

PART I – Chapter 1: INTRODUCTION

PREFACE

The two most basic resources of any community are its land and the people who live on it. Managing the relationship between people and the land is a balancing act between long-term and short-term gains and between individual and community aspirations. Comprehensive plans, along with land use regulations, set the framework for governing bodies, their appointed boards and commissions, and citizens to make informed choices among competing ideas on how the land might best be used.

A community's comprehensive plan reflects a general consensus among citizens on their shared future. By creating a vision for the future, a comprehensive plan assists in coordinating decisions and the efficient allocation of limited public resources.

The *Rural Comprehensive Plan, A Plan for the Unincorporated Area of Johnson County* (Plan) is an "active document", unlike other documents that address an issue, are referenced, and then eventually become out-dated. The Plan will be reviewed at least annually and periodic refinements may result from those reviews at the direction of the County Planning Commission and Board of County Commissioners. As the Plan is refined over time, changes to the County's Zoning and Subdivision Regulations may also evolve, and new zoning districts and maps may be required. Refinements may result from changing situations in the County or from a better understanding of complex issues, which may result in further studies and considerations. The overall objective of the review and Plan modification process

is to maintain relevancy for both current and long-range development.

While the Plan focuses on the unincorporated portions of Johnson County, its scope includes the entire County. Because the future of the unincorporated area and the future of cities are so closely tied together, the Plan outlines recommendations as to how cities and the County are to cooperate and coordinate growth and resources.

The goals, policies, and action steps contained in the Plan, although not binding like adopted County regulations, provide the general parameters for land use decisions to be made by County officials. The Plan establishes the County's general guidance for the nature and character of activities that are desired within the unincorporated area of the County.

1.0 STATEMENT OF PURPOSE

Coordinated rural development has been a common thread in the County's planning policies for the past 20 years. A policy statement first drafted in 1983 and subsequently adopted as part of the Plan in 1986, and herein adopted, outlined policies that continue to hold true. They are as follows:

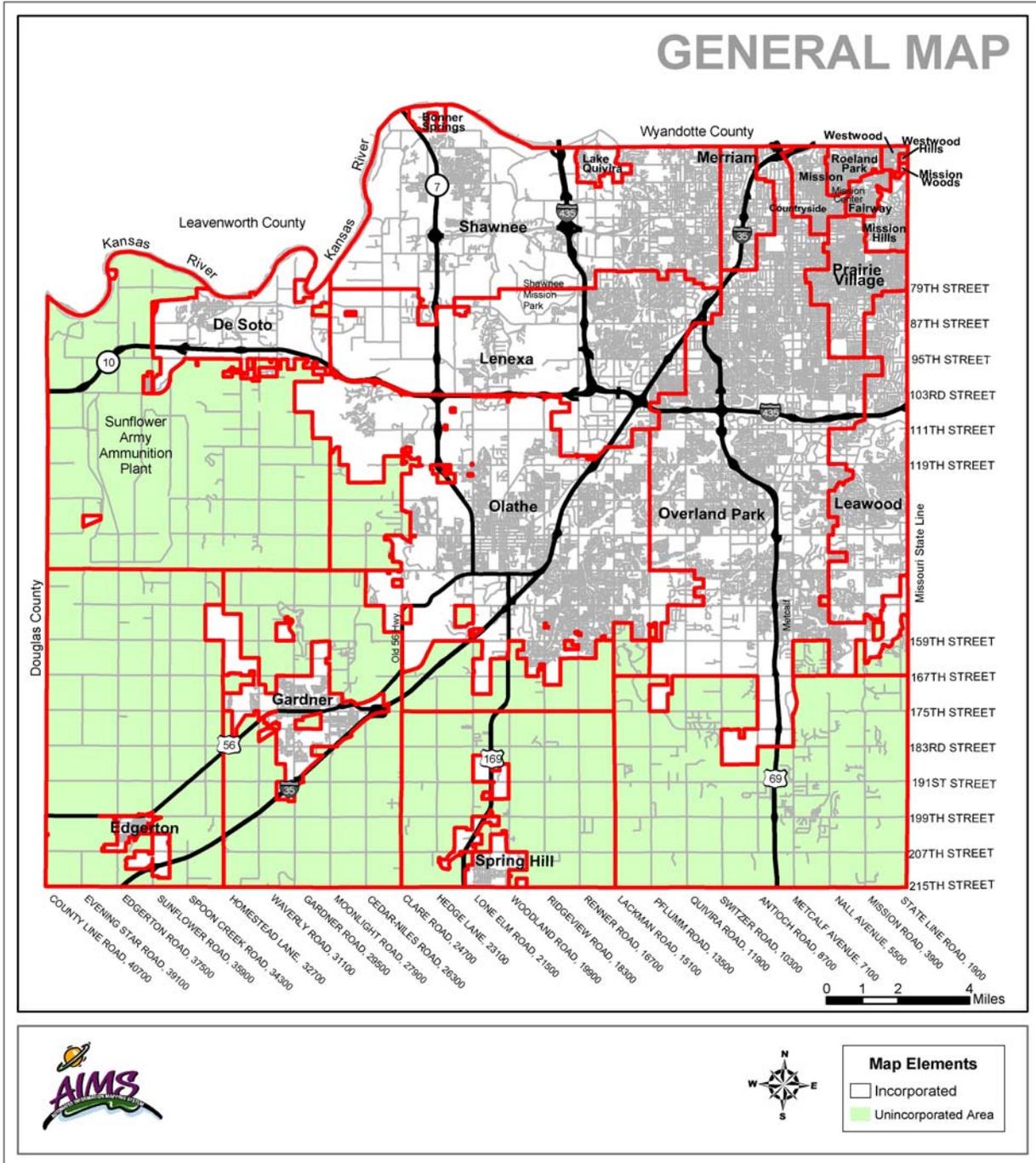
1. To provide for orderly growth and to avoid scattered development which is costly for public services.
2. To control public service costs, especially capital improvements, by requiring that a fair share of the improvement costs be borne by developers.

PART I -- Chapter 1: INTRODUCTION

3. To adopt proper standards for public improvements, which will avoid excessive maintenance costs during the reasonable life of the facilities.
4. To encourage development within existing residential areas so that public services may be most efficiently provided.
5. To adopt compatible standards that will assure that residential areas subsequently annexed into municipal territory will be properly designed for municipal services.
6. To plan cooperatively with municipalities to assure that most development in the County occurs within cities and areas planned for urban expansion.

PART I -- Chapter 1: INTRODUCTION

Map 1: GENERAL MAP



PART I -- Chapter 1: INTRODUCTION

2.0 HOW TO USE THE PLAN

Part I of this document is the Plan and consists of Chapters 1 through Chapter 5 and Part I Appendices A through I. These five chapters contain the County's policies and recommendations for development within the unincorporated area of Johnson County.

Chapter 2: Land Use Plan, contains the goals, policies, and action steps for managing the future development and use of land within the unincorporated area of Johnson County for the next 20 years. This chapter also contains the Policy Area Map, which incorporates the goals, policies, and action steps.

Chapter 2 serves as a guide for agricultural, residential, commercial, industrial, and open space development. This chapter is particularly important to public decision-makers who will use it to evaluate proposals and prioritize projects as well as to private individuals and businesses that may want to use it to help them determine where to reside or to invest.

Chapter 3: Area Plans includes plans for particular locations in the County and includes maps showing the locations of existing area plans that have been adopted previously. The **Transportation Element** can be found in **Chapter 4** and the **Parks and Open Space Element** is in **Chapter 5**.

Part II of this document, Chapter 6 through Chapter 8 provides background information that supports and was used to develop the policies and recommendations contained in the Plan.

Because of the broad scope and comprehensive nature of the Plan, a large amount of background and supportive information is required for its preparation. Data on existing conditions, trends, and

forecasts provide a useful resource for those interested in the unincorporated area's existing and potential for development. **Chapter 6: History** describes the "story" of Johnson County and **Chapter 7: Development Patterns and Trends**, identifies where development has occurred and may be anticipated within the next 20 years. **Chapter 8: Resource and Service Inventory** includes information on utility service areas and maps related to the County's geographic conditions.

3.0 LEGAL BASIS FOR COMPREHENSIVE PLAN

State law provides a broad outline of what should be included in a comprehensive plan. Johnson County is given the general authority to adopt plans and land use regulations pursuant to K.S.A. 19-2956 et. seq. with the goal of "bringing unity, consistency and efficiency to the county's planning efforts."

K.S.A. 19-2956 states in part that "such plans and regulations shall be designed, in accordance with the present and future needs of the county and shall promote the public health, safety, morals, comfort, convenience, prosperity and general welfare and protect the land, air, water, natural resources and environment and encourage their use in a desirable manner and insure efficient expenditure of public funds and conserve and protect the values of property under the jurisdiction of the county."

This legislation was adopted specifically for Johnson County in 1984, and provides the general authority for adopting a comprehensive plan and subsequent regulations to guide orderly growth and development. Prior to this legislative act, the County exercised general zoning and planning authority under K.S.A.19-2901 et. seq.

PART I -- Chapter 1: INTRODUCTION

The 1984 statutory act also retained the existing Zoning Boards for rural townships that were established as early as 1940, and reorganized the County Planning Commission established in 1977. The County Planning Commission is now comprised of 12 members including a representative of each of the Zoning Boards and three members representing the incorporated area of the County.

The County's first full-time planning staff was employed in 1978 to assist the various township Zoning Boards and to begin preparation of a comprehensive plan for the unincorporated area. In 1982, the County Planning Commission and planning staff completed a policy statement and first draft of a plan for guiding development in the unincorporated area.

4.0 PREVIOUS PLANS AND ANNUAL REVIEW OF THE PLAN

The County's first adopted comprehensive plan for the unincorporated area was adopted in 1986. The Plan has since been updated six times previous to this update--1991, 1994, 1996, 1998, 1999 and 2000. Appendix A provides a summary of these changes.

The Plan is reviewed annually by the County Planning Commission to ensure that it remains timely and that the goals, policies, action steps, and Policy Area Map are relevant.

5.0 RELATION TO ZONING REGULATIONS

The Plan represents Johnson County's policy guide for decisions affecting where and how future development should occur within the unincorporated area. The Plan is to be used by the general public, County staff, zoning boards, and the Board of County Commissioners as part of their review and consideration of

requests for rezoning or subdividing property within the unincorporated area.

Although most of the residential, commercial, and industrial development in this rapidly growing County occurs within city boundaries and is therefore managed under municipal jurisdiction, the unincorporated part of the County includes substantial land area in which scattered residential development can be found.

The County's Zoning and Subdivision Regulations are the primary mechanism for coordinating changes from rural or agricultural uses to more intense land uses. Most of this change takes place in areas that are developing at an intermediate density--denser than rural agricultural uses, but much less dense than typical municipal development.

In recognition of the wide range of development densities in the unincorporated area, the following Land Use Plan in Chapter 2 is based on the premise that complementary zoning districts and development standards will be continued in the future. The fundamental concept is that appropriate development standards are a function of density. In keeping with the characteristics and use patterns of such areas, urban development requires urban standards for public improvements, whereas low-density rural residential uses do not require as high a level of development standards or improvements.

In 1978, a Kansas Supreme Court landmark case (Donald Golden v. City of Overland Park, KS), known as the "Golden" case, determined that conformance of a requested zoning change to the adopted or recognized master plan being utilized by the governing entity was one of eight factors a community should use to evaluate the appropriateness of a rezoning proposal.

PART I -- Chapter 1: INTRODUCTION

The "Golden Factors" to be considered are:

1. The character of the neighborhood;
2. The zoning and uses of properties nearby;
3. The suitability of the subject property for the uses to which it has been restricted;
4. The extent to which removal of the restrictions will detrimentally affect nearby property;
5. The length of time the subject property has remained vacant as zoned;
6. The relative gain to the public health, safety, and welfare by the destruction of the value of the plaintiff's property as compared to the hardship imposed on the individual landowner;
7. The recommendations of permanent or professional staff; and
8. The conformance of the requested change to the adopted or recognized master plan being utilized by the community.

6.0 CITIZEN INVOLVEMENT – PLAN PREPARATION

Under the direction of the County Planning Commission, every planning effort is designed to educate and involve the public through workshops and surveys. The citizen involvement goals of the planning process are to:

1. Build a base of support by involving persons and interest groups affected by the Plan, with a

leadership role delegated to the County Planning Commission.

2. Inform and educate the residents of Johnson County through special programs addressing County concerns and the need for sound planning principles.
3. Promote cooperation and understanding between cities, townships, service agencies, County government, and the citizenry on County issues and concerns.
4. Build a realistic awareness of the planning process with its limitations and the time commitments necessary for long-term effective planning.
5. Promote cooperation and understanding of all County residents and government entities in the physical development of the County by the development community, such as, development businesses and design professionals.
6. View the Plan as part of a flexible and continuous planning process that is responsive to changing conditions, rather than as a single planning effort.

In 2002-03, planning efforts included four public workshops held in different parts of the unincorporated area, along with consultations with various groups. One such group was a Steering Committee made up of County staff from the Public Works, Wastewater, Finance, Planning, Parks, and County Extension departments, a member of the Board of County Commissioners, the Chair of the County Planning Commission, and planning consultants hired for the project.

PART I -- Chapter 1: INTRODUCTION

Individual meetings and focus groups were held with property owners who were particularly impacted. Further refinements were suggested through a series of meetings with the Technical Advisory Group made up of city, County, and utility representatives and a series of meetings with VIGOR (Very Interested Group of Residents), an *ad hoc* group of rural and some city residents.

The Board of County Commissioners provided input at joint meetings with the County Planning Commission at individual work sessions.



Citizen involvement is a critical part of the planning process.

Appendix B contains a summary of the four public workshops that were held as part of the process for preparing this Plan. This summary includes a description of the four development scenarios or depictions of how the unincorporated area “might” evolve depending upon differing sets of assumptions.

The scenarios were presented to the public for comparison and were used as a basis for developing and selecting the goals, policies and action steps contained in this Plan.

The four scenarios considered are summarized below:

1. Current Plan Scenario -- With the County's current Plan document, cities will continue to grow, gradually suburbanizing Johnson County. In the next 20 years, as you drive from the cities into the unincorporated area, you will first see single-family homes on 3-acre lots. Then as you drive further, you will see houses on 10-acre lots mixed with some areas of open space and farms.
2. Urban Reserve Scenario -- In the next 20 years, as you drive from the suburbs into the unincorporated area, you will see areas open for suburban expansion. Development will be encouraged to occur within and in cooperation with city expansion. Areas adjacent to cities will develop according to joint city-county plans. If there are no joint plans, development will consist of residences on 10 to 20-acre lots until annexed into cities.
3. Exurban Reserve Scenario -- In the next 20 years, as you drive from the suburbs into the unincorporated area, you will see areas reserved for suburban expansion. As you proceed, you will see exurban development that consists of numerous existing and developing subdivisions with single-family homes on 2 to 3-acre lots scattered throughout the area. Natural open spaces and farms will continue to exist, but at a much lesser degree than today.
4. Conservation Development Scenario - In the next 20 years, as you drive through the unincorporated area leaving the

PART I -- Chapter 1: INTRODUCTION

suburbs behind, you will see residences on 20-acre lots and some smaller lots clustered together preserving large areas of open space. As you reach the extreme southwest corner of the County, you will see 40-acre or larger farms.

7.0 RURAL CHARACTER

A prevailing sentiment heard throughout the planning process was a strong desire to preserve the “rural character” perceived to exist within the unincorporated area. For many, this sense of “ruralness” is what distinguishes the unincorporated area from cities and is one of their primary reasons for choosing to live in the “countryside.”



Ironically, this very attraction itself, along with the development it has generated, may be the leading cause of the demise of some of these appealing rural features. In general, rural character refers to the open spaces, farms, and natural beauty of the Johnson County countryside. Rural character is further described in Chapter 2, Land Use Plan.

8.0 JOHNSON COUNTY VISION

A “Vision” is an outline of the broad goals to which a community aspires. It de-

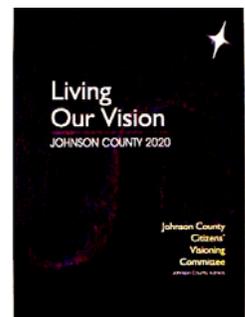
scribes what citizens want their community to be like in the future. Since the 1994 adoption of the Plan, the Board of County Commissioners has undertaken efforts to define a countywide vision and establish guiding principles for future development. Those efforts have resulted in two vision documents: *Living Our Vision: Johnson County 2020*, and, *Countyscape 2020 – Growing Together*.

Although having a broader scope than the Plan, herein, these two documents provide a useful measure of the Board of County Commissioner’s perception of how the entire County should grow by the year 2020. For this reason, relevant portions of these two documents are referenced below for the general guidance they provide in developing specific goals, policies, and action step recommendations for future development within the unincorporated area of the County.

The specific “Land Use” vision statement contained in the *Living Our Vision: Johnson County 2020* report is discussed separately in Chapter 2, Land Use Plan.

9.0 LIVING OUR VISION: JOHNSON COUNTY 2020

In 1997, the Board of County Commissioners appointed a 23-member Citizens’ Visioning Committee whose report *Living Our Vision: Johnson County 2020*, has been instrumental in many of the Board’s decisions, including the reorganization of the County’s government approved by voters in 2000.



9.1 Countywide Vision Statement

The following is a summary of the Committee’s report:

PART I -- Chapter 1: INTRODUCTION

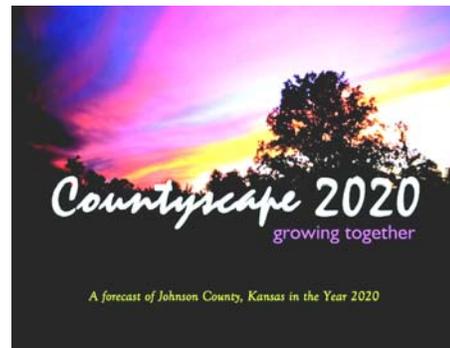
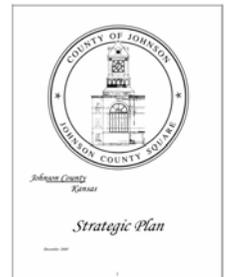
1. In 2020, Johnson County is a vibrant community with a national reputation for excellence. Despite the aging of its population and infrastructure, the County has preserved and enhanced its quality of life.
2. The County is a safe and attractive residential and business community sheltered by ample green space and providing excellent educational and cultural opportunities.
3. Bold initiatives have revitalized older areas of the County, ensured orderly growth, linked the County through a multi-modal public transportation system, and fostered a premier community arts center and cultural foundation.
4. Human services needs are addressed through innovative partnerships with the not-for-profit and for-profit sectors and a resurgence of volunteerism. The County is a strong partner in metropolitan initiatives focusing on the environment, transportation, and economic development.
5. Responsible yet creative financing approaches and a consistently healthy economy have enabled Johnson County to earn its reputation for "affordable excellence."
6. Twenty years of cooperative, innovative and visionary leadership have earned the governments of the County respect as trustworthy communicators and policy advocates. To facilitate consistent leadership, County government abandoned its ro-

tating chair of the Board of County Commissioners in lieu of a single full-term chairperson.

