

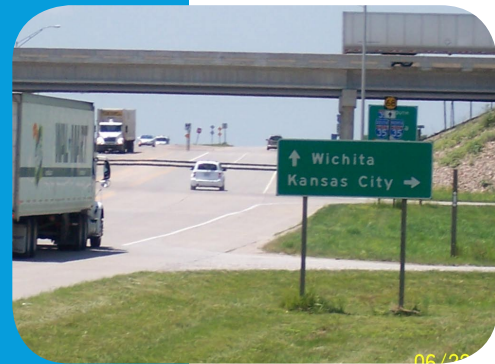
K-68 Partnership Planning

Creating our Future

Corridor Management Plan

October 2009

prepared for: the Kansas Department of Transportation, Franklin County, Miami County, and the Cities of Ottawa, Paola, and Louisburg, Kansas



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Executive Summary

BACKGROUND

The K-68 corridor between US-75 and the Kansas / Missouri state line is an important east / west arterial roadway located in the southwest corner of the Mid America Regional Council metropolitan planning area. The rapidly growing communities of Olathe, Overland Park, Gardner, and Spring Hill in Johnson County, Kansas are located just north of this corridor. The portion of K-68 in the Corridor Management Plan study area, links the communities of Ottawa, Paola, and Louisburg, as well as providing access to Missouri Route 2 and Missouri Route D. Within the boundaries of this corridor plan, K-68 intersects the major north / south highways of I-35 on the west at Ottawa, US-169 in the middle of the corridor at Paola, and US-69 at Louisburg on the east.

The cities of Ottawa, Paola, and Louisburg, as well as the counties of Miami and Franklin, have all identified K-68 as a major traffic carrier and growth area for their communities. All of these communities are situated on the next ring of expansion of the Kansas City metropolitan area and anticipate significant residential, commercial, and industrial growth within the next 20 to 30 years. These agencies partnered with KDOT and were awarded funding for a corridor plan through KDOT's Corridor Management Program.

PLAN OVERVIEW

The purpose of the K-68 Corridor Management Plan is to be a useful coordination tool that each of the partner agencies agree to follow and update as necessary. Its intent is to set a common vision for the type of roadway that K-68 will be in the future and to facilitate orderly growth throughout the K-68 corridor.

The planning boundary for the K-68 Corridor Management Plan stretched 34 miles along K-68 from I-35 in eastern Ottawa to the Missouri State Line, approximately two miles east of Louisburg. The K-68 corridor planning limits included areas about 1 mile north and south of K-68 and the urban development area of Paola between K-68 and the Paola City limits.

During the development of the Plan, the consultant team focused on major components in detail:

- Public Involvement
- Future Land Use Projections
- Traffic Analysis
- Improvement Recommendations
- Implementation Strategies
- Gap Analysis

PUBLIC INVOLVEMENT

The public involvement process for the K-68 Corridor Management Plan focused on achieving quality public participation that brought people together to resolve issues, established communication between different stakeholder groups, and found solutions to problems. The public involvement process supported the idea that public involvement should be timely, useful, and used. In keeping with this idea, the

goals for the K-68 Corridor Management Plan public involvement process included:

- Maximizing the effectiveness of communication between stakeholder groups
- Increasing responsiveness to stakeholder key issues and concerns
- Securing informed consent from stakeholders regarding the management plan and its outcomes

Steering committee meetings, public officials' briefings, stakeholder meetings, public meetings, internet, and the media were used to share information about and gather feedback for the corridor management planning process.

During the planning process, the public involvement activities complimented each phase of the project. See the following table for a detailed schedule of public involvement meetings.

Table: Detailed Schedule of Meetings

Meeting	Date	Location	Topic
Kick Off	March 4, 2008	Paola	Project Purpose and Goals, Project Expectations, Market Growth Methodology, Public Involvement Plan
Steering Committee #1	May 5, 2008	Ottawa	Project Purpose and Goals, Project Expectations, Market Growth Methodology, Public Involvement Plan, Existing Data Collection
Public Officials Briefing #1	May 22, 2008	Ottawa	Goals and Outcomes of Corridor Plan
Stakeholders	June 6, 2008 June 23, 2008 August 4, 2008	Paola Conference Call	Corridor Vision, Land Use and Economic Development, Growth Constraints
Steering Committee #2	October 9, 2008	Louisburg	Market Demand for 2010, 2020, 2030
Steering Committee #3	February 12, 2009	Ottawa	Future Land Use, Projected 2030 Traffic Volumes, Existing and Future Deficiencies
Steering Committee #4	April 2, 2009	Paola	Revised Future Land Use, Future VISUM Traffic Model, Revised Projected 2030 Traffic Volumes, Future Levels of Service with No Improvements, Improvement Alternatives
Public Officials Briefing #2	April 30, 2009	Paola	Review Improvement Alternatives
Open House #1	May 5, 2009 May 7, 2009 May 14, 2009	Louisburg Paola Ottawa	Review Improvement Alternatives
Steering Committee #5	May 21, 2009	Louisburg	Preferred Improvement Alternatives and Corridor Plan Plates, Improvement Priorities, Gap Analysis and Corridor Regulations
Steering Committee #6	June 11, 2009	Louisburg	Revised Corridor Plan Plates, Revised Corridor Regulations, Draft Plan Outline, Review Plan Acknowledgements
Steering Committee #7	July 9, 2009	Paola	Review Draft Plan
Public Officials Briefing #3	August 27, 2009	Ottawa	Review Draft Plan
Open House #2	September 3, 2009 September 10, 2009 September 15, 2009	Paola Ottawa Louisburg	Review Draft Plan

FUTURE LAND USE PROJECTIONS

In order to develop future land use projections for the K-68 corridor, a market analysis was completed for Ottawa, Paola, and Louisburg. The analysis included a review and projections of each city's primary market sectors (residential, retail, industrial and office) from 2000 to 2030. Three growth projection scenarios were developed for each of the cities: low, intermediate, and high.

As a result of the market analysis and input from the Steering Committee members, public officials, and other stakeholders about development constraints, opportunities, and priorities, a series of land use maps were prepared for the K-68 Corridor Management Plan. The maps included general location and type of development associate with each scenario. As expected, the Low scenarios show minimal growth and the High scenarios show significant growth in each city. The High Land Use Scenario exhibit displays the projected future land use for Ottawa, Paola, and Louisburg.

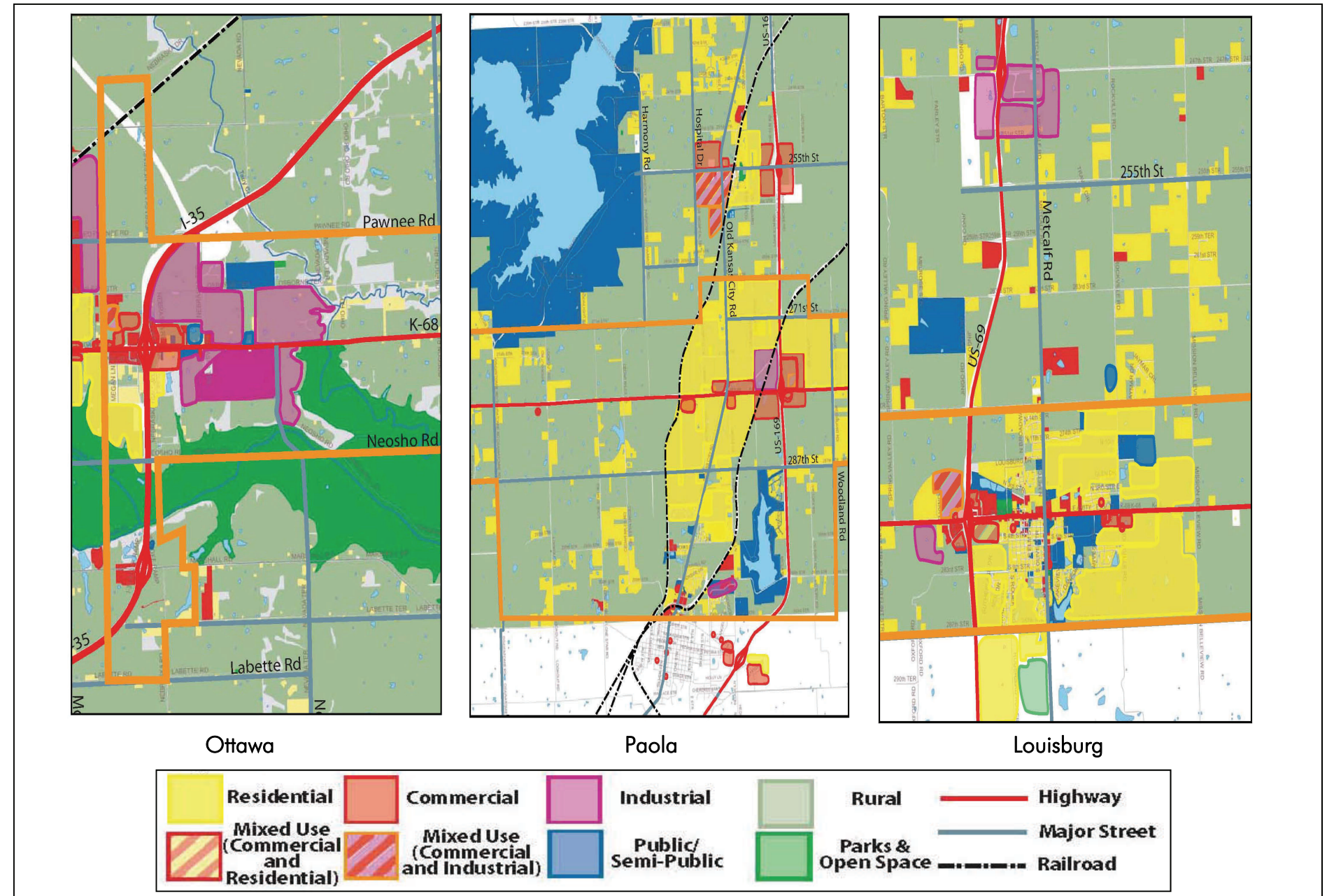


Exhibit: High Land Use Scenario

TRAFFIC ANALYSIS

The traffic analysis component of the K-68 Corridor Management Plan incorporates information on the existing transportation network, such as traffic volumes and intersection features, with existing land use data to create a computer travel demand model that replicates existing traffic conditions. Using information gathered from the general public, area agencies, and future land-use plan, the computer model was used to project future traffic growth scenarios along the K-68 corridor. The consultant team used these computer generated traffic projections to identify future traffic congestion at intersections and along segments of the corridor and to determine improvements projects needed to keep traffic flowing efficiently along the corridor.

The Travel Demand Model exhibit depicts the street network and the traffic analysis zones that were used to generate future traffic volumes.

IMPROVEMENT RECOMMENDATIONS

Using the information from the traffic analysis, the consultant team identified some localized deficiencies, which should be addressed as time and budgets allow. The team also identified future improvement needs as a result of the expected continued increases in land use development and traffic volumes.

As part of Chapter 5, a summary of the existing and future improvement recommendations was created. This summary identifies locations, timeframes, triggers, and construction cost estimates for the various improvement recommendations. This summary also includes alternatives which should be considered to address capacity and / or safety concerns at some locations.

A series of schematic improvement plan “plates” were also developed to illustrate the types and locations of the recommended improvements. These plates are included in Appendix B.

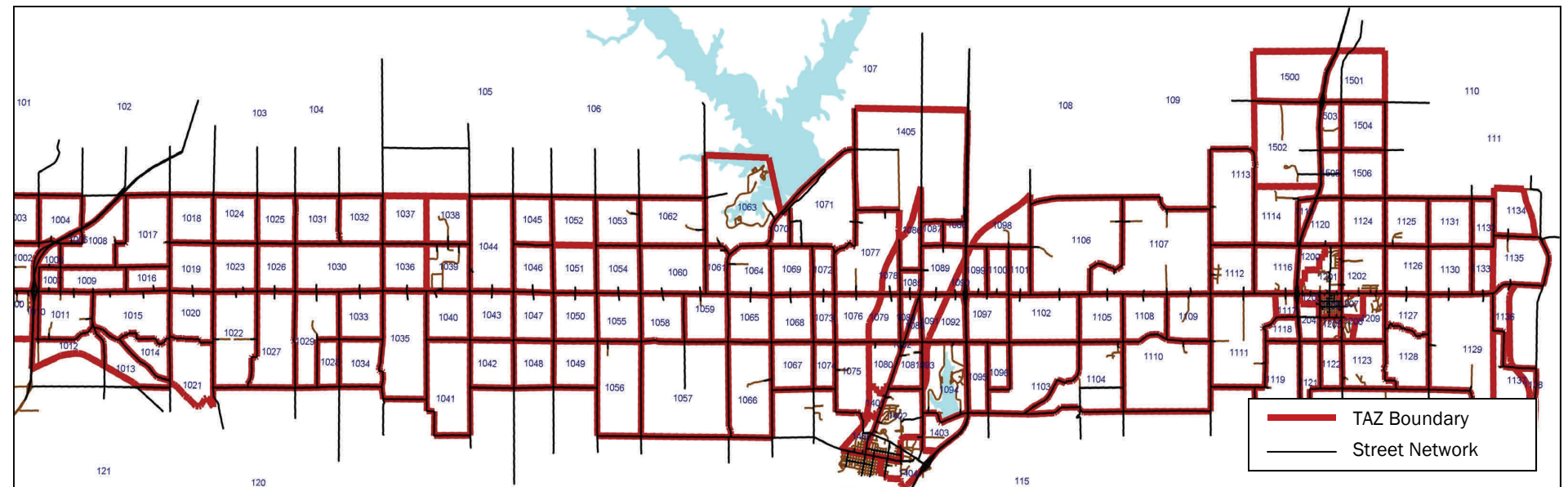


Exhibit: Travel Demand Model with Traffic Analysis Zones

IMPLEMENTATIONS STRATEGIES

This Chapter of the Plan describes a series of techniques that can be used by the partners to help turn the maps, illustrations, policies, goals, strategies and recommendations of the Plan into the actual facility improvements and the associated development patterns envisioned by the Plan.

The tools described in this Chapter, when put into place, have the supplemental benefit of establishing additional criterion against which state, county, municipal and utility improvement plans and private development proposals can be evaluated, as each is brought forward through time. The techniques described in the Implementation Strategies chapter is divided into three major sub-sets: Corridor Preservation Strategies; Access Management Strategies and Financing Strategies.

Having these supplemental criterion in place will give all parties greater assurance that all the resources the parties put toward creation of the K-68 Corridor Management Plan are realized upon and that the vision for this Corridor becomes a well-functioning component of each community.

GAP ANALYSIS

The Gap Analysis is one final, critical part of the K-68 Corridor Management Plan, providing each of the local partners detailed information to assist in full implementation of the Plan recommendations within their individual jurisdictional boundaries.

The chapters, Implementation Strategies and Gap Analysis, are intended to be used in conjunction with one another to implement this Plan. The objective of the Implementation Strategies chapter is to identify an array of techniques communities along the corridor can employ to implement the recommendations of the Plan while the Gap Analysis is designed to identify instances where techniques discussed in the Implementation Strategies can be added to the communities arsenal of tools to be used, when the situation dictates, to implement the Plan

As a part of the Gap Analysis, the Consultant team carefully analyzed the development codes of each of the five local community partners, with the goal of identifying locations within those codes where each community should consider making revisions to their codes to give them additional authority to implement the separate recommendations of the Plan and to help make the short and long term vision for the K-68 Corridor, as expressed in the Plan, become a reality.

Chapter 1—Introduction

K-68 CORRIDOR MANAGEMENT PLAN PURPOSE AND NEED

The Kansas Highway 68 (K-68) corridor between US-75 and the Kansas / Missouri state line is an important east /west arterial roadway located in the southwest corner of the Mid America Regional Council metropolitan planning area. The rapidly growing communities of Olathe, Overland Park, Gardner, and Spring Hill in Johnson County, Kansas are located just north of this corridor. The portion of K-68 in the Corridor Management Plan study area, links the communities of Ottawa, Paola, and Louisburg, as well as providing access to Missouri Route 2 and Missouri Route D. Within the boundaries of this corridor plan, K-68 intersects the major north / south highways of Interstate Freeway 35 (I-35) on the west at Ottawa, U.S. Highway 169 (US-169) in the middle of the corridor at Paola, and U.S. Highway 69 (US-69) at Louisburg on the east.

The cities of Ottawa, Paola, and Louisburg, as well as the counties of Miami and Franklin, have all identified K-68 as a major traffic carrier and growth area for their communities. All of these communities are situated on the next ring of expansion

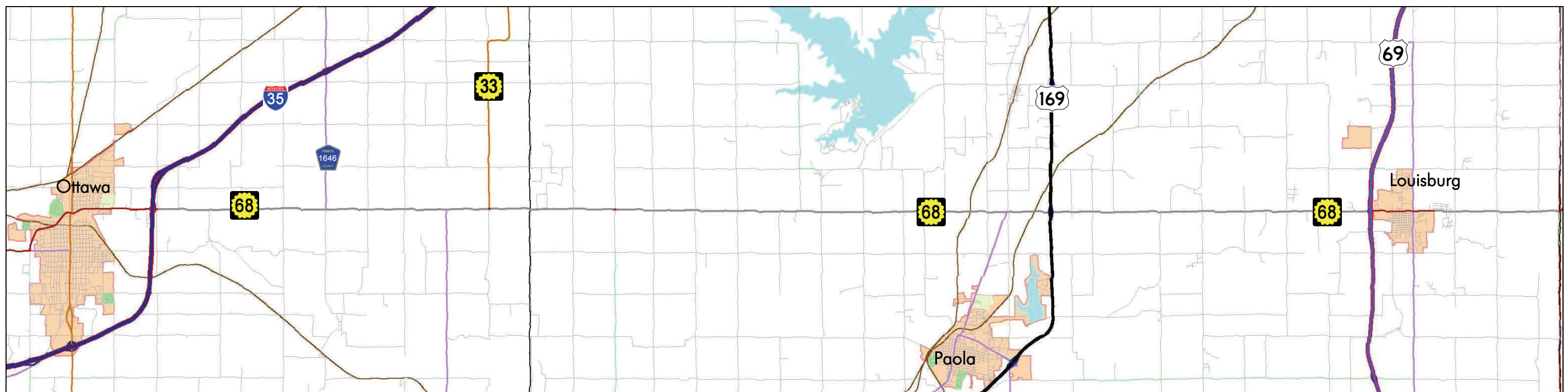
of the Kansas City metropolitan area and anticipate significant residential, commercial, and industrial growth within the next 20 to 30 years. These agencies partnered with KDOT and were awarded funding for a corridor plan through KDOT's Corridor Management Program.

In February 2008, the study partners selected GBA, of Lenexa, Kansas to prepare the K-68 Corridor Management Plan. To assist with the development of the plan, GBA recruited the public involvement and marketing firm Patti Banks Associates of Kansas City, Missouri and the law firm Stinson Morrison Hecker, LLC of Kansas City, Missouri.

The purpose of the K-68 Corridor Management Plan is to be a useful coordination tool that each of the partner agencies agree to follow and update as necessary. Its intent is to set a common vision for the type of roadway that K-68 will be in the future and to facilitate orderly growth throughout the K-68 corridor. In order to develop the K-68 Corridor Management Plan, the consultant team completed comprehensive review of

transportation issues, expected land use configurations, local regulatory policies / ordinances, local infrastructure, and general economic conditions within the planning area. The Corridor Management Plan outlines a strategy for sustainable corridor development by:

- Following a process that seeks input from the public regarding their perceptions, issues, needs, and vision for the corridor
- Analyzing existing and future traffic conditions and recommending improvements that will help maintain / improve traffic safety and operations as the corridor further develops
- Creating an "Access Management" plan that provides safe, reasonable access to adjacent development
- Identifying favorable land use patterns that complement K-68 and benefit the communities as a whole
- Analyzing recent economic trends to determine what growth the local economy can reasonably expect in the coming years
- Providing the associated communities implementation strategies, access management strategies, as well as funding mechanisms to assist in the cost of infrastructure improvements



KDOT'S CORRIDOR MANAGEMENT PROGRAM

Corridor Management Plans are one of the tools KDOT uses to deliver a safe and efficient highway system to the citizens of Kansas. Agencies that develop and follow such plans are eligible to receive KDOT Corridor Management funds to assist in the financing of recommended construction improvement projects.

Corridor management plans are developed by communities to create strategies for preserving highway investments by maximizing safe and efficient traffic movements and providing reasonable, safe access to adjacent development and to facilitate the preservation of existing infrastructure and help position communities for sustainable growth.

PROJECT DESCRIPTION

The planning boundary for the K-68 Corridor Management Plan stretched 34 miles along K-68 from I-35 in eastern Ottawa to the Missouri State Line, approximately two miles east of Louisburg. The K-68 corridor planning limits included areas about 1 mile north and south of K-68 and the urban development area of Paola between K-68 and the Paola City limits.

The terrain of the K-68 corridor is generally flat throughout much of the 34 miles but there are segments where significant rolling terrain is encountered primarily near Paola in the central portion of the corridor. The major population centers along the corridor include eastern Ottawa, northern Paola, Hillsdale, and Louisburg. The corridor is mostly rural with some retail development near the Louisburg Cider Mill and within the urbanized sections of Ottawa and Louisburg. Some sporadic residential development has occurred along the K-68 corridor.

The development of the K-68 corridor management plan consisted of five major components:

Public Involvement: The public involvement portion of the K-68 Corridor Management Plan was an ongoing task for over a year. The consultant team conducted numerous stakeholder interviews and a community questionnaire, developed an electronic newsletter, and worked with a technical steering

committee. In addition, the consultant team conducted multiple open-house meetings throughout various stages of the study to gather community input. The meeting locations were rotated through the three cities along the corridor to promote community involvement at all stages of the project. The entire public involvement effort was focused on providing updates regarding important study information and to build community consensus for the final K-68 Corridor Management Plan.

See Table 1.A on the following page for the project schedule of the public involvement process.

Table 1.A: Project Schedule

Phase	Timing	Activity
Data Collection*	May – September 2008	Data Collection
Analysis	October 2008	Land Use Plan
	February 2009	Traffic Demand Model & Deficiencies
Improvement Alternatives*#	April – May 2009	Additional Regulations
Preferred Alternative	May 2009	Preferred Alternative & Selection Criteria
Documentation*#	June – August 2009	Draft Plan
	Fall 2009	Final Corridor Management Plan, & Interlocal Agreements

*Public Officials Briefings

#Public Meetings

Market Analysis: The consultant team completed a market analysis to determine the attractiveness of residential and commercial markets surrounding the corridor. This analysis provided assumptions on growth relating to the corridor over the next 20 years and separated that growth into a few categories. These categories included residential, commercial, office, and light industrial development. As a part of this analysis, low-, moderate-, and high-growth scenarios were developed.

Land Use Planning: The land use planning component built on information provided within the three growth scenarios completed as a part of the market analysis. The consultant team utilized these market demands and expanded the existing land use plans in coordination with local community planners. As with the market analysis, the project team developed three separate land use plans—, low-, moderate-, and high-growth.

Transportation Engineering and Planning: The consultant team developed the transportation engineering and planning portion of the K-68 Corridor Management Plan using data collected in the field, information obtained from local agencies, as well as historical information from KDOT. This information, along with the information developed in the land use planning portion, was refined and imported into the VISUM travel demand model software. Based on information from the travel demand model, both near-term and long-term recommendations have been provided as a part of the K-68 Corridor Management Plan.

Regulatory Issues: As the final task of the K-68 corridor planning process, the consultant team provided a gap analysis of the existing regulations, ordinances, technical memoranda, community plans, and governmental policies to determine their effectiveness towards implementing the K-68 Corridor Management Plan. In addition, the consultant team provided recommendations for any identified regulatory gaps.

PARTNERS & INTERLOCAL AGREEMENTS

After the approval of the K-68 Corridor Management Plan, the six partner agencies developed an Interlocal agreement that provides a commitment of cooperation in following the expectations and guidelines set forth in the K-68 Corridor Management Plan. A brief description of the partner agencies and their roles follows.

Franklin County: Franklin County currently has a population of about 26,500 and the K-68 corridor is the main east / west corridor within the county. Developing an understanding of how growth is and should be occurring along the K-68 corridor, as well as preserving the integrity the K-68 corridor, are Franklin County's primary objectives.

Miami County: The limits of the K-68 Corridor Plan cross the boundaries of two communities within Miami County, which currently has a population of over 31,000. The K-68 corridor is also the main east / west corridor within this county. Like Franklin County, developing an understanding of how growth is and should be occurring along the K-68 corridor, as well as preserving the integrity the K-68 corridor, are Miami County's primary objectives.

City of Ottawa: The City of Ottawa lies on the west end of the K-68 corridor planning area. The land use adjacent to K-68 within the Ottawa portion of the corridor plan is comprised mostly of commercial and light industrial development areas located between I-35 and Nevada Road. Ottawa's population exceeds 12,800. I-35, US-59, and K-68 have a critical influence on the Ottawa economy, and K-68 is a key linkage to the interstate.

City of Paola: The City of Paola, with a population of approximately 5,400, lies near the center of the K-68 corridor planning area on US-169. This corridor, and its future development, has a major impact on the vision of growth set forth by the City and its governing body. Paola officials envision residential and commercial development occurring along the K-68 corridor, while maintaining the urban center of existing Paola in its current location.

City of Louisburg: The City of Louisburg is located on K-68 near the east end of the planning area at the interchange of K-68 with US-69, and has a population of approximately 3,800. The development that has occurred along the K-68 corridor within Louisburg is a mix of residential and commercial. The majority of the retail development within Louisburg is located along K-68 between Metcalf and US-69 and a block south of the highway in the urban center of Louisburg. A large portion of the Louisburg Community relies on the K-68 corridor for their daily commutes.

KDOT: The Kansas Department of Transportation is the owner and agency ultimately responsible for the integrity and safety of the K-68 corridor. In addition to participating in the creation of the plan, KDOT is the primary contributor of funding for the K-68 Corridor Management Plan and likely, for future improvement projects related to the corridor.

Chapter 2—Public Involvement

The public involvement process for the K-68 Corridor Management Plan focused on achieving quality public participation that brought people together to resolve issues, established communication between different stakeholder groups, and found solutions to problems. Following is an overview of the goals and intent of the process, a description of the stakeholders involved, details about the feedback gathered along the way, tools that were used, and the overall schedule of activities.

GOALS AND INTENT

The public involvement process supported the idea that public involvement should be timely, useful, and used. In keeping with this idea, the goals for the K-68 Corridor Management Plan public involvement process included:

- Maximizing the effectiveness of communication between stakeholder groups
- Increasing responsiveness to stakeholder key issues and concerns
- Securing informed consent from stakeholders regarding the management plan and its outcomes

PROCESS

Public involvement activities complemented each of the study's five phases: data collection, analysis, improvement alternatives, preferred alternatives and selection criteria, and documentation. A summary of the phases and the type of input gathered during each is included below.

Phase 1 – Data Collection: As existing conditions data was gathered about the corridor, information was also collected from staff and local officials regarding community concerns. The first in a series of eight steering committee meetings was held during this phase to build a regional view of management plan goals and outcomes. The level of commitment anticipated from partnering organizations was also discussed. Similar information was discussed with city and county officials, as well as community leaders at the study's first of three public

officials' briefings. In addition, the first issue of the project's electronic newsletter was released.

Phase 2 – Analysis: Future land uses, a traffic demand model, and both short and long term transportation deficiencies were analyzed during this phase of the project. Public involvement began with stakeholders meetings coordinated to gather information from representatives of the five jurisdictions that make up the K-68 corridor, area school districts, economic development agencies, and utility providers. Stakeholder meetings included discussions about future land use assumptions and patterns, probable timing for future land and development, market trends, and infrastructure improvements. Separate steering committee meetings were coordinated to discuss land use, the traffic model, and deficiencies. Information collected during Phase 1 and later project phases was balanced with feedback gathered from stakeholders and the committee. A second newsletter summarized Phase 2 activities and the next steps in the process.

Phase 3 – Improvement Alternatives: A set of improvement alternatives was created for the corridor based on the information collected during Phases 1 and 2. The steering committee discussed the alternatives and criteria used to select the preferred alternatives. Additional regulations needed to support the preferred alternatives were also discussed. A second public officials' briefing was organized to inform officials and community leadership of anticipated future land uses and the potentially necessary transportation improvements as well as the short-term and long-term deficiencies associated with each.

The first of two rounds of public open houses were held during Phase 3 to allow the general public an opportunity to review and comment on the improvement alternatives for the corridor as a whole and their own communities, in particular. A third

newsletter was distributed to the K-68 community describing Phase 3 happenings and upcoming activities.

Phase 4 – Preferred Alternatives and Selection Criteria:

Preferred alternatives were developed based on the input gathered during the previous phase and were presented to the steering committee for further discussion of selection criteria, needed regulations, and future cost estimates. A fourth newsletter explained the results of this phase of the planning process.

Phase 5 – Documentation: Initial and final drafts of the K-68 Corridor Management Plan were developed during the fifth and final phase of the planning process. The last public officials' briefing, the second and final round of public open houses, and steering committee meetings were held to discuss the final corridor management plan document. Public involvement activities were concluded with the deployment of one last newsletter.

Though there were a variety of meetings included in the public involvement process, each began with an orientation as to where the particular meeting fell in the scope of the planning process, what the role of the participants was, and what decisions could and could not be made. Information about project goals, participants, and the overall planning process was also provided along with a brief presentation using boards and/or other handouts as necessary.



PUBLIC OUTREACH

Steering committee meetings, public officials' briefings, stakeholder meetings, public meetings, internet, and the media were used to share information about and gather feedback for the corridor management planning process. See table 2.A for a detailed list of meeting dates, locations, and topics. The public outreach effort was coordinated to:

- Inform the community about the project, its timeframe, challenges, decisions to be made, and its potential impact to property owners
- Gain community understanding, support, and advocacy for implementation
- Solicit community input on general design details, access management, utilities, acquisition, construction easements, driveway relocations, and more
- Help develop a relationship for implementation.



Brief descriptions of the vision and purpose of each public outreach technique are included below:

Steering Committee Meetings: The committee consisted of representatives from the five jurisdictions that make up the K-68 corridor. Steering committee members attended a kick-off and eight other meetings. Meeting locations were rotated among the cities and held at city and county facilities. The meetings were working sessions geared for the development of a regional view toward the future development of the K-68 corridor. The Committee provided input and guidance regarding projected population and market growth, land use, traffic alternatives and corridor vision.

Table 2.A: Detailed Schedule of Meetings

Meeting	Date	Location	Topic
Kick Off	March 4, 2008	Paola	Project Purpose and Goals, Project Expectations, Market Growth Methodology, Public Involvement Plan
Steering Committee #1	May 5, 2008	Ottawa	Project Purpose and Goals, Project Expectations, Market Growth Methodology, Public Involvement Plan, Existing Data Collection
Public Officials Briefing #1	May 22, 2008	Ottawa	Goals and Outcomes of Corridor Plan
Stakeholders	June 6, 2008 June 23, 2008 August 4, 2008	Paola Conference Call	Corridor Vision, Land Use and Economic Development, Growth Constraints
Steering Committee #2	October 9, 2008	Louisburg	Market Demand for 2010, 2020, 2030
Steering Committee #3	February 12, 2009	Ottawa	Future Land Use, Projected 2030 Traffic Volumes, Existing and Future Deficiencies
Steering Committee #4	April 2, 2009	Paola	Revised Future Land Use, Future VISUM Traffic Model, Revised Projected 2030 Traffic Volumes, Future Levels of Service with No Improvements, Improvement Alternatives
Public Officials Briefing #2	April 30, 2009	Paola	Review Improvement Alternatives
Open House #1	May 5, 2009 May 7, 2009 May 14, 2009	Louisburg Paola Ottawa	Review Improvement Alternatives
Steering Committee #5	May 21, 2009	Louisburg	Preferred Improvement Alternatives and Corridor Plan Plates, Improvement Priorities, Gap Analysis and Corridor Regulations
Steering Committee #6	June 11, 2009	Louisburg	Revised Corridor Plan Plates, Revised Corridor Regulations, Draft Plan Outline, Review Plan Acknowledgements
Steering Committee #7	July 9, 2009	Paola	Review Draft Plan
Public Officials Briefing #3	August 27, 2009	Ottawa	Review Draft Plan
Open House #2	September 3, 2009 September 10, 2009 September 15, 2009	Paola Ottawa Louisburg	Review Draft Plan

Public Officials Briefings: The briefings were informative meetings with local officials and community leaders from the corridor scheduled at three key phases in the planning process: Data Collection, Improvement Alternatives, and Documentation. One briefing was held in each of the corridor's three cities – Ottawa, Paola, and Louisburg. Media releases advertised each.

Stakeholder Meetings: A series of stakeholder meetings, with individuals and groups who are affected by or have an interest in a particular project or action, were coordinated over a period of two days in small groups meetings, one-on-one meetings, and telephone conferences. A wide variety of stakeholders make up the K-68 corridor, which spans two counties and three cities in Kansas, and impacts Cass County and Harrisonville, Missouri.

Specific corridor stakeholders generally include property owners and residents, business groups, developers, utility companies, school districts, rural residents, umbrella organizations, selected and appointed officials at the state, county, and local levels, and the project's steering committee. Below is the list of stakeholders along the K-68 corridor:

- Franklin County
- Miami County
- City of Ottawa
- City of Paola
- City of Louisburg
- Ottawa USD 290
- Paola USD 368
- Louisburg USD 416
- Wellsville USD 289
- Development and Real Estate Community
- Franklin County Rural Water District No. 6
- Miami County Economic Development
- Miami County Rural Water District No. 2

Common Themes: Below is a list of common themes that were identified during the stakeholder outreach meetings:

- Future increase in traffic volumes
- Development expanding outward from metro area
- Sight Distance - vertical and horizontal
- K-68 intersections at K-33, Old KC Road, US-169, US-69, I-35, Metcalf, and Hillsdale Lake
- Future development near Hillsdale Lake
- Widening K-68 from I-35 to Louisburg
- Wider shoulders
- K-68 as major east-west corridor
- K-68 as bypass for Kansas City, the first east-west outer loop located south of I-435 and between I-35 and US-71
- Proximity to the Gardner intermodal facility and the associated impact to future development and traffic
- Quality of life – K-68 corridor has best of both worlds (suburban/rural)
- Infrastructure – water, sewer, roads
- Schools
- Better access for pedestrians and bicyclists
- Economic development
- Increase in the number of local jobs
- Balance of commercial and industrial
- More housing – lower density, affordable
- Traffic from the Wal-Mart Distribution Center
- School bus traffic
- Farm traffic
- Truck traffic
- Development in cities – intervening corridor agricultural use
- Traffic controls
- Turning lanes
- Identification signage
- Limited access

Public Meetings: Open house public meetings were coordinated in two rounds for each of the three cities that make up the corridor. Media releases provided notice of each round of meetings along with KDOT's placement of message boards at key locations in Ottawa, Paola, and Louisburg.

Internet: Electronic newsletters were paired with the project portal available on www.ksdot.org for the purpose of providing the general public with access to K-68 Corridor Management Plan project design and meeting materials. The newsletter was also used to build the project stakeholder list, evaluate the public involvement process, and gather community comments.

Media: Press releases were distributed in advance of each meeting.

Chapter 3—Future Land Use Projections

FUTURE LAND USE PROJECTIONS

In order to develop future land use projections for the K-68 corridor, a market analysis was completed for Ottawa, Paola, and Louisburg. The analysis included a review and projections of each city's primary market sectors (residential, retail, industrial and office) from 2000 to 2030.

After the timing for and amount of each type of potential development was projected, land use maps were prepared to show geographically where the development would most likely take place. The analysis and maps were used to determine the types of roadway improvement alternatives that would be necessary for K-68 to accommodate projected 2030 traffic demands.

The Steering Committee, public officials, community leaders, and other stakeholders including the general public provided significant input and feedback regarding the assumptions, timing, and location of development in relationship to the corridor's future transportation needs.

The remaining portions of this chapter outline:

- Market analysis methodology and assumptions
- Development priorities, opportunities, and constraints
- Projected 2030 future land uses maps

MARKET METHODOLOGY

As part of the market analysis, both city and corridor market areas were defined to help determine the amount of growth possible in the vicinity of K-68 generally between I-35 on the west and State Line Road on the east. The market area for the three cities considered their individual one-mile, three-mile, and five-mile trade areas when measured from the core of each city and were referred to as the "city market areas". As a result, there were three city market areas: Ottawa, Paola, and Louisburg.

The portions of the city market area that were within the K-68 Corridor Management Plan study area were referred to as the "corridor market area" and took into consideration the growth boundaries of the Cities of Ottawa and Paola.

With these market areas in mind, three population projections – Low, Intermediate, and High – were developed to determine the amount of growth that could be anticipated to occur in each city over the next 21-years using 2000 population estimates as a basis.

2030 Low Growth Projection: Illustrated modest growth and development within the study area and was based on traditional forecasting methods such as the review of in- and out-migration and births and deaths. This method assumed that population growth would continue to increase at a relatively slow and steady rate.

2030 Intermediate Growth Projection: Represented the mathematical equivalent of 60% of the difference between the low and high growth scenarios considering a variety of economic and market factors including gasoline prices, transit, energy and construction costs, financing, employment, and availability of economic development incentives. See the *Intermediate Growth Projection: Considerations Related to Economic and Market Factors Memo in the Appendix for more information.*

2030 High Growth Projection: Involved an analysis of cities that are comparable to those within the K-68 Corridor Management Plan study area because of their location on the edge of the development ring that surrounds the Kansas City Metropolitan Area. Comparable communities included Gardner and Spring Hill, Kansas and Raymore and Grain Valley, Missouri and were rapidly growing due to their proximity to the Kansas City metro area and major transportation routes.

Ottawa, Paola, and Louisburg are positioned on the next ring of growth outside the Metro beyond these communities. As a result, the high growth scenario represented the growth and development that could happen in the study area if Ottawa, Paola, and Louisburg were to grow in population at rates of the comparable communities. See the *High Growth Projection: Comparable Communities Memo in the Appendix for more information.*

Population Projections: The population projections were then compared against existing estimates for Louisburg and Paola from the Kansas Division of Budget and Kansas Water Department figures for Ottawa. Population information was then used to determine the amount of general residential, retail, industry, and office demand that could be expected in each community under Low, Intermediate and High growth population scenarios.

Residential Demand: The market for new housing was based on the assumptions that household size would stay relatively constant; there would be a dwelling for every household; dwelling type would be predominantly low density, single family; and, there would be a small portion of surplus housing.

Retail Demand: The retail market demand was derived by looking at the per capita demand for retail services and the leakage of sales in a one-, three-, and five-mile radius from the core of each city. Per capita demand was driven by population growth. Leakage refers to sales that occur outside of the community.

The amount of leakage was based upon current information regarding the amount of income estimated to be spent outside of each community. Further, leakage amounts were based on information provided by Claritas and from the Urban Land Institute publication, *Dollar and Cents of Shopping Centers/ The Score 2006.*

The market demand for new retail space was assumed to be the amount of retail space required to meet growing population demands and to meet the needs of residents shopping outside of their respective city.

Industrial Demand: Market demand for industrial uses was assumed to be for business park, flex space, and warehousing space. To determine the amount of new industrial space, the analysis looked at the Bureau of Labor Statistic's Location Quotients, the current amount and type of industrial uses, properties currently on the market for industrial uses, recent experiences in attracting industry, existing zoning, and proposed and recent industrial development in nearby cities, such as Logistic Park intermodal facility proposed near Gardner, Kansas.

Office Demand: The office market was not expected to change significantly within the corridor. Projections of office use were based upon the assumption the size and type of office usage would remain constant and it is very unlikely that there would be construction of the large Class A office structures similar to those found in the large office parks in Johnson County (e.g., Corporate Woods)

MARKET ASSUMPTIONS

A set of general assumptions were relied upon for projecting the location and quantity of development that would be expected to occur within the corridor market area.

- Existing land uses will remain and development plats will be built over time
- Generally future uses happen within the plan area and growth occurs from the center out to respect growth boundaries and/or compatible, adjacent development
- Population growth drives residential demand
- New retail development should support the needs of the growing population – Keep retail shoppers close to home
- Industry is relocating to locations south of the metro area with easy highway/rail access and industrial zoning and marketing plans

- Office space is likely to be existing Class B and Class C
- Schools and emergency service needs are based on population projections and response requirements.

See the *Market Demand Model: Assumptions for Population Growth and Net New Development Space in the Appendix* for a listing of detail assumptions.

DEVELOPMENT PRIORITIES, OPPORTUNITIES, & CONSTRAINTS

Steering Committee members and other stakeholders identified priorities, opportunities and constraints within and directly adjacent to the K-68 study area. The priorities and opportunities for new development were primarily focused around each of the cities and along the major roadways (e.g., K-68, US-69, US-169 and I-35) and at intersections of these roadways.

The primary constraints for development along the corridor occurred in locations where environmentally sensitive conditions exist, particularly steep topography, and at points where there are difficult road crossings. Though the provision of water and sewer was mentioned as a constraint to dense development out from the cities, infrastructure was not considered to be a detriment to future development, but as an impact on the timing of development.

Ottawa: Because the majority of the City of Ottawa extends beyond the study area for the K-68 Corridor Management Plan, only the portion of Ottawa that was located within the K-68 study area boundary was included in Ottawa's discussion of K-68 priorities, opportunities and constraints for the purposes of the plan. Ottawa's representatives saw opportunities for mostly commercial and industrial uses within the vicinity of the intersection of K-68 and I-35. The area is already home to the Wal-Mart and American Eagle Distribution Centers. An area that presents some environmental constraints is located along K-68 to the east of the distribution centers at the confluence of three waterways.

Paola: The City identified opportunities for a variety of land uses, particularly residential and industrial. Priority development areas were identified in expansion areas to the south of town and for the corridors north of Paola linking it to the growing community of Hillsdale. Development is a priority along the Old Kansas City Road, US-169, and at the intersections of these roads with K-68.

Louisburg: Opportunities for residential development were identified along the K-68 Corridor and north and south of the corridor along Metcalf Road, as well as mixed use development at the interchange of K-68 with US-69. City representatives identified the South Suburban Business Park (US-69 and 247th Street) and the intersections of K-68 with US-69, Metcalf Road, and Rockville Road as priority development areas. Constraints to development included difficult crossings along K-68 between Metcalf and Rockville Roads and the steep topography along the south side of the corridor and west of the center city.

PROJECTED 2030 FUTURE LAND USE MAPS

As a result of the market analysis and input from the Steering Committee members, public officials, and other stakeholders about development constraints, opportunities, and priorities, a series of land use maps were prepared for the K-68 Corridor Management Plan.

Future land use maps were created to correspond with each of the three population projections (Low, Intermediate, and High) and for each of the three cities by decade. The general location and type of development (residential, retail, industrial, and office) associated with each scenario remains fairly consistent; the primary difference is the amount of anticipated new development expected to occur. As expected, the Low scenarios show minimal growth and the High scenarios show significant growth in each city.

Because the transportation improvements relate to the 2030 traffic projections, a discussion of 2030 land use and development by community follows.

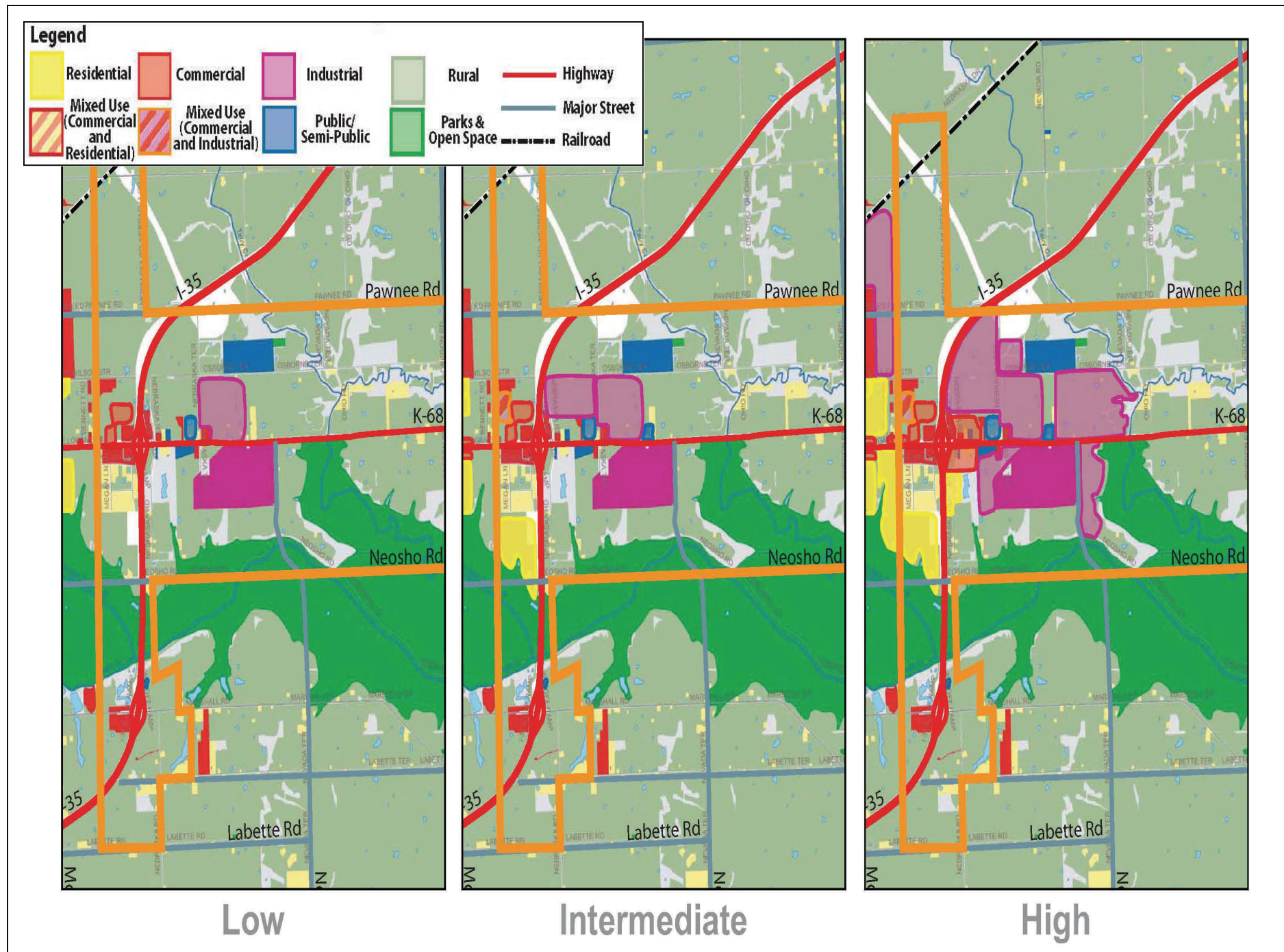


Exhibit 3.1: Ottawa 2030 Land Use Map (Final April 30, 2009)

Ottawa Land Use 2030: Future development is projected to be a continuation of current growth patterns. Future development is expected to focus on the intersection of K-68 with I-35 with distribution centers of a similar scale to the Wal-Mart and American Eagle facilities extending eastward along K-68. Retail uses are anticipated along the west side of I-35 at K-68 with the potential for residential to the southwest towards the center of the city. See Exhibit 3.1 for the 2030 land use map of Ottawa.

Paola Land Use 2030: Future development in the K-68 corridor nearest to Paola is expected to extend north from Paola and south from Hillsdale. Residential uses will likely occur along both sides of Old Kansas City Road northward with commercial and development occurring at the intersection of K-68 with U.S. 169 and west along K-68. A mix of residential and commercial development is anticipated around the community of Hillsdale. See Exhibit 3.2 for the 2030 land use map of Paola.

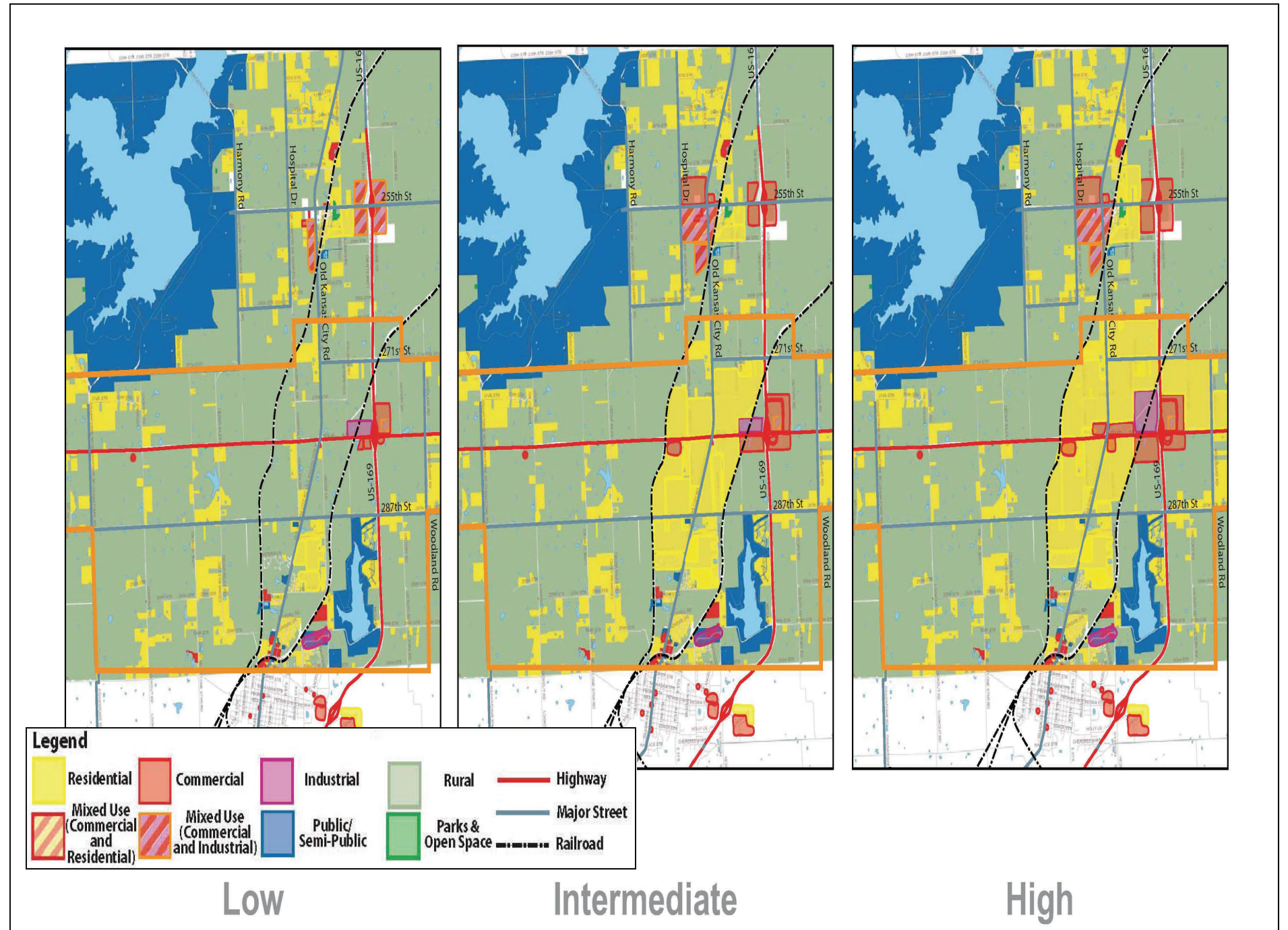


Exhibit 3.2: Paola 2030 Land Use Map (Final April 30, 2009)

Louisburg Land Use 2030: Louisburg is projected to experience development of the South Suburban Business Park at the intersection of US-69 with 247th Street to the north of Louisburg, mixed-use at the intersection of K-68 with US-69, and residential growth along the corridor and east of US-69. See Exhibit 3.3 for the 2030 land use map of Louisburg.

The amount of development is directly related to the amount of growth the community experiences, particularly in regards to the residential land uses. Under the high growth scenario Louisburg is expected to see significant commercial development at the intersection of K-68 with US-69 and residential development extending beyond the one-mile study boundaries to the north and south and between US-69 and Mission Belleview.

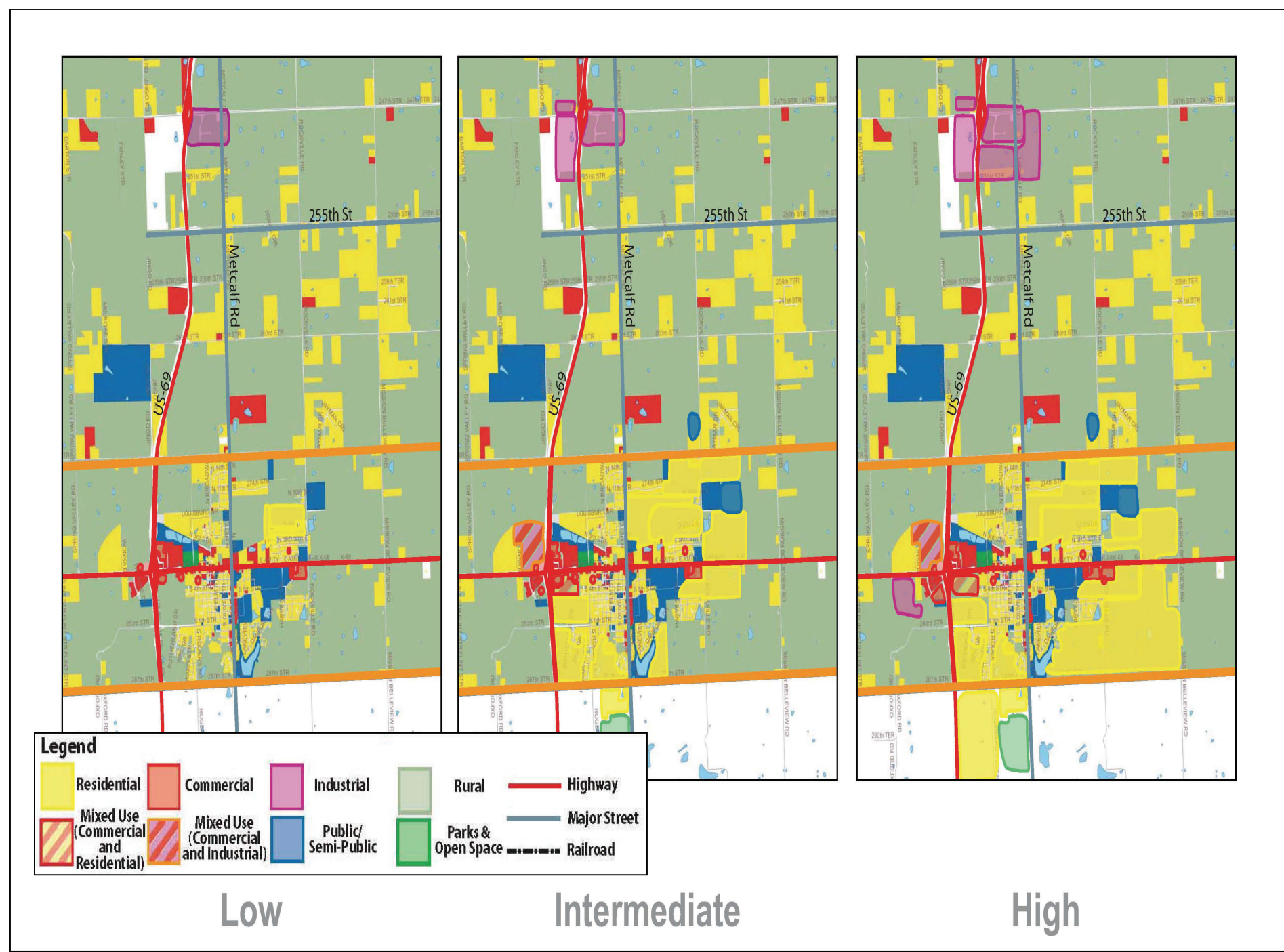


Exhibit 3.3: Louisburg 2030 Land Use Map (Final April 30, 2009)

Chapter 4—Traffic Analysis

PURPOSE

The traffic analysis component of the K-68 Corridor Management Plan incorporates information on the existing transportation network, such as traffic volumes and intersection features, with existing land use data to create a computer travel demand model that replicates existing traffic conditions. Using information gathered from the general public, area agencies, and future land-use plan, the computer model was used to project future traffic growth scenarios along the K-68 corridor. The consultant team used these computer generated traffic projections to identify future traffic congestion at intersections and along segments of the corridor and to determine improvements projects needed to keep traffic flowing efficiently along the corridor.

BACKGROUND

In 2003, KDOT adopted the current Corridor Management Policy. The intent of the policy is to provide criteria and procedures necessary to obtain reasonable access to properties abutting the highway while preserving the transportation system in terms of safety, capacity, and speed. Additionally, the policy is one tool used to help establish statewide consistency in KDOT's management of transportation corridors.

Many of the recommended improvements in this plan are based on criteria from the KDOT Corridor Management Policy. The policy requires a higher level of performance for routes that are expected to experience substantial land use development and traffic growth. In order to achieve this goal, criteria for access spacing and corridor management is based, in part, on KDOT route classifications. See Exhibit 4.1.

K-68 is designated as a Type D route within the planning boundaries. A typical KDOT Type D route recommends indirect, alternative access, and shared access wherever feasible. If new direct access is provided, it shall follow the minimum access spacing criteria defined in the KDOT Corridor Management Policy.

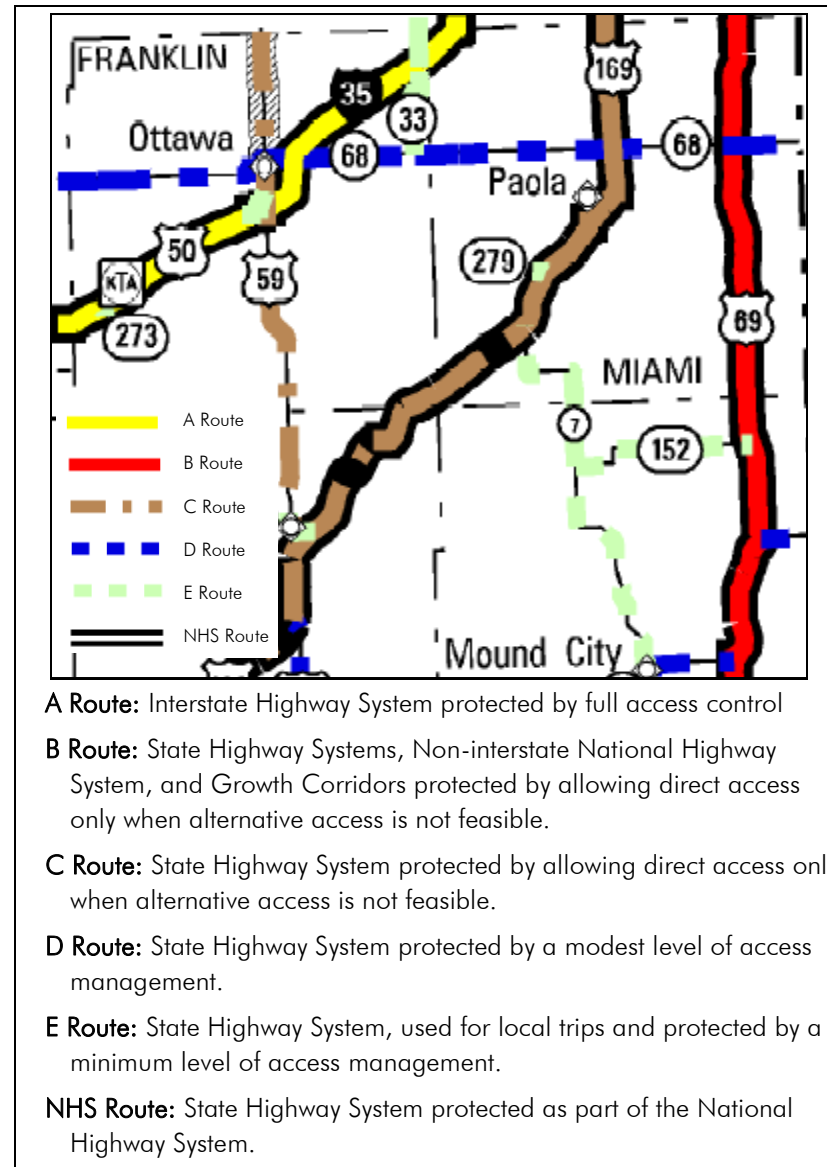


Exhibit 4.1: KDOT Route Classification Map

The KDOT policy calls for a 660-foot minimum spacing of access points along the high-speed segments between Ottawa and Louisburg. Along the segments of K-68 within Ottawa and Louisburg, the access point spacing requirement is reduced to between 140 feet and 335 feet, depending on the posted speed and the traffic volume on the side street or drive (i.e., over or under 50 vehicles per day).

KDOT has also developed a Design Access Control Map to provide assistance in determining appropriate access control for future highway improvement projects. See Exhibit 4.2. Depending on designated route access control, as part of the planning process, it is important to consider adequate future highway right-of-way and potential interchange locations. K-68 is classified as a Moderate Order Partial access controlled route.

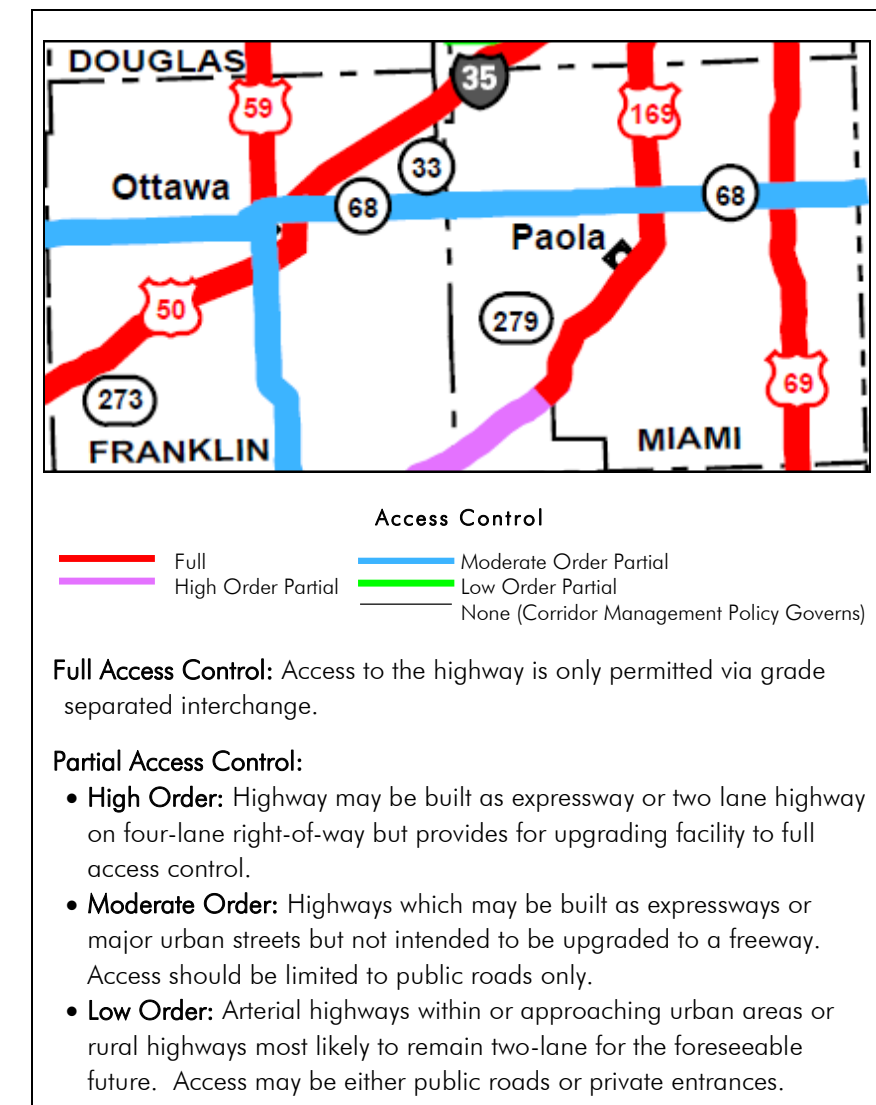


Exhibit 4.2: KDOT Access Control Map

DATA COLLECTION

Roadway and intersection information was collected for the entire length of the corridor study area. Posted and observed speeds were noted. Traffic counts were taken at key intersections and KDOT provided traffic count information for segments of the corridor. Additional information recorded included the number of lanes along the corridor; acceleration- and deceleration-lane configurations; and traffic controls, such as signals or stop signs. The team used the information for the existing operational analyses and for confirming the network information for the travel demand model.

Speeds and Speed Limits: The consultant team recorded travel speeds along the corridor, which ranged from 12 mph to near 65 mph. From this data, the 85th percentile speed was calculated. Most governmental agencies, including KDOT, use the 85th percentile speed to establish speed limits.

The 85th percentile speed represents the speed at which or below which 85 percent of drivers feel comfortable traveling. Research has shown that the 85th percentile speed is also the safest speed because it has the least speed variation. A motorist’s chances of being involved in a crash increase significantly for every five miles per hour the vehicle is driven above or below the 85th percentile speed.

Along K-68, the 85th percentile speed in Ottawa at the I-35 interchange was 53.5 mph; east of the Old Kansas City Road Roundabout near Paola was 62.6 mph; and in Louisburg at Metcalf Road it was 38.2 mph westbound and 47.5 mph eastbound.

The posted speed limited between Ottawa and the US-69 interchange near Louisburg is 65 mph. The speed limit is posted at 45 mph west of Louisburg and at 55 mph east of Louisburg. See Exhibit 4.3 for KDOT’s map of posted speed limits.

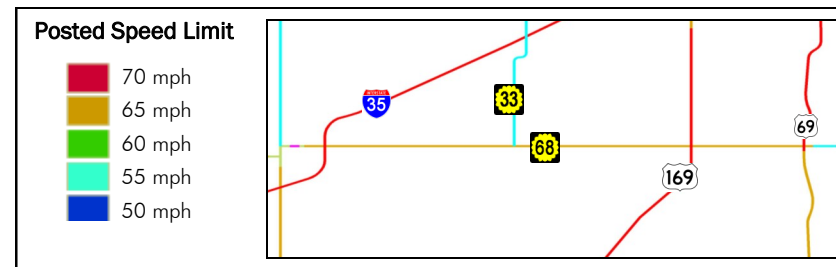


Exhibit 4.3: KDOT Posted Speed Limit Map

Travel Times: Travel time surveys are used to calculate the average traffic speed on the road network or segment of roadway. Data collected in the surveys include location of vehicles, length of segment, time, and direction of travel. The consultant team conducted travel time surveys during AM and PM peak hours along K-68. During the travel time surveys, the drivers of the survey vehicle maintain an average or typical speed, not too fast or too slow. The survey vehicle stayed in groups of the cars, passing only as many vehicles as passed them. Times were recorded as the survey vehicle passed eleven locations along the corridor.

On average, it took approximately 38 minutes to drive from the southbound ramp of I-35 in Ottawa to the Missouri state line in the AM and PM peak hour. The traffic speeds for ten segments of K-68 were calculated from the survey information. See Table 4.A.

Table 4.A: K-68 Average Travel Speeds (mph)

K-68 Segments	AM (EB/WB)	PM (EB/WB)
SB I-35 Ramp to NB I-35 Ramp	48.7 / 48.7	53.5 / 59.5
NB I-35 Ramp to Tennessee Road	66.0 / 61.3	60.0 / 62.3
Tennessee Road to K-33	60.6 / 64.8	61.1 / 62.8
K-33 to Old KC Road Roundabout	62.0 / 62.6	62.4 / 60.9
Old KC Road Roundabout to SB US-169 Ramp	50.7 / 55.4	52.2 / 52.9
SB US-169 Ramp to NB US-169 Ramp	43.9 / 50.1	58.5 / 39.0
NB US-169 Ramp to SB US-69 Ramp	62.2 / 63.3	58.9 / 59.6
SB US-69 Ramp to NB US-69 Ramp	12.8 / 35.8	39.8 / 27.5
NB US-69 Ramp to Metcalf Road	31.5 / 29.8	26.9 / 30.9
Metcalf Road to State Line Road	46.3 / 38.2	49.2 / 47.5

Direction of Travel: EB = Eastbound, WB = Westbound

Volumes: KDOT provided daily traffic volumes recorded along K-68 in 2007. The 24-hour counts showed 8,600 vehicles-per-day (vpd) west of the I-35 interchange in Ottawa; 4,800 vpd near Paola; and 11,500 vpd in Louisburg east of US-69. The peak-hour percentage was computed to be 10 percent of total daily traffic. The 24-hour traffic counts are shown on Exhibit 4.4.

The consultant team manually recorded vehicle turn movement traffic during the morning and evening peak hour from April 8, 2008 through April 10, 2008 at the following nine intersections with K-68:

- Tennessee Road
- Vermont Road
- K-33
- Paola Roundabout (Old KC Road / Hedge Lane)
- Southbound US-169 Ramp
- Northbound US-169 Ramp
- Southbound US-69 Ramp
- Northbound US-69 Ramp
- Metcalf Road

KDOT provided peak hour traffics volumes at the northbound and southbound I-35 ramps. The PM peak hour traffic volumes are summarized in Exhibit 4.8.

The consultant team used the existing traffic data to complete existing level of service analyses as well as to calibrate the existing condition travel demand model.

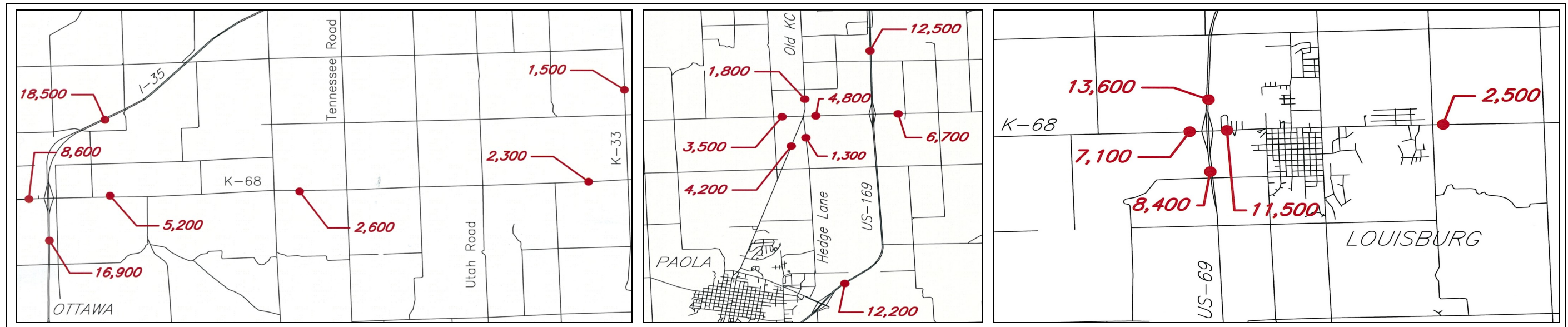


Exhibit 4.4: Existing 24-hour Traffic Counts

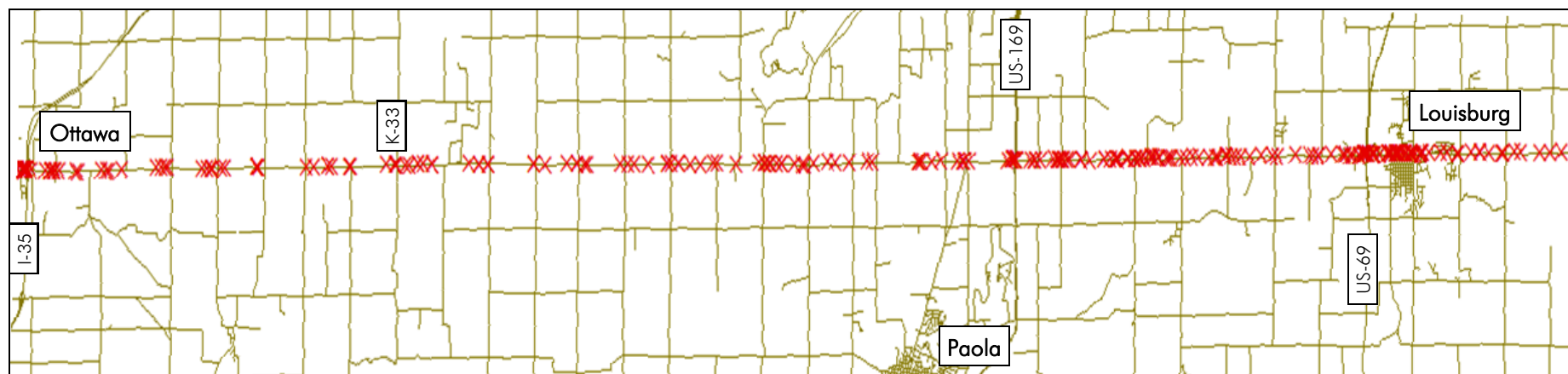


Exhibit 4.5: K-68 Crash Locations (2002-2007)

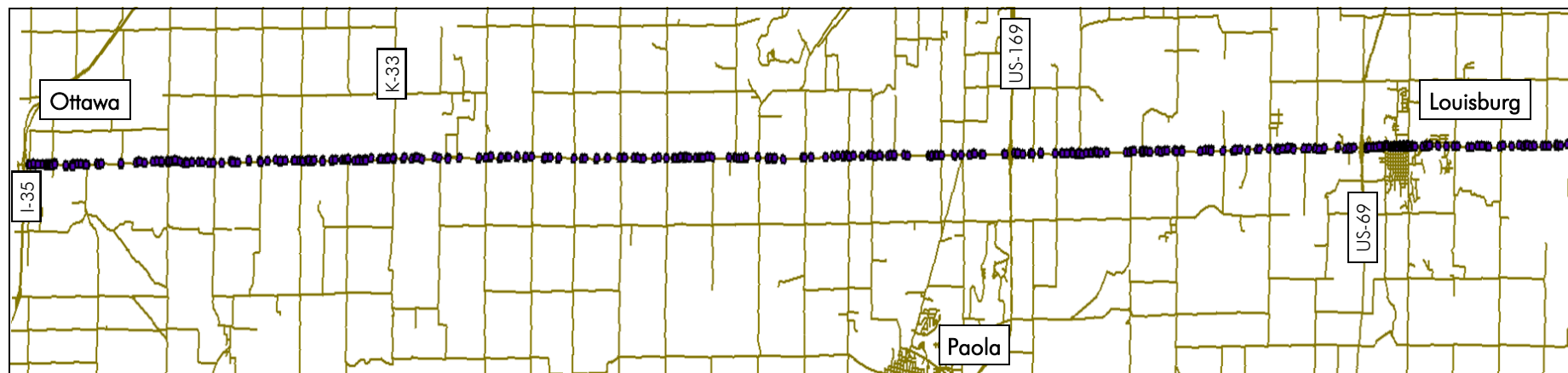


Exhibit 4.6: Access Locations

Crashes: KDOT provided traffic crash data along K-68 for the years 2002 through 2007. The crash types include rear end, right angle, side swipe, backing, head-on and other (e.g. fixed object and run off road). All animal-related crashes were removed from the data set.

Roadway segment crash rates per million vehicle miles were calculated and compared to the statewide average crash rate. All of the segments have crash rates lower than the statewide crash rate by facility type. See crash locations in Exhibit 4.5. On the following page, table 4.B is a summary of KDOT statewide crash rates by facility type. Table 4.C compares crash rates by segments of the K-68 corridor to the state average crash rate on similar facilities.

Access: KDOT provided an inventory of all existing access points (i.e., drives and side streets) along K-68 including full and partial access drives. See Exhibit 4.6 for access locations along the corridor.

There is a relationship between the location of crashes and access locations in Exhibit 4.6. In the urban areas of Ottawa and Louisburg and the rural area near Paola, with high driveway densities, crash patterns indicate many of the crashes are related to the number of access points and may be correctable with median treatments, driveway consolidations, or the addition of turn lanes.

Table 4.B: Statewide Crash Rates

Lanes	Class	Access Control	Statewide Crash Rate
Rural Sections			
2 Lane	Undivided	None	1.517
2 Lane	Undivided	Partial	1.165
2 Lane	Undivided	Full	1.252
4 Lane	Divided	Partial	0.936
4 Lane	Divided	Full	0.391
Urban Sections			
2 Lane	Undivided	None	3.4
4 Lane	Undivided	None	5.458
4 Lane	Divided	Partial	2.026
4 Lane	Divided	Full	0.896

Table 4.C: K-68 Crash Rates

K-68 Segments	Crash Rate	State Average Crash Rate
I-35 to Tennessee Road	0.720	1.517
Tennessee Road to K-33	0.768	1.517
K-33 to Waverly Road	0.820	1.517
Waverly Road to Old Kansas City Road	1.167	1.517
Old Kansas City Road to US-169	1.468	1.517
US-169 to US-69	0.838	1.517
US-69 to Metcalf Road	2.079	5.428
Metcalf Road to Rockville Road	1.369	3.4
Rockville Road to State Line Road	0.935	1.517

EXISTING CONDITIONS ANALYSIS

Existing Levels of Service: The consultant team completed a series of intersection capacity analyses at 11 intersections along the corridor and for specific corridor segments in order to determine the level of service (LOS) that drivers experienced on K-68. The team analyzed the study intersections and segments based upon the latest edition of the Transportation Research Board's (TRB) "Highway Capacity Manual." A description of the LOS criteria used in these analyses is provided in Table 4.D.

A summary of the LOS analysis for existing traffic volumes, traffic controls, and lane configurations is listed in Table 4.E and Table 4.F. Exhibit 4.7 shows a detailed summary of level of service and required storage length by movement. The analyses indicate that all of the existing intersections, as well as the individual movements at all of the existing intersections, currently operate at LOS D or better during the AM and PM peak hours under existing intersection control. Likewise, all roadway segments analyzed along K-68 also operate at LOS B or better during all times during the day as shown in Table 4.F.

Table 4.D: Level of Service Definitions

Unsignalized Intersections		Signalized Intersections	
Level of Service	Average Control Delay (sec/veh)	Level of Service	Control Delay per Vehicle (sec)
B	> 10 and < 15	B	> 10 and < 20
C	> 15 and < 25	C	> 20 and < 35
D	> 25 and < 35	D	> 35 and < 55
E	> 35 and < 50	E	> 55 and < 80
F	> 50	F	> 80

Level of service criteria are outlined in the 2000 edition of the "Highway Capacity Manual" (HCM) for both signalized and Unsignalized intersections. The HCM defines the level of service as a measure of the quality of traffic flow. There are six levels of service for each facility type, each representing a range of operating conditions. Each level of service is designated by a letter from "A" to "F", with "A" being most desirable condition and "F" being the least desirable condition.

Table 4.E: Existing Intersection Level of Service

Intersection Level of Service				
Intersection	AM Peak Hour	PM Peak Hour		
SB US-69 Ramp—Signalized	B	A		
Old KC Road—Roundabout	B	B		
Approach Level of Service				
Intersection	NB	SB	NB	SB
I-35 Southbound Ramp	—	B	—	B
I-35 Northbound Ramp	D	—	B	—
Tennessee Road	B	A	B	B
Vermont Road	B	—	B	—
K-33	B	A	B	A
US-169 Southbound Ramp	—	C / A*	—	C / A*
US-169 Northbound Ramp	C / A*	—	B / A*	—
US-69 Northbound Ramp	D / B*	—	C / B*	—
Metcalf Road	C	B	C	B

* Left Turn Level of Service / Right Turn Level of Service
Intersection Approach Leg: NB = Northbound, SB = Southbound

Table 4.F: Existing K-68 Segment Level of Service

Level of Service		
K-68 Segments	AM Peak Hour	PM Peak Hour
I-35 to Tennessee Road	A	A
Tennessee Road to K-33	A	A
K-33 to Waverly Road	A	A
Waverly Road to US-169	A	A
US-169 to US-69	A	A
US-69 to Metcalf Road	B	B
Metcalf Road to Rockville Road	B	B
Rockville Road to State Line Road	A	A

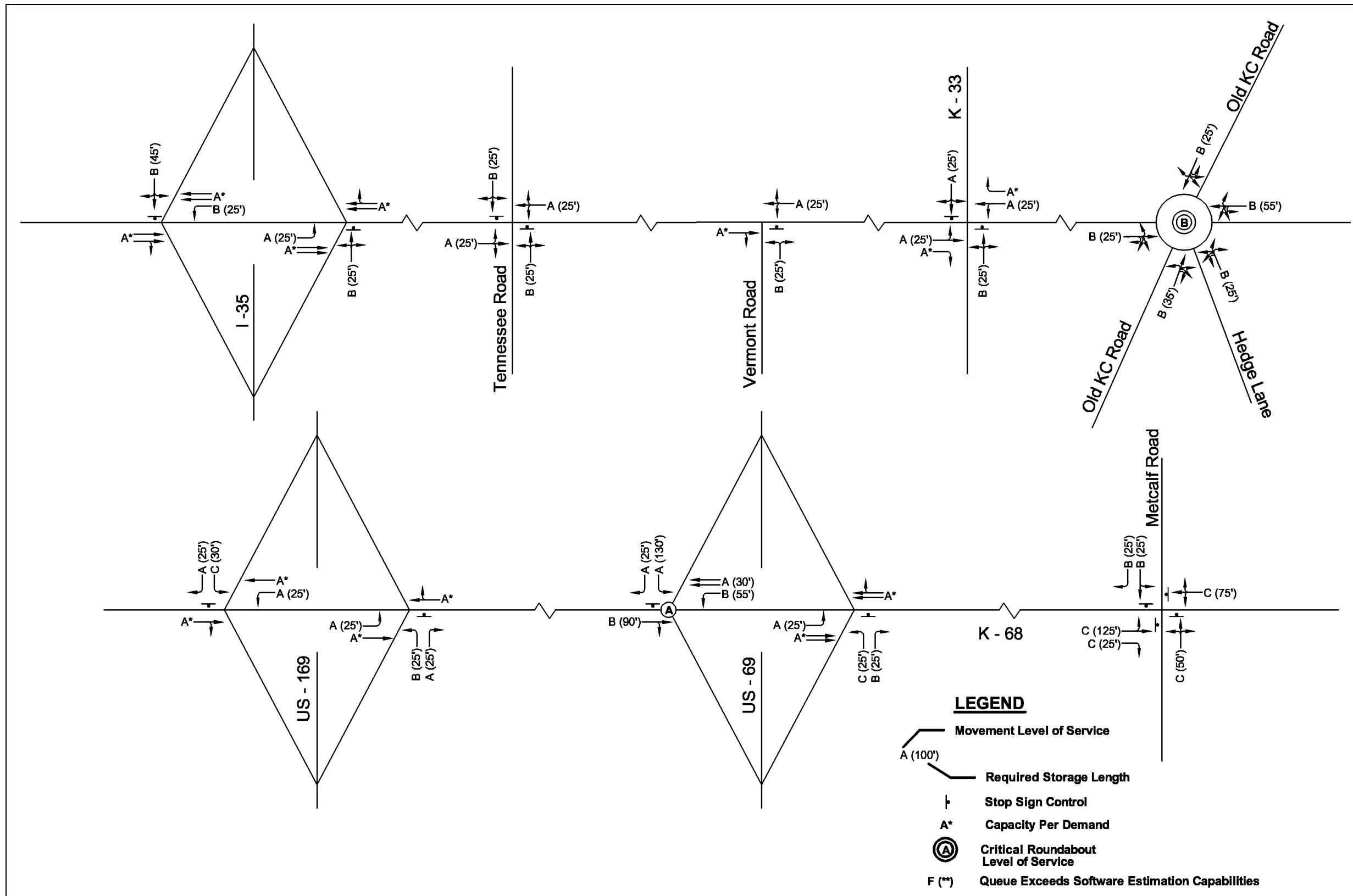


Exhibit 4.7: Existing PM Peak Hour Level of Service

FUTURE CONDITIONS ANALYSIS

Travel Demand Model Development: Travel demand models are used to project future traffic volumes that could be expected due to future development. The models are composed of two basic types of information:

- Street network, including speeds, capacities, and traffic controls
- Trip generation information, based on the existing and proposed land uses in the modeled area

The consultant team created a travel demand model for the study corridor using the existing street network information provided by NAVTEQ, which provides a highly accurate representation of the road network, including attributes like numbers of lanes, turn restrictions, physical barriers, one-way streets and restricted access. NAVTEQ data is most commonly used in onboard navigation-enabled vehicles. The team reviewed and updated the NAVTEQ street links to match the current function classifications of the roads in the study area.

As part of the travel demand model, the study group divided the study corridor into traffic analysis zones (TAZ). Based on

the land uses within each TAZ, traffic related data is computed for vehicle-trip production and attraction by trip type. Trip types include home-based trips to and from work (HBW), home-based trips to other locations (HBO), and non-home based trips (NHB). Each TAZ boundary follows an existing census block group boundaries, a parcel boundaries, or the current street network. See Exhibit 4.8.

Next, the existing land use for the corridor plan study area was added to the travel demand model. The data was sorted into the following categories for analysis: single family residential, multi family residential, apartment, retail, office, and industrial.

After the model construction was complete, the model was run and calibrated to the recorded field data to determine how well the initial assumptions and model inputs replicated recorded conditions. The travel demand model was validated against existing traffic counts, travel times, and delay conditions at major intersections to verify accuracy. After the review, the individual inputs were modified as required and the resulting outputs were compared to the recorded conditions. This process was repeated until an acceptable level of correlation was attained.

Future Traffic Volumes: Future travel demand models were developed using the existing street network coupled with the future intermediate and future high land use growth projections.

Each of the model scenarios reflect traffic volumes that could be expected due to the future land use within the plan area. The traffic along the K-68 corridor, under the intermediate land use projection, would be expected to increase between 10 and 250 percent, depending on the segment of the corridor. