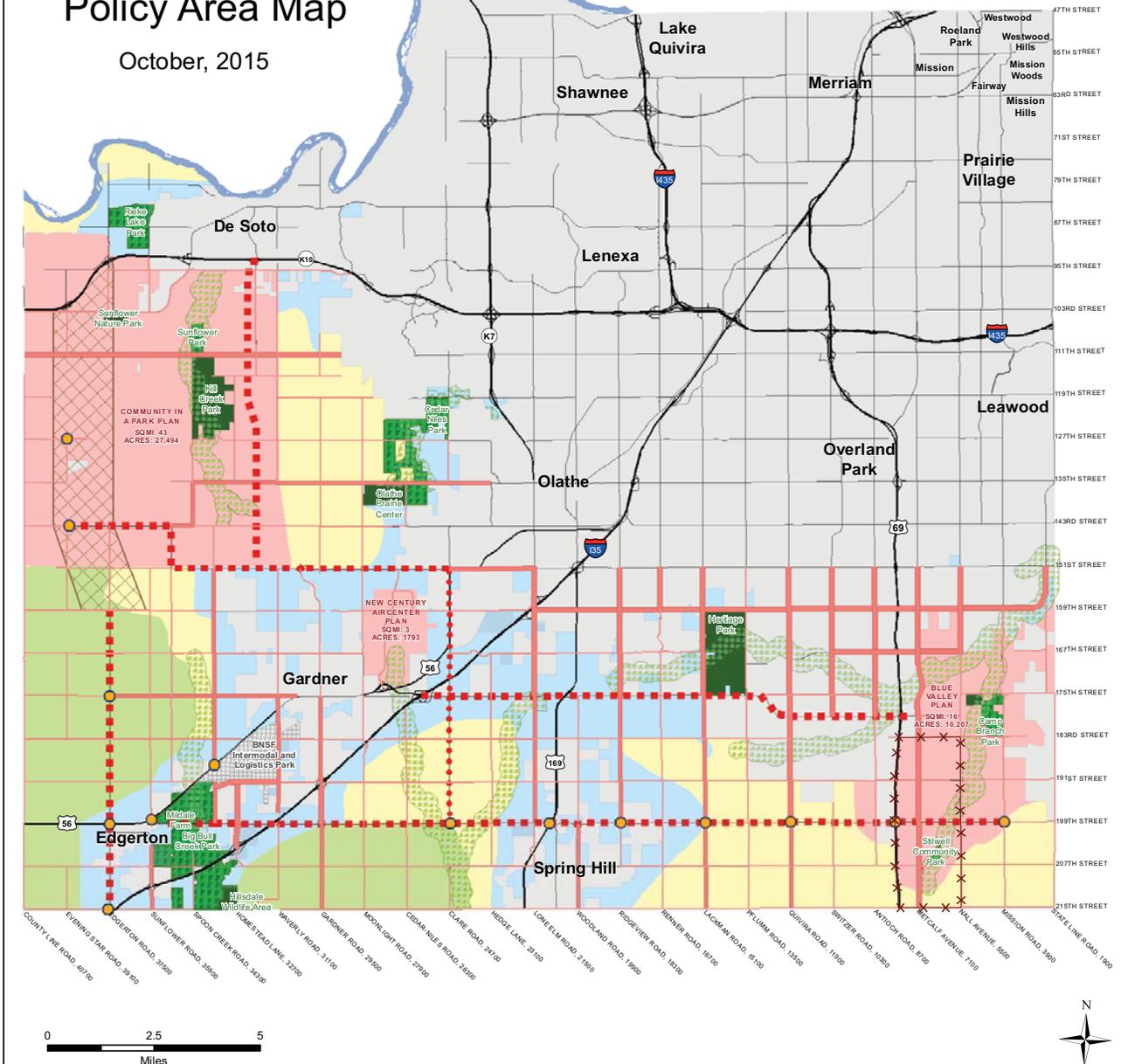
Balanced and orderly growth recognizes that population growth within the County will lead to more pressures for development at the edges of cities where land is often less expensive yet relatively still convenient to jobs, commercial services, and public institutions. A balanced and orderly growth approach may accommodate some contiguous development in the urban fringe but only in those locations planned for development and where there is adequate infrastructure to support it.

When and if allowed, development in the area beyond the urban fringe, such as in portions of Aubry Township, would be managed to prevent conflicts with existing residential, agriculture, or environmentally sensitive lands and be sited to avoid the inefficient provision of public services and facilities.

In more remote and predominately rural areas such as McCamish Township, extensive agriculture and very low population levels would continue to be supported by limited public facilities (e.g., lack of central water service) and new, conflicting nonagricultural related development would be discouraged.

# Johnson County, KS Policy Area Map

October, 2015



## LAND USE POLICY AREAS

- URBAN FRINGE - 52 SQ MI / 33,472 AC
- RURAL - 51 SQ MI / 32,529 AC
- RURAL TRADITIONAL - 31 SQ MI / 19,935 AC
- STILLWELL COMMUNITY PLAN - 6 SQ MI / 3910 AC
- AREA PLAN (ALSO RECOGNIZED AS URBAN FRINGE)
- CITY
- BNSF INTERMODAL FACILITY

## CARNP & ASSOCIATED FEATURES

- TYPE I / 2 LANES 120FT. ROW
- TYPE II / 2 LANES 120FT. ROW
- TYPE II / 4 LANES 120FT. ROW
- TYPE III / 2 LANES 150-200FT. ROW
- TYPE III / 4 LANES 150-200FT. ROW
- HIGHWAY
- MAJOR ROADS
- RESERVED GRADE SEPARATION
- CARNP CORRIDOR STUDY AREAS

## PARKS & ASSOCIATED FEATURES

- OPEN/EXISTING
- FUTURE
- PLANNED STREAMWAY PARK AREAS

FINAL APPROVED VERSION: 8/27/2015

NOTICE: Please be aware that the Planned Stream Park Area (PSPA) shown on the Johnson County Policy Area Map date August 2015, is different than and not identical with the PSPA map adopted by the Johnson County Park District. Therefore, all interested parties should contact the Park District to determine the exact location of any proposed PSPA



## **PART I – Chapter 2: LAND USE PLAN**

### **5.2 Land Use Planning Policy Areas**

The Land Use Plan is based on the above balanced and orderly growth strategy and the recommendations and directions set forth by the preceding goals and policies. By recognizing that different areas of Johnson County present different issues for growth and development, the Land Use Plan reflects the relationships between such areas and with the community as a whole.

As a result, the Land Use Plan establishes three separate “Land Use Planning Policy Areas” for three geographic locations within the unincorporated area:

- ❑ Urban Fringe Policy Area,
- ❑ Rural Policy Area, and
- ❑ Rural Traditional Policy Area.

The three planning policy areas are general designations to be used by the property owners and the general public as well as Zoning Boards, County Planning Commission, and Board of County Commissioners when considering specific rezoning and subdivision applications, growth issues, and infrastructure improvements relevant to different parts of the County.

Each policy area is described in detail in the following sections including:

- I. Description,
- II. Boundary Criteria,
- III. Purpose,
- IV. Area Policies, and
- V. Area Implementation Strategies.

### **5.3 Relationship of Land Use Plan to Zoning Review - Factors to Consider**

The planning guidelines contained within a comprehensive plan are one of the criteria the Kansas Supreme Court has recommended to governmental bodies when reviewing zoning applications.

While all applications for rezoning approval are reviewed based upon this criterion, there are other factors to be considered. These factors include, but are not limited to, comments received from adjacent or nearby municipalities, if applicable, and public input.

## **6.0 URBAN FRINGE POLICY AREA**

### **6.1 Description**

The Urban Fringe Policy Area is located on the outskirts of Olathe, De Soto, Edgerton, Gardner, and Spring Hill. This area may be characterized as the “middle ground” between the suburbs and the countryside.

The Urban Fringe Policy Area is currently comprised of a scattered mix of large-lot (10 acres or greater) and smaller-lot (2 acres or less) residences, a few commercial uses (e.g., office and small retail) and institutions (e.g., schools and churches) separated by some remaining working farms and open space. Many of the larger tracts of land within this area are held by real estate interests awaiting the necessary infrastructure to develop their property into more intensive uses.

Older subdivisions that predate County regulations and this Plan contain lots that are less than 10 acres and are found dispersed throughout the Urban Fringe Policy Area. Many of these subdivisions do not meet current County regulations (e.g. lot sizes less than 2 acres) and design standards (e.g., septic system requirements) and, under the policies of this Plan, could not occur today.

## PART I – Chapter 2: LAND USE PLAN

As population growth continues within the County, more pressure for development will be exerted at the edges of these cities. Portions of the Urban Fringe Policy Area, therefore, function somewhat as a reserve for the eventual growth of cities into this area.

As infrastructure and annexations extend into the Urban Fringe Policy Area, the area may accommodate a variety of urban land uses ranging from higher density residential development to possibly limited commercial activity. It is anticipated that annexations and the extension of central sanitary sewers may occur within the Urban Fringe Policy Area within the next 10 years and that other public infrastructure will be upgraded in accordance with needs and available funding resources.

Development within the Urban Fringe Policy Area is not anticipated to be rooftop-to-rooftop. Instead, through close coordination with adjacent cities and careful planning, valuable and ample open space would be protected and existing large estates and working farms would be able to continue, buffered from gradually occurring higher density development. Future joint plans to be prepared by the respective fringe cities and the County would be similar to the existing *Blue Valley Plan* that contains recommendations for a mix of residential densities and locations designated for limited nonresidential uses (e.g., office and neighborhood businesses).

Although the County provides many services to residents within the Urban Fringe Policy Area, the County generally does not provide levels of service (e.g., emergency response times) or infrastructure (e.g., street standards) equivalent to those found in cities. This disparity has resulted, and may continue to result, in development approved by the County within the Urban Fringe Policy Area that

conflicts with city standards (e.g., right-of-way and setback requirements). This creates problems for the cities once they annex these areas that have been developed with different development standards.

Until upgraded infrastructure and services are available for more intensive development, the Urban Fringe Policy Area is expected to remain primarily as it is - large open spaces, some agricultural activity, a mix of large- and small-lot residential uses, and very limited commercial development. Any new development allowed within this area should be designed and coordinated for eventual integration into the expanding urban development pattern.

Some limited commercial uses or other land uses may be allowed if they comply with area plans prepared jointly by the County and adjacent cities, or where the required zoning for such uses is already in place, provided such development meets County regulations, including minimum infrastructure requirements.

The policies for the Urban Fringe Policy Area, therefore, recognize that it will not remain predominately agricultural and low-density development and that expanding urban development pressures will generate demands for more non-agricultural uses. The suitability of further rezoning in such areas, however, will depend upon the merits of each case, with the burden on applicants for rezoning to demonstrate that such change in zoning is consistent with County policies, complies with the County's Zoning and Subdivision Regulations, is supported by adequate public infrastructure, and is coordinated with the nearby city or cities. Caution, therefore, should also be used to ensure that existing substandard developments, such as older isolated 1-acre or smaller lot size subdivisions, should not be allowed to expand unless current de-

## **PART I – Chapter 2: LAND USE PLAN**

velopment requirements of the County are met and the proposed development is coordinated with any nearby city that may be anticipated to subsequently annex the property.

Proposed development in the Urban Fringe Policy Area requiring major infrastructure upgrades and higher levels of public services than normally provided by the County should be avoided or occur within city boundaries where these necessary services and infrastructure may be provided more cost effectively and efficiently.

To assure coordinated development and the unencumbered extension of municipal infrastructure and services into the Urban Fringe Policy Area, island annexations, non-contiguous to city boundaries, should be avoided unless there is coordinated and appropriate planning between the County and the city annexing the property.

### **6.2 Boundary Criteria**

The boundary of the Urban Fringe Policy Area is based on proximity to existing city boundaries, the availability of central water service, the potential to economically expand or connect with planned as well as existing improved roads and sanitary sewers within the next 10 years, and the reasonable expectation that adjacent cities will expand their boundaries into some portions of the Urban Fringe Policy Area as indicated in their existing respective comprehensive plans or interlocal agreements.

### **6.3 Purpose**

The purpose of the Urban Fringe Policy Area is to allow for “balanced and orderly” growth - preserving existing residences, active agricultural uses, and valuable open space, while enabling the gradual transition of portions of this area

to development through close cooperation between the County and adjacent cities as well as through coordinated planning with utility and other service providers (e.g., electricity, fire protection, and schools).

The Urban Fringe Policy Area recognizes it is in the County’s and adjacent cities’ mutual interest to cooperate and manage growth within this area to protect existing residential and agricultural land uses and the environment and to assure that future development is compatible with existing development as well as balanced and orderly and consistent with their mutual goals and objectives. This cooperation should help avoid overloading, duplicating, or otherwise inefficiently providing public infrastructure and services as well as ensure that a high quality of life is maintained within this policy area.

## **6.4 Urban Fringe Area Policies**

### **6.4.1 Intended Uses**

- Existing agricultural and agricultural related uses.
- Large lot (10 acres), or very low density (greater than 10 acres) single-family residences.
- Small-lot (2-acres), low-density single-family residences only under conditions permitted as described in the following subsection 6.4.3, “Optional Residential Densities.
- Residential development on less than 2 acres only under conditions permitted as described in the following subsection 6.4.3, “Optional Residential Densities.”
- Accessory uses as permitted by County regulations.

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- Limited non-residential development only with adequate infrastructure to support it and in accordance with City/County plans (e.g., *Blue Valley Area Plan*) or in locations previously zoned for such uses, (e.g., New Century AirCenter, or along portions of U.S. Highway 169 and Metcalf Avenue).

### 6.4.2 Standard Residential Density

1 dwelling unit per 10 acres.

### 6.4.3 Optional Residential Densities

- 1 dwelling unit per 2 acres only with adequate infrastructure to support it.
- Planned Rural (PRUR) subdivisions that allow an overall density of up to 1 dwelling unit per 10 acres, plus 1 bonus lot per 30 acres in the subdivision, with all lots at least 4 acres in size.
- Residential subdivisions with densities greater than 1 dwelling unit per 2 acres will require connection to central sanitary sewers as well as compliance with County regulations, including minimum infrastructure requirements, and may be allowed based upon, but not limited to, the following:
  - a. Compliance with City/County plans;
  - b. Installation of adequate infrastructure coordinated with the County's and nearby city's existing or planned infrastructure; and

- c. Adequate water to meet Fire Code requirements.

### 6.4.4 Infrastructure for Residential Subdivisions

The availability of adequate infrastructure to support development within the Urban Fringe Policy Area is a high priority. The extension of infrastructure within the Urban Fringe Policy Area is intended to serve existing and approved development.

The County's zoning and subdivision regulations establish infrastructure requirements such as the following:

*Wastewater:* Septic systems with dry sewers, or development connected to central sanitary sewers, as required by the regulations.

*Water:* Connection to central water systems.

*Roads:* Paved with gravel shoulders if any lots are less than 10 acres, and paved with curb and gutter if any lots are less than 3 acres and where appropriate, designed to accommodate pedestrian and bicycle travel.

### 6.5 Urban Fringe Area Implementation Strategies

#### 6.5.1 Development Review Policies

In addition to the land use criteria recommended to governmental bodies by the Kansas Supreme Court, rezoning and subdivision applications are also reviewed based upon, but not limited to, the following policies:

1. Conforms with the Goals and Policies in the Land Use Plan and

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- the Policy Area Map contained in the Plan.
2. Coordinated with adjacent or nearby city plans, where applicable.
  3. Proposals for development near city boundaries will be reviewed regarding whether such development may or should occur within the nearby city. County staff will consult with the abutting city and will counsel the prospective developer on the reasons and options for developing within the abutting city.
  4. Meets the criteria of the County Zoning and Subdivision Regulations, particularly the “Minimum Infrastructure Requirements.”
  5. Contiguous or nearby to similar existing development.
  6. Located where public infrastructure (e.g., water, sewer, and roads) is adequate, would not be unduly burdened, or can be extended cost effectively.
  7. Compatible with the existing surrounding or nearby residential and agricultural land uses, and to the extent reasonable, protects open space systems, wildlife habitats, riparian areas, and scenic views.
  8. Interconnects and blends with surrounding open spaces and natural areas.
  9. Buffers existing development through screening, landscaping, and large setbacks for new construction.

10. Achieves or maintains low-density residential development through the use of design techniques such as large setbacks, landscaping, or clustering.

### 6.5.2 Continued Area Planning

Working with adjacent cities, the County will continue to conduct detailed land use studies or area planning within the Urban Fringe Policy Area. Some area plans already exist such as, the *Blue Valley Plan*, and the *Sunflower Army Ammunition Plant Plan*.

The process of creating new area plans, or updating existing area plans, will depend on growth pressures and infrastructure expansion. Priority will be given to working with Overland Park to update the existing *Blue Valley Plan* and working with Olathe on an area plan adjacent to the city's southern boundary. As De Soto, Edgerton, Gardner, and Spring Hill update or review their comprehensive plans, the County will work with them to determine future land uses within the Urban Fringe Policy Area. City plans that extend within the Urban Fringe Policy Area may be formally considered for adoption into this Plan.

As part of ongoing coordination efforts between the County and adjacent cities, any one of the following or other actions may initiate the need for a joint planning effort between the County and adjacent cities including:

- a. Receipt of a petition for sanitary sewers,
- b. Requested or planned improvements to nearby major arterial roads,
- c. City request to undertake joint planning, or

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- d. Increased or anticipated increases in development as indicated by building permit requests or applications and inquiries for rezoning or subdividing property.

### 6.5.3 Zoning and Subdivision Regulation Updates

Other actions the County may undertake related to managing development within the Urban Fringe Policy Area include, but are not limited to:

- Amending the County’s zoning and subdivision regulations to allow clustered/conservation subdivisions with open space. These regulations would allow houses to be clustered on part of the property with the remaining open space set aside for possible future development or as permanent common open space (e.g., for the use of subdivision home owners).
- Creating criteria for density bonuses for the preservation of open space or riparian areas.
- Preparing nonresidential/nonagricultural design guidelines for commercial areas and institutional uses that the area plans may identify as appropriate uses in certain locations in the unincorporated area.
- Encouraging “shadow platting” for proposed subdivisions. This type of analysis can illustrate how large lots (e.g., 10 acres and greater) may be further subdivided into smaller lots for future higher density development (e.g., 3 dwelling units/1 acre) when central sanitary sewers and other necessary infrastructure become available.

- Updating minimum infrastructure requirements for developments denser than 1 dwelling unit per 10 acres to be coordinated and compatible with the infrastructure requirements of adjacent cities.

## 7.0 RURAL POLICY AREA

### 7.1 Description

The Rural Policy Area has a very low population density with scattered single-family residences and small subdivisions interwoven between large expanses of open space and farming operations. This development pattern is generally in keeping with the established rural character and is consistent with the limited infrastructure and service delivery capabilities available to this area. As a result of limited infrastructure and service capacities, agriculture uses will continue and any development would be large residential lots (minimum of 10 acres per dwelling unit).

The common residential lot size within the Rural Policy Area is 1 dwelling unit per 10 acres with many lots larger than 40 acres or more. Older subdivisions, which predate this Plan and countywide regulations and contain lots ranging from 1 to 10 acres, are also found dispersed throughout the Rural Policy Area. Although these older subdivisions exist, many generally do not meet the County’s current regulations and design standards. Under the County’s current policies, which strongly discourage this density of development in rural areas, many of these types of subdivisions would not be permitted and similar proposed types of development would not be allowed to occur.

When allowed, future development within the Rural Policy Area would be in keeping

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with the established rural character at a density of at least 10 acres per dwelling unit. Such development would be well buffered so as to not encroach on existing agricultural operations and would be encouraged to incorporate as many of the existing natural features (e.g., existing vegetation) in the area as possible.

New residential lots sizes smaller than 10 acres may be possible in the Planned Rural (PRUR) zoning district and in clustered/conservation subdivisions if they are developed as recommended in this Plan. These subdivisions must be designed to protect the established rural character and open spaces to the extent reasonable, and there must be assurances that adequate infrastructure will be available to support each subdivision.

The policies for the Rural Policy Area recognize that it is not exclusively agricultural and that existing development patterns may generate demands for expansions of these non-agricultural uses.



The suitability of further rezoning in such areas, however, will depend upon the merits of each case, with the burden on the applicant to demonstrate that such expansion is consistent with County policies, complies with the County's Zoning and Subdivision Regulations, and is supported by adequate infrastructure. However, existing substandard develop-

ments, such as older isolated 1-acre lot subdivisions, should not be allowed to expand unless current County development requirements are met.

### 7.2 Boundary Criteria

The boundary of the Rural Policy Area is based on the limited availability of central water service, lack of existing or planned public sanitary sewers within approximately the next 20 years, limited adequate soils for septic systems, the limited availability of existing or planned paved roads, and a location generally beyond the 20-year time horizon for future city expansions.

### 7.3 Purpose

The purpose of the Rural Policy Area is to maintain the existing open space amenities and rural character, while allowing limited residential development that incorporates rural characteristics, and, to the extent reasonable, protects and promotes open space systems, wildlife habitats, riparian areas, and scenic views. The purpose of this policy area is also to ensure the efficient allocation of limited public resources and to assure that there is adequate infrastructure to support development. Proposed developments that do not meet this standard may be viewed as premature and inappropriate.

### 7.4 Rural Area Policies

#### 7.4.1 Intended Uses

- Agricultural and related uses.
- Very low-density single-family residences (1 dwelling per 10 acres).
- Existing legal nonconforming residences on lots less than 10 acres.

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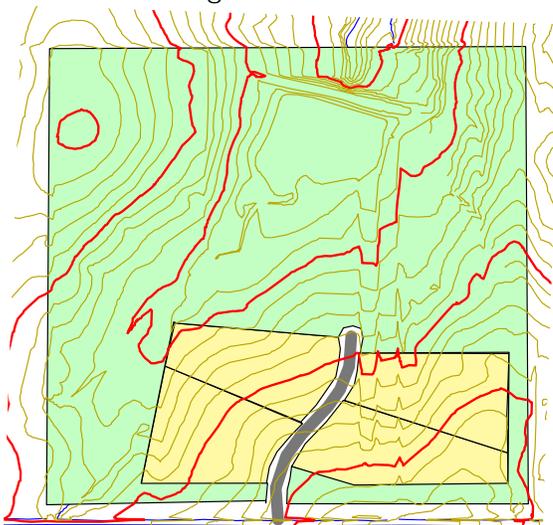
- Accessory uses as permitted by County regulations.

### 7.4.2 Standard Residential Density

1 dwelling unit per 10 acres.

### 7.4.3 Optional Residential Densities

- Planned Rural (PRUR) subdivisions that allow an overall density of up to 1 dwelling unit per 10 acres, plus 1 bonus lot per 30 acres in the subdivision, with all lots at least 4 acres in size.
- Clustered/conservation subdivisions with densities greater than 1 dwelling unit per 10 acres that provide open space, wildlife habitat, or agricultural uses which, to the extent reasonable, protect the environment and scenic vistas, and blend with the surrounding area.



### 7.4.4 Infrastructure for Residential Subdivisions

The extension of infrastructure and infrastructure upgrades in the Rural Policy Area should be provided as needed to support existing or limited future rural demand.

The County's zoning and subdivision regulations establish infrastructure requirements, such as the following:

*Wastewater:* Septic systems.

*Water:* Connection to central water system.

*Roads:* Gravel surface if 7 lots or less are served and all 7 lots contain 10 acres or more, and paved if more than 7 lots are served or if any lots are less than 10 acres and where appropriate, designed to accommodate pedestrian and bicycle travel.

## 7.5 Rural Area Implementation Strategies

### 7.5.1 Development Review Policies

In addition to the land use criteria recommended to governmental bodies by the Kansas Supreme Court, rezoning and subdivision applications are also to be reviewed based upon, but not limited to, the following policies:

1. Conforms with the Goals and Policies in the Land Use Plan and the Policy Area Map contained in the Plan.
2. Meets the criteria of the County Zoning and Subdivision Regulations, particularly the "Minimum Infrastructure Requirements."
3. Compatible with the existing surrounding or nearby residential and agricultural land uses and to the extent reasonable, protects open space systems, wildlife habitats, riparian areas, and scenic views.

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4. Interconnects and blends with surrounding open spaces and natural areas.
5. Buffers existing development through extensive screening, landscaping, and large setbacks for new construction.
6. Reinforces the rural character through low-density residential development or design techniques, such as clustering.

### 7.5.2 Zoning and Subdivision Regulation Updates

Other actions the County may undertake related to managing development within the Rural Policy Area include, but are not limited to:

- Amending regulations to allow clustered/conservation subdivisions with permanent open space and consider the concept of temporary open space, where houses are clustered on part of the property and the rest is left as open space that someday might be developed further. The subdivision should be designed to include greater setbacks and landscaping to allow subdivisions to blend in with the rural character of the area.
- Creating criteria for density bonuses in exchange for the preservation of open space and riparian areas.

## 8.0 RURAL TRADITIONAL POLICY AREA

### 8.1 Description

The Rural Traditional Policy Area is located in the far southwestern corner of the County near the city of Edgerton. The area is predominately in agricultural use

consisting of farms or undeveloped open space and divided into very large tracts of land, generally 40 acres or larger. Some scattered residences exist on lots of 10 acres or more along with a few pockets of older small subdivisions or certificate of survey areas with lots smaller than 10 acres. Many of these older residences and subdivisions with smaller lots predate this Plan and countywide regulations and do not meet the County's current regulations and design standards. Under the County's current policies, which strongly discourage this density of development in rural areas, many of these types of subdivisions would not be permitted to occur.

Because of its generally remote location and the limited availability of public facilities over the next 20 years, the Rural Traditional Policy Area is expected to remain relatively unchanged and predominately agricultural and open space with a continued very low-density rural population. County services and private utilities are expected to maintain the levels of service now provided and will be upgraded only if there is a significant need to do so. Infrastructure improvements used as an incentive for new development are not anticipated.