7. Through fidelity to its vision and guiding principles, the County has followed an ongoing course to excellence, grounded in the strengths of the past and present but reaching for an even brighter future.

10.0 COUNTYSCAPE 2020 – GUIDING PRINCIPLES OF DEVELOPMENT

As part of its 2000 Strategic Plan, the Board of County Commissioners approved *Countyscape 2020 - Growing Together*. *Countyscape 2020* serves as the County Commissioners' view how the County will look in the next 20 years, including development anticipated to occur within the unincorporated area.



The Board's ten "guiding principles" for countywide development contained in *Countyscape 2020* are summarized below.

10.1 Countywide Guiding Principles of Development

1. "Sense of Community"

Strengthening a "sense of community" should be the driving force behind all development

PART I -- Chapter 1: INTRODUCTION

decisions. Future development should be encouraged that fosters a sense of belonging and shared identity as well as a feeling of connection to each other and to the surrounding area.

2. Inter-jurisdictional Planning/Coordination

Proactive and holistic interjurisdictional planning and coordination within the region as well as within the County should be encouraged. Close collaboration, including the sharing of resources is encouraged between the County public institutions (e.g., school districts) and utility providers as well as between local governments and adjacent jurisdictions in Missouri and across county lines.

3. Capital Improvement Plans/Infrastructure Finance

Multi-year Capital Improvement Plans (CIP) should be prepared by every jurisdiction in the County to ensure there is adequate maintenance of the existing infrastructure in older areas as well as the timely installation of new improvements in developing areas.

To ensure that new development shares in the public financial burdens it creates (e.g., added roads, storm drainage, public safety), jurisdictions within the County should levy fees and taxes on new development to defray its share of these public costs.

4. Public Participation

Public participation in the planning process should be the cornerstone of the County's planning efforts. Through the Internet and other means of communications, the County should endeavor to keep the planning process open and the public well informed as well as actively involved.

5. Growth Management-Environmental/Energy Conservation

Development by both the public and private sectors should be efficient and cost-effective, adhering to the goals of "Smart Growth" and "Sustainable Development." Energy conservation and environmental protection should be key concerns affecting development decisions.

In-fill development and the maximization of existing infrastructure (e.g., CARNP) is encouraged along with support for pollution control, the conservation of open space, and the protection of riparian areas, critical woodlands, and wildlife habitats

6. Parks and Recreation

Park and recreation standards should be implemented throughout the County to ensure ample park and open space opportunities that are located conveniently for all Johnson County's residents.

PART I -- Chapter 1: INTRODUCTION

7. Multiple Nuclei

The overall development pattern for the County should continue to support the existence of multiple activity centers (employment, cultural, residential) or "multiple nuclei," a term used by geographers. Instead of developing around one major center, this network of regional, sub-regional, community, and neighborhood centers, interspersed with residential development and conveniently linked by the County's transportation system, should continue to serve the various segments of the County's diverse population and business community.

8. Choice

Corresponding to the existence of multiple centers, Johnson County should endeavor to continue to provide a full range of choices in housing, jobs, commercial services, and cultural and recreational opportunities.

Special efforts should be made to preserve and assure the availability of affordable and accessible housing through the enforcement of the County's existing fair housing and equal access laws.

9. Transportation

An integrated, efficient, and economical transportation system, including service for transit-dependent and disabled citizens should serve the County, linking Johnson County residents

to each other, to activity centers, and to the region. Land use and transportation planning should be coordinated allowing for integrated, human-scaled, mixed-use developments that are "pedestrian friendly."

10. Preservation

An ongoing effort should be made to preserve and enhance cultural, historic, and archaeological sites throughout the County.