

JOHNSON COUNTY PLANNING COMMISSION

Johnson County Administration Building
Board of County Commissioners Hearing Room, Third Floor
111 South Cherry Street
Olathe, Kansas

MINUTES OF REGULAR MEETING

March 27, 2018

5:45 p.m.

A. CALL TO ORDER

A meeting of the Planning Commission of Johnson County, Kansas, was convened at 5:45 p.m. on Tuesday, March 27, 2018, and was called to order by Chris Iliff, Chairman, with the following members present and participating; to-wit: George Lund, Pete Opperman, Randy Hutchins, Jim Neese, Teri Atwell, Dennis Bollin, Jason Meier and Roger Mason. Roxanne Morse, Hank Deters and Marc Huggins were absent. Also present were Jay Leipzig, Karen Miller and Paul Greeley, Johnson County Planning Department. Sherry Cross served as secretary to the Planning Commission.

Chair Iliff: I'll call the monthly meeting of the Johnson County Planning Commission to order.

B. APPROVAL OF AGENDA

Chair Iliff: Any changes to the agenda? I've just been reminded by Mr. Leipzig that in January, we typically elect our chair and vice chair. That was not done in January; we're now in March. So, I will put that on the agenda as a separate item. We will handle that in a few minutes.

C. CONSIDER MINUTES OF PREVIOUS PLANNING COMMISSION MEETING

Chair Iliff: Are there any objections or recommendations for changes or amendments to the minutes of the February 27th meeting? [*None.*] I was not present so I can't speak to the accuracy. It has been our pleasure over the last few years to have very, very few amendments to the minutes. I think that's great. Hearing no objection to the minutes, they will be approved as presented to us.

Mr. Leipzig: You might want to approve the minutes from the November 28th meeting. Those are on the dais.

Chair Iliff: Yes. Apparently we did not approve them?

Mr. Leipzig: Correct. We did not have a quorum.

Chair Iliff: All right. Any recommendation for changes or amendments to the meeting minutes of the November 28, 2017, meeting? Hearing none, they will be approved as presented. Thank you.

D. PUBLIC COMMENTS

This is an opportunity for members of the public to address the Planning Commission on an item which does not appear on the agenda. Comments are limited to five (5) minutes.

There were no public comments, other than an unidentified male stated he was present only to observe. He is enrolled in a college course on leadership and civic engagement.

The Chair then turned to election of Chairman and Vice Chairman of the Johnson County Planning Commission.

Motion by Mr. Bollin, seconded by Mr. Opperman, to nominate Chris Iliff as Chairman.

Motion by Mr. Neese, seconded by Ms. Atwell, to nominate Randy Hutchins as Chairman.

Motion passed 6-2 in favor of Chris Iliff for Chairman.

Motion by Mr. Neese, seconded by Ms. Atwell, to nominate Randy Hutchins as Vice Chairman.

Motion passed unanimously and Mr. Hutchins was elected as Vice Chairman.

E. PLANNING COMMISSION SUBCOMMITTEE TO CONSIDER DEVELOPMENT PATTERNS AND TRENDS

Chair Iliff: Do we have a report?

Mr. Leipzig: Yes. I'm going to provide an introduction in terms of where we are at with the Planning Subcommittee, summarize discussions, and Karen will present a more detailed PowerPoint in terms of what the possible recommendations might be. Overall, it's been great work. I think we've accomplished great things, and there was very detailed discussion about a lot of topics that we needed to discuss.

The group has met four times - January 5th, January 19th, February 23rd, and March 16th. The first meeting was an overview of the Comprehensive Plan and an introduction to CARNP and our Subdivision Regulations. The second meeting on January 19th, we talked about some of the historical aspects of developing piano key lots, or lots that front off an arterial street. February 23rd, we had a presentation from the City of Olathe, talking about development patterns that they see, and how they would like to see areas of the county developed to be compatible with their long-range plans. We also had a less formal meeting with the City of Overland Park and other cities, as well. We've tried to meet with all the fringe cities in the county and get their feedback and input on this process, which has been very helpful.

March 16th, the last meeting, we looked at preliminary recommendations, what those next steps might be, with great discussion. It was suggested at that meeting that we have a follow-up meeting with some of the local farmers, commercial farmers in the area, folks who are actually farming ground. We have a meeting scheduled for them on March 30th, which is this Friday, to get their feedback on the process. So far, it's been very well received, very positive, and I think we're going to have a good turnout for that meeting. I think we have 20 people confirmed.

Ms. Miller: Yes, 20 farming families, I think will be there. I'm actually a little concerned about the room size, but we'll get it worked out. People are pretty excited about it. Actually, there has been a lot of good side-bar conversations already. So, I think it will be a good meeting.

Mr. Leipzig: After that meeting, we want to see how you all feel about having the next meeting of the subcommittee on Friday, April 13th, which would possibly be the last meeting of the subcommittee. See if everyone would be available at that time. We can talk more about that. So, that's a summary of where we're at in terms of some of the history of the meeting dates.

In terms of ideas and moving forward, staff's idea is to make a recommendation to the Planning Subcommittee. They will officially endorse or recommend approval, formalize those, and bring those back to the Planning Commission for further discussion. I think the work that has been done will be very helpful for us long term. I think it's something that will have huge benefits for staff moving forward.

In terms of some of those ideas, I'm going to talk about a couple of things, and Karen is going to talk in more detail about some of the long-range solutions. One of the critical items that we would like to implement immediately would be changing our review processes for applications. I'm familiar with a process called a Development Review Committee, which is a formalized review of plans and applications, where you have people in the same room from the different departments - Wastewater, Public Works, possibly Parks and Sheriff, Engineering - that looks at applications cohesively. This would also include the building official. That person could look at not only building, but also fire department access, etc. It's a chance to get all the questions answered with the applicant with key staff in the same room. We basically set aside one afternoon a week, have the applicants come in in half-hour blocks, meet with all of the staff, get their questions answered, and staff could provide feedback, so they could continue to move forward and submit the application. We found that applications done this way are more complete, more closely aligned with what staff wants to see; accommodate our subdivision regulations more consistently with the long-range comp plan. It really gives us a better application, better product long term, I think. That's something that's fairly easy to implement. We just have to set aside the time to do that and set up a checklist with staff and begin that process. I think that's going to have huge dividends for us as we move forward and go through the development process.

The other component that was suggested is developing a template for the half-section lines for CARNP. I think what would be helpful where staff can work with the applicants to encourage connectivity. That's connectivity for roadways, and also for future sewer connections. We can also work with them in terms of stormwater and how to best design the site to be compatible with not only the particular subdivision regulations, but also the uses around it. We've done it in the past, Staff has done a wonderful job. But, what we really need is a more formalized process in reviewing street networks for the cities - Olathe, Overland Park, De Soto, for example - and ensuring that the development being proposed is consistent with not only our Comprehensive Plan, but their Comprehensive Plan and subdivision regulations. It's a way to provide additional connectivity and review.

As I mentioned, we're recognizing and considering the cities' future street network plans. The City of Overland Park has an extensive future road network. The City of Olathe does, as well. When we're not able to utilize the future network plans that the city has for the roadways, we can always look at the template for the half-section lines. I think with those tools, although it's not going to be perfect every time, it's enough that we can guide the development and point the applicants in the right direction of how they could find some connectivity. Even though it might change, and it's not an exact science, it's better than what we have currently. It's at least an educated guess on how we could provide that future connectivity.

The other critical piece of this is also encouraging planned unit developments. PUD's basically provide additional creativity for applications and working with developers so they meet the overall densities of the zoning district, but they cluster the developments, or it gives them more flexibility in terms of setbacks from the road, parcel sizes, location of utilities, maybe dedication for open space - There's a lot of very creative things we can do with that. I looked at the zoning regulations from Lexington Township from, I believe 1972. There was actually a PUD zoning in Lexington Township at that point. We do not have a PUD-type zoning currently in the county. However, we have something close in our PRUR District. This could be something very similar to that. In my opinion, I think our PRUR District might be overly restrictive. So, opening up some of those regulations over the traditional PUD would behoove us, and I think we'd get a better product along with that. It's not as prescribed as a standard zoning district. It requires a little more work for the developer and the applicant to come up with things that are consistent, not only with our subdivision regulations, but also working with the natural topography of the ground. It's something

where we're not just working with a prescribed notion in a subdivision regulation that you have to conform to. It just gives the applicant a chance for additional flexibility with their plans. With that, I'm going to turn it over to Karen.

Ms. Miller: The handout we gave you today is dated March 27th and is a Planning Commission update. Page 1, we'll start with staff observations and ideas for next steps. Page 2, at the top of the page, we have idea that arterial lots - meaning lots taking access onto arterial roads, also known as piano key lots - that we could control them and use them as holding zones and not barriers to redevelopment. This is new. This is an idea that staff had, and we haven't had a chance to talk about this with the Planning Commission Subcommittee, but we will talk with them about that. One possible approach is that we could look at CARNP Type I, II and III roads and allow access onto the arterial road if they meet certain frontage and acreage conditions, based on the work that's already been put into the CARNP plan. On Type III CARNP roads, we could allow 30-acre lots to take access onto the arterial if they have 1,000 feet of frontage. A Type II road, if they have 20 acres and 660 feet of frontage, they could take access. And, the Type I road, if they had at least 10 acres and 400 feet of frontage, they could take access. That's something that will be put out there for discussion. This may or may not come back to the Planning Commission the way it is now. That's just something we're thinking about after listening to everybody. Would anybody like to comment?

Mr. Neese: I have a question. Is a normal 10 acres, I mean, I'm looking at 400, 660 feet, and I don't know if you just put that number there. A normal 10 acres is like 335 and 1335 deep, something like that.

Ms. Miller: The one that is a bit of an anomaly is that Type I. If you do 400 feet of frontage and that is 1320 feet back. That would be 12 acres. CARNP is based on that 400 feet.

Mr. Neese: If somebody wants to have a 10-acre thing, they'd have to still come back in and get a special use permit? If it's going to be under the 400-foot frontage?

Ms. Miller: They'd have to do something. I mean, generally, it would be 12 acres. I put 10-plus acres because that's our zoning district.

Mr. Leipzig: To answer your question, I think that's in the way it would be written in the regulations. I agree.

Ms. Miller: Something that occurred to me is that right now in our regulations, the way a portion is written, you have to have 400 feet of frontage, but if you have 300 feet and share a driveway, then you can do that.

Mr. Neese: How many issues have we had about shared driveways, though?

Ms. Miller: I know. That's why I just said, you know, you have to have at least 10 acres and 400 feet of frontage.

Mr. Neese: Can you re-look at that?

Mr. Leipzig: To follow up on what Mr. Neese is saying, I think the overall goal moving forward is to keep this as simple as possible. I think what's happened is we have, CARNP has prescribed distances, and our subdivision regulations are more restrictive than CARNP. So then, an applicant would apply for a waiver. It's somewhat confusing because, again, we have subdivision regulations, and we have the waivers. The overall goal would be to simplify that process as much as we can. I think that's something we'll look at as we move forward so it is, for lack of a better word, kind of a common-sense approach on these things, rather than just working through the

regulations. I think we have some work to do there that will take time. I think that's the overall idea, is to simplify that as much as we can.

Ms. Miller: I think on CARNP, their emphasis is the frontages. They did the work and their recommendation was the 400 feet. I think that's the main idea here, is to bring CARNP and the subdivision regulations in sync. I mean, I hear your point, that the 3-whatever by 1320 is a more typical parcel. Also, Public Works would probably need to be involved in that, too. That comment is noted and we'll think about that and get coordinated on that. Is there any other discussion about that?

Comm. Hutchins: Jim, can you share some of your experience on the shared driveway? What has been your experience with the shared driveways?

Comm. Neese: I haven't been on this board that long, but 40 years of zoning boards has given me some experience. Many, many times, somebody asks to do 10 acres. It's a normal split, I think. The problem is that in certain situations, people want to take 30 acres or 40 acres and they want to split it up, maybe rightly so, an extra driveway or two on a main arterial. So, staff recommends that they have shared driveways. I'm not a real estate developer, but shared driveways don't help the sale of lots or the sale of land. It's really not a preference, as far as I'm concerned. So, if we do this, we're going to be right back to where we are. Somebody wants to split 20 acres into two 10 acres and it's not going to be 400 feet. Now we have to take it to the county commissioners. We're not really gaining anything.

I think we determined from the subcommittee meetings that 10-acre lots are not necessarily evil. It's a marketing situation when you have a shared driveway, but it's a problem because you have another driveway out onto a main road. So, it depends on the road. The county is so diverse land-wise. Where we live on the west side is much different than off of Mission Road. So, it's a tough decision to make. But, if we're going to have lots like this, I don't think you're going to gain much if you go to 400 feet.

Comm. Hutchins: You all (inaudible) comment several months ago, where he mentioned that fewer mailboxes is fewer obstacles with farm equipment. I was just curious if there are issues with people having shared driveways, two houses going into one at the entrance of a road. I was just curious what you guys' experience has been from that perspective.

Comm. Atwell: I'll tell you one that happened with our zoning board over off of 143rd Street. This was before you came. I believe it was, I don't know if it was five acres or 10 acres that one of the farmers wanted to buy from the guy that had the house. They had a shared driveway. The issue was the farmer was going into his field to farm, and with his big, heavy equipment, he was tearing the driveway up. Then, it becomes an issue of, is he going to fix it fast enough? And, does the farmer always have to fix it? That became an issue with them. So, we granted another driveway.

Ms. Miller: And the County has differing perspectives on driveways. Public Works has expressed reservations about shared driveways because when there is an issue between two property owners, sometimes they get pulled into it, and it can be a difficult situation for them, too. So, our Public Works department has some negative feelings about that.

Comm. Opperman: To me, a real boiled-down thing about the 400 feet is the way pretty much any square mile is broken up. It's broken up into 160, 80s, 40s or 20s, and any 40-acre tract pretty much that you break into four 10-acre tracks is 330 feet wide. That's where the driveway spacing should really come in. And obviously being high points, or low points, site-distance wise, etc. That kind of stuff. Just the way real estate is broken up. It makes sense to make 330 feet with those 10-acre lots.

Comm. Neese: Randy, I do not recollect any problem with farm machinery out in our area. The only problem they sometimes have is the county roads are too narrow, but that's a different situation. But I don't recall ever anybody having problems getting farm equipment up and down the roads in our area. There are lots of 10-acre lots out there. And there's lots of farm ground, too.

Comm. Meier: I would reflect on Pete's comments, as well. The distance of 335 feet, that works out great when you have 10-acre lots. Piano keys, as we're calling them. I like the idea of arterial access lots versus piano key because a lot of people have different ideas for that. But I'm not taking credit for that. It was Pamela's idea. As I understand where staff is coming from, and probably where Public Works is coming from, having access limited to 400 feet, but perhaps there's a compromise where site distance isn't an issue. If we have properties that are undulating up and down, then it probably does make sense that it's 400 feet of frontage because it's safe. It's safer when you don't have as many driveways when it's going up and down. But, when we're at the top of the hill and it's as flat as a pancake, I think maybe grade comes into effect, and then, maybe we can allow lots that are 335 feet wide at that point. Because then site distance isn't a safety concern. So, I'm pretty sure that's why the 400 feet is there. It's a safety concern with having that many driveways. We're trying to protect people as they're pulling out of their driveways. So, that might be something to consider.

The shared driveway thing, unfortunately, we don't like to share out in the county. Nobody likes to share. And it's difficult to sell lots that are shared driveways. But perhaps there's a standard short stub entry that's a county-approved standard, that's maybe 24 foot wide and 30 foot deep. Something that comes in, then the two driveways pull off of that. Not a cul-de-sac, just something simple that makes it easy for mail delivery, for access. I'm just brainstorming right now. These are things we can talk about on the subcommittee. But, just as an idea, if the situation did not allow for, if you have 20 acres, to get two 10-acre pieces because you're limited on frontage, that it might be an option if you did something like that. Then, it's not really a shared driveway. It's just a shared access point, one point, and they split off from there. I'm just throwing out some ideas.