Central sanitary sewers for this area are not planned for the foreseeable future and only limited central water service is available at this time. The existing network of gravel roads, along with a few paved roads, are adequate to serve the existing and anticipated low-density rural population as well as farming needs within this area. These rural roads will be improved only when there is a significant need to do so. Generally, the major road upgrades in this area will be limited to Type II or III routes as identified in CARNP.

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In the Rural Traditional Policy Area, only limited non-farm residential development that is consistent with rural character is anticipated. Residential development in the Rural Traditional Policy Area should not unnecessarily remove productive agricultural land or interfere with farming operations. Most of the area will continue to be primarily served by individual wells, on-site septic systems, and accessed by gravel roads. The County will maintain the current level of services by providing basic, on-going maintenance.

The common residential lot size within the Rural Traditional Policy Area is 1 dwelling unit per 10 acres. Residential lot sizes smaller than 10 acres may be possible in the Planned Rural (PRUR) zoning district, and in clustered/conservation subdivisions and if provisions are made to ensure the protection of the rural character and preservation of open spaces and assurances that there is adequate infrastructure to support it.

Like the Rural Policy Area, policies for the Rural Traditional Policy Area recognize that it is not exclusively agricultural and that existing development patterns may generate demands for expansions of these non-agricultural uses. The suitability of further rezoning in such areas, however, will depend upon the merits of each case, with the burden on the applicant to demonstrate that such expansion is consistent with County policies, complies

with the County's Zoning and Subdivision Regulations, and is supported by adequate public facilities. However, existing substandard developments, such as older isolated 1-acre lot subdivisions, should not be allowed to expand unless current County development requirements are met.

### 8.2 Boundary Criteria

The boundary of the Rural Traditional Policy Area is based on its generally remote location within a predominately open space and agricultural area with some scattered residential developments. This condition is largely due to this area's distant location from the urbanized area and the very limited availability of planned as well as existing public infrastructure (e.g., roads, water, and sanitary sewers) and services (e.g., schools, sheriff, fire services).

### 8.3 Purpose

The purpose of the Rural Traditional Policy Area is to maintain and support the area for continued farming and agricultural production with only very low levels of non-farming-related residential development due to the limited availability of public infrastructure and services to support it. Non-agricultural related development that is incompatible or may interfere with agricultural operations in the Rural Traditional Policy Area is discouraged.

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### 8.4 Rural Traditional Area Policies

#### 8.4.1 Intended Uses

- Agricultural and related uses. (On-site sales of agricultural products as permitted by County regulations.)
- Very low-density single-family residences.
- Existing legal nonconforming residences on lots less than 10 acres.
- Accessory uses as permitted by County regulations.

#### 8.4.2 Standard Residential Density

1 dwelling unit per 10 acres.

#### 8.4.3 Optional Residential Densities

- Planned Rural (PRUR) subdivisions that allow up to 1 dwelling unit per 10 acres, plus 1 bonus lot per 30 acres in the subdivision, with all lots at least 4 acres in size.
- Clustered/conservation subdivisions with densities greater than 1 dwelling unit per 10 acres, that comply with the regulations, and conserve open space, wildlife habitat, or agricultural uses, and protect the environment and

scenic vistas, and blend with the surrounding area.

#### 8.4.4 Infrastructure for Residential Subdivisions

Infrastructure improvements in the Rural Traditional Policy Area should be to support existing agricultural-related demand or only limited large lot residential development with an overall density of 1 dwelling to 10 acres.

The County's Zoning and Subdivision Regulations establish infrastructure requirements, such as the following:

*Wastewater:* Septic systems.

*Water:* On-site or connection to central water system.

*Roads:* Gravel surface if 7 lots or less are served and all 7 lots contain 10 acres or more, and paved if more than 7 lots are served or if any lots are less than 10 acres and where appropriate, designed to accommodate pedestrian and bicycle travel.

### 8.5 Rural Traditional Area Implementation Strategies

#### 8.5.1 Development Review Policies

In addition to the land use criteria recommended to governmental bodies by the Kansas Supreme Court, rezoning and subdivision applications are also to be reviewed based upon, but not limited to, the following:

1. Conforms with the Goals and Policies in the Land Use Plan and the Policy Area Map contained in the Plan.
2. Uses design techniques where necessary to protect existing

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agricultural uses from incompatible development.

3. Meets the criteria of the County Zoning and Subdivision Regulations, particularly the “Minimum Infrastructure Requirements.”
4. Does not require major infrastructure upgrades by either the developer or the County, in predominantly agricultural areas, where the infrastructure upgrade would be an incentive for new large-scale subdivisions.
5. Maintains and is compatible with the existing surrounding or nearby residential and agricultural land uses and to the extent reasonable, protects open space systems, wildlife habitats, riparian areas, and scenic views.
6. Encourages clustered subdivisions that conserve open space, wildlife habitat or agricultural uses or that support voluntary efforts to retain such lands if residential development is to occur near agricultural lands.
7. Interconnects as well as blends with surrounding open spaces and natural areas.
8. Buffers existing development through extensive screening, landscaping, and large setbacks for new construction.
9. Reinforces the rural character through low-density residential development or new design techniques, such as clustering, if allowed.

### 8.5.2 Zoning and Subdivision Regulation Updates

Other actions the County may undertake related to managing development within the Rural Traditional Policy Area include, but are not limited to:

- Amending regulations to allow clustered/conservation subdivisions with permanent open space and consider the concept of temporary open space where houses are clustered on part of the property and the rest is left as open space that someday might be developed further.
- Establishing rural residential design criteria including greater setbacks and landscaping to allow subdivisions that blend in with the rural character of the area.

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## LAND USE PLAN CHART

	Rural Traditional Policy Area	Rural Policy Area	Urban Fringe Policy Area
<b>Purpose:</b>	<ul style="list-style-type: none"> <li>Maintain rural character.</li> <li>Support continuation of agriculture.</li> <li>Urban infrastructure, e.g., central sanitary sewers, paved or improved roads, are <u>not</u> planned or anticipated in the next 20+ years.</li> <li>Area outside of urban expansions.</li> </ul>	<ul style="list-style-type: none"> <li>Maintain rural character, e.g., agriculture, large-lot residential, environmental/open space.</li> <li>Area unlikely to be served by central sewer or extensive road improvements in the next 20 years.</li> </ul>	<ul style="list-style-type: none"> <li>Anticipated urban expansion within 10 years.</li> <li>Coordinate with adjacent city plans.</li> <li>Provide land for orderly, contiguous, and managed growth that protects the environment.</li> <li>Avoid overloading, inefficiencies, or duplications of public infrastructure and services.</li> </ul>
<b>Major Uses Permitted*</b> <i>*See Johnson County Zoning and Subdivision Regulations for complete description and list of zoning categories and permitted uses.</i>	<ul style="list-style-type: none"> <li>Agriculture.</li> <li>Very Low-Density Residential.</li> </ul>	<ul style="list-style-type: none"> <li>Agriculture.</li> <li>Very Low-Density Residential.</li> </ul>	<ul style="list-style-type: none"> <li>Agriculture.</li> <li>Low-Density Residential.</li> <li>Other uses in accordance with City/County plans.</li> </ul>
<b>General Timing of “Urban/Suburban” Infrastructure</b>	20+ Years.	20 Years.	10 Years.
<b>Minimum Lot Size</b>	10 Acres/Dwelling Unit.	10 Acres/Dwelling Unit.	10 Acres/Dwelling Unit.
<b>Optional Residential Densities</b>	<ul style="list-style-type: none"> <li>PRUR Subdivisions.</li> <li>Clustered/Conservation Subdivisions that conserve open space, wildlife habitat or agricultural uses.</li> </ul>	<ul style="list-style-type: none"> <li>PRUR Subdivisions.</li> <li>Clustered/Conservation Subdivisions that conserve open space, wildlife habitat or agricultural uses.</li> </ul>	<ul style="list-style-type: none"> <li>2 Acres/Dwelling Unit if adequate infrastructure is available.</li> <li>Less than 2 acres, if on approved central sewer systems.</li> <li>PRUR Subdivisions</li> <li>Varies depending upon Area Plans.</li> </ul>
<b>Minimum Infrastructure*</b> <i>*See Johnson County Zoning and Subdivision Regulations, Article 30 for complete description of Minimum Subdivision Standards and Article 31 for Minimum Infrastructure Requirements.</i>			
Sewer	Septic systems.	Septic systems.	Central sewers or septic systems with dry sewers and sewer agreements.
Water	On-site (e.g., wells or tanks) or central water systems.	Central water systems.	Central water systems.
Roads	Gravel (paved if any lots less than 10 acres).	Gravel (paved if any lots less than 10 acres).	Gravel (paved if any lots less than 10 acres, paved with curb and gutter if any lots less than 3 acres).

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