Ms. Miller: And in terms of that idea, I know Public Works is concerned about accruing a lot of small things like that that they would have to be responsible for in terms of upkeep, servicing, clearing snow, etc. That would be one thing. And at some point, that would be a significant County cost, if we have a lot of those. That would be one thing to keep in mind.

Comm. Meier: I was definitely thinking it was privately owned and built, so it would be owned by the two property owners who share. Trying to get away from that, just trying to think of another way to --

Comm. Opperman: There could be a lot of situations where in any 40-acre tract that someone is trying to break up into four-10s to get that 330-foot distance, there's just not safe sight distance opportunities. So, they have to share a driveway in order to make it work. So, you put it where their property line is, or - Well, you real estate guys are going to say, you know, you don't want an easement going across one guy's onto another piece of land to get that safe access. Everything is going to have to be looked at individually, basically.

Ms. Miller: This would be something that, getting that development review committee, where we would have Public Works, and Planning and the designer in the same room, getting the Planned Unit Development - those might be some better opportunities.

Comm. Opperman: Yeah, that review process is definitely going to help hash all that out. I've been to one in Lenexa, and Olathe, and they do. I mean, all those different departments, and whoever is involved in the meeting - that's the whole purpose. Get it figured out right the first time.

Comm. Neese: If you have the 400 feet and that becomes a rule, okay, and you think (inaudible) of that is going to have to be through a process and waiver again. What I hear you saying, it's something you're going to have to work out. If it's after you pass, we make the new thing 400 feet, then until you get around to working that out, you're going to be right back to where we were.

Ms. Miller: I'm at a disadvantage because I wasn't around when they did the CARNP study, so I'm not recalling why they struggled --

Comm. Neese: There probably was no discussion. I went to a lot of those meetings. They were probably, 400 feet sounded good. Nobody said 325 feet, really.

Mr. Leipzig: I would say, as a general point, a lot of it is going to depend on how the regulations are written. Maybe it's something where we have a minimum, but through the PRUR zoning, that restriction would not apply. We look at sight distance, intersections, and that would be evaluated.

Comm. Neese: And the site distance is 400 feet --?

Mr. Leipzig: It is 400 feet, currently. That could be part of the --

Comm. Neese: Because we just had one on Lakeshore, and it was subject to the sight distance.

Ms. Miller: We have been talking with the cities and they mentioned that they would really like to have more meetings and get coordinated between our fringe areas and their comprehensive plans and their road network plans. That would be a long-term goal and will take time and effort on the Planning Department part, to keep going with that.

Comm. Neese: Karen, would you put in that example that you used, that they do not want two-acre lots to the west. They also said they didn't have any problems to the south. That needs to be in there.

Ms. Miller: That's a good point. The De Soto example was really kind of striking, in that, you know, to the west, they really felt that as being something they wanted to protect, but to the south, they were very okay with a different development pattern.

And then, we're wanting to underscore a few issues that have been brought up in multiple conversations. Not wanting to have some unintended consequences after we're done with all this. If we do allow these arterial lots, are we going to be happy with the results? Do we think that that will be in keeping with the rural character of the county? I want to keep that in the conversation so we aren't upset and surprised going forward.

And then, acknowledging that if we remove that barrier of having to build a local road, our development rate will increase. And also, acknowledging that when we have these arterial lots, when the infrastructure is available, sewers are available, and people come in to redevelop those lots, that it will cause some sort of density conflict at some point. Also, we've heard some farmers mention that when they have their farms, when the arterial lots come in, that can cause a conflict. So, acknowledging that we've heard that in our conversations. Any comments on that?

Comm. Hutchins: I think it's a good point that you made, and there's been a lot of conversation amongst myself and the farmers. On one hand, we want to make sure the farmer has the ability to get the most value from the land. But, on the flip side, exactly what you said. What we don't want to have happen is relax the rules and regulations to the extent we have developers coming in from all over the country, buying up land and sticking houses on them. Then we essentially lose our farmland. So, it's a very valid point. I don't know that we have the answer right now, but I think it's something that we all need to be aware of and try to think how we balance the two.

Ms. Miller: Yeah, how to balance it within the confines of what we can do with those zoning regulations. One idea to keep in mind going forward is that our zoning regulations have to be uniform. So, within the zoning district, you have to treat things equally, and that's what makes it difficult. That's what I've been thinking and trying to overcome. So, this will be an interesting discussion.

Mr. Leipzig: An additional comment about ensuring that the County's Comprehensive Plan is consistent with other cities in the county. The timing on that is actually very good. The City of Overland Park is starting their Comprehensive Plan. The City of Gardner is updating theirs. The City of De Soto is updating their Comprehensive Plan. So, the timing of things, just organically, is very good in terms of, that's a long-term idea that we'll have to look at, to make sure we have coordination there. At least start those discussions, and establish regular meetings with fringe cities, I think is important. Especially De Soto, where our Comprehensive Plan is not consistent with what they are proposing in their comp plan at all. That's something we will need to look at carefully and make sure we have consistency between those plans.

Ms. Miller: I'm wondering if that means if we might, once we talk with the cities, if we will be looking at our urban fringe policy plan, if that needs to be changed in terms of accommodating the cities, or if it's good. That's just something in the back of my mind.

Those are our ideas going forward. We'll be meeting with the farmers this Friday and I'll be bringing up some of those issues with them. Hopefully, on the 13th of April, we will meet with the subcommittee and agree with a direction and bring it to the Planning Commission. At that point, we will hopefully start pinning down the areas in our regulations and our comp plan where Planning staff should spend their time, working on and modifying. I think that's generally the direction.

I wanted to also point out on page 2 of the handout, I summarized the perspectives from the development community. That's something new since we last met with the Planning Commission. A lot of what we talked about at that meeting has been incorporated in our ideas going forward. I was pleased with the information that we got. It was very helpful. I heard from the development people that they agreed with the idea of the CARNP frontage requirements, that there's something definitely different about the Type III CARNP versus Type I, which needs to be protected. That planning for connectivity with roads and sewers is a good idea, and they like the idea of the development review committee and talking about connectivity with the planners. Also, we talked to them about the arterial lot subdivisions, and we asked them about the perfect size, and they thought the idea of a 10-acre lot building block is a good one. Twenty-acre was too big and hard to finance, and when you get less than 10 acres, there starts to be too many landowners and assembling lots becomes difficult.

There was some discussion about the 400 feet of frontage. The idea when you have that extra width, you did have some land to play with so that you could do some connectivity.

Comm. Neese: What's your definition of "land to play with?"

Ms. Miller: It gave you some flexibility. And they recognize, yes, we're thinking about connectivity, we're thinking about maybe having some easements along the half section line for future roads, but ultimately when you come to do it and reassemble it, there might be some issues getting things put together. And this recognition that not all piano keys are perfect rectangles and you need a little bit of flexibility. That's it for me. Are there any other comments?

Comm. Bollin: My only comment - and I mentioned this in the subcommittee meeting - is that several mentioned how important it was that the County's comp plan and CARNP supported their

plans and not conflict. Over the years, we've always asked them if they had an opposition or ideas that they wanted to interject in our zoning, and they always sent back a letter saying no, they didn't have any comments to make, or anything like this. But yet, when it comes back to the actual thing being done, they didn't like our approval, or our plans. So, I just want it in the record that they also need to get with us on this planning from now on, join with us in this planning, so we know what's going on, and their thoughts about future plans for the county, and with the cities, too.

Ms. Miller: So, providing more comments.

Comm. Bollin: Providing thoughtful comments about what needs to be done.

Ms. Miller: You know, the fringe area is difficult. We're the County, not the City, and we don't have their regulations adopted. We're not going to require everything done to city standards, but what we do needs to not stand in the way. If they ever annex into the county.

Comm. Bollin: Right, but they can give us an idea of what they have in mind so we can work with them for the future, instead of doing it our way, and to heck with them.

Ms. Miller: Absolutely. Any other comments? [*None.*] I'm done.

F. FUTURE PLANNING COMMISSION DISCUSSION TOPICS

Mr. Leipzig: Just a quick update. We were hoping this evening we would have a revised dry sewer policy available for your review. We wanted to make additional changes. That document is not quite ready. We do anticipate having that before you in May. Our next regularly-scheduled meeting is April 24th, which is the date of the national planning conference, and several of us will be out of the office that day. I wanted to see if you all were interested in cancelling that meeting and bringing forward the dry sewer policy in May. That product is consistent with what we've talked about this evening, about the connectivity and planning for those things. We are excited to bring it to you.

Also, we will have a full report at our next meeting on the recommendations of the Planning Subcommittee, along with a detailed description of the subdivision regulations and what needs to be changed. Those two items will be on your agenda in May.

Comm. Atwell: I have something that I would like to add to future planning discussions. I have a print-out here, but what I would like us to do is come up with some type of simple solution for minor lot line adjustments. Diane will totally understand this. I've been thinking about this for quite some time, but then, an issue came up that I got involved in, and I feel like it is a perfect example where this would help. Right now, for a simple lot line adjustment, we're requiring preliminary and final plat to be made. I think this regulation change would benefit the citizens of the unincorporated area, I think it would definitely help the Planning Department. I have had discussions over at Allenbrand-Drews, and it would be beneficial to them. However, it would prevent them from making as much money, but they're okay with that.

So, the three areas where I see this would be beneficial would be for, like a fence line, where the fence line was put up years and years ago. And there are properties such as the one that I'm going to pass out, that somebody comes in, buys Lot 1, somebody buys Lot 2, they have it surveyed, and they realize the fence line is three feet over the property line. But, instead of going to the expense of tearing it out and moving it, hypothetically, the property owners make an agreement to just re-draw that property line. Very simple. The way it stands now, they'd have to go through the hassle of replatting it, and according to the people I've talked to on the engineering side, it's upwards of ten grand. So, that's where it could be simple.

The one I'm going to pass out is where shared - Jason doesn't like shared driveways. This is going to basically be a shared pond by less than two-tenths of an acre. The individuals really want sole ownership of the pond, and we thought it was going to be a simple, let's redraw, stay on the same property lines, just cut out that little triangle, get back on the property line, and it could go over to one, where it's one sole owner. Well, they can't do it because it requires preliminary and final platting, and it's very expensive.

The third one would be - this may come up because we have another situation - two properties where there is a little building that very well could verge on that second lot. Well, instead of making a preliminary and final plat of it, just do a minor - and I'm saying "minor" in quotes, because that's the key word, "minor" lot line adjustment. This isn't for dividing a piece of property or splitting ten acres into two five's. These are minor lot line adjustments. So, I'll pass these out so you can see what I'm talking about. [*Distributing document.*]

I also included a form from Miami County. This is how they do their lot line adjustments. It's very straightforward and simple. I tried to just highlight the portion in yellow so you can see how they go about doing it. I think we could come up with a solution where we could maybe make it administratively, that based on the Miami County rules, you could kind of follow that, where they go in, they have the piece of property, I think - if I read this correctly - and you go in, have it drawn out, have it surveyed, have a new legal description made, and they take it to Miami County. Administratively, they look it over, does it look good, we can approve it. Something that simple. And I don't think it's going to come up that often, but for the few times it might come up, I think it would be really beneficial for the citizens to not have to go to that kind of expense. I think we worked something out on this other one, but it's not - Personally, I wouldn't want to do it because it's an easement, and I wouldn't want to be responsible for that portion of the pond if I'm not using it, but I'm still technically responsible for it. So, if someone gets hurt, that legal description of that less than two-tenths is still on my legal description.

Chair Iliff: Ms. Atwell, I think this would be a great topic for future discussion. I think the argument has already been made, and it's a pretty strong argument for an administrative remedy for a minor lot line adjustment, but obviously it has to go through the long procedure in order to have it be official. But I think anything that reduces the cost to landowners for private matters that have no public concern or issue involved with it, I think that makes a lot of sense.

Comm. Atwell: This is the way I'm looking at it. In all honesty, it will never probably affect more than two properties. The property that it would affect would be so minimal that I just don't think it would cause future issues of dividing it, because you're not really dividing. So, I appreciate you guys looking into that and see if we can come up with a solution for everybody.

Mr. Leipzig: I was surprised we don't have a minor lot line adjustment procedure in the County, which is somewhat unique. So, agree it's something we could look - There's all kinds of examples we could look at.

Comm. Atwell: I appreciate it. Thank you.

Chair Iliff: With regard to future Planning Commission discussion topics, I note two items that I'm not familiar with. One is the new Kansas Wireless Deployment Act. Is anyone here familiar with that and what it says to us as a Planning Commission with regard to cell towers? I just don't know. I'm curious.

Ms. Wicklund: I don't know much, but, it doesn't really have to do with cell towers. It's more about this new technology, you know, where they sometimes make it look like utility boxes. Very short. But I think it helps expand the service area without building a whole new tower. So, this

Deployment Act came into effect a couple years ago, and it also has to do with the ability to do work in the public right-of-way. So, what we're wanting to do is update our regulations, get up to speed with that.

Ms. Miller: This will not really affect the traditional 150-foot cell tower that's on private property. That will remain the same.

Comm. Opperman: Does this have anything to do with those short antenna things that go on top of light poles now, possibly, instead of cell towers?

Ms. Wicklund: I think it can be part of that. Because they have something called small cell sites, which can be multiples of those, like 10 or 20. They call it a small site.

Comm. Opperman: This isn't all in public right-of-way, like street right-of-way.

Comm. Neese: Yeah.

Comm. Opperman: Where are we at on that thing sitting on top of light poles?

Ms. Wicklund: I think us being able to update our regulations to match up with this law will help that. I don't think we've had any requests yet, but we are anticipating that, so we want to try to get some regulations in place that match up with the new law, so we can handle those and process building permits for those quickly and timely.

Mr. Leipzig: One of the issues if we don't provide comments or review within 45 days, it's automatically approved. That is one of the provisions of the new law. That's concerning, making sure we've got the procedures in place to at least review them, and steps and process for those applications.

Chair Iliff: Is there anybody here at the table with any expertise on the new Supreme Court sign decision? Don't feel compelled to comment on it.

Ms. Wicklund: Yeah, it's just that, you know, there was a new court case, probably a few years old by now, that we can't regulate content, just structure, in terms of size and setback. Our sign code now is what they would call content-driven, so we really need to get that updated, as well.

Comm. Opperman: That's kind of related to the Three Billboard movie? [Laughter.]

[Off-topic comments.]

Mr. Leipzig: The advantage of the new sign regulations is that the City of Lawrence is in the process of updating their sign code, so we've got some examples out there that we can use as reference.

G. UPDATES/OTHER BUSINESS

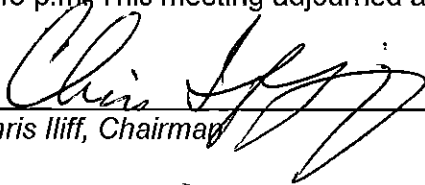
[After short discussion, it was decided to cancel the April 24th Planning Commission meeting.]

Mr. Leipzig: Regarding the national planning conference, it's held every year in a variety of cities. I don't believe Planning Commission members have attended the national conference, but in looking at our budget for next year, one thing I would like to start doing is send two members of the Planning Commission to that national conference every year. I will let you all pick who would attend, if you want to do it on a rotation basis, or whatever is most convenient for you. I think you all would get a lot out of it. There are great speakers from a national and international perspective. There are seminars, and mobile workshops on rural issues, etc. I think you would get a lot out of it and be interesting to you.

Chair Iliff: I think that's a great idea, and I appreciate you bringing that up. Given the appraisals that most of us just got on our houses, the County is going to be flush with money next year. [Laughter.] Thank you.

ADJOURNMENT

The next regularly scheduled Planning Commission meeting will be Tuesday, May 22, 2018, at 5:45 p.m. This meeting adjourned at approximately 7:15 p.m.



Chris Iliff, Chairman

ATTEST:


Secretary to the Board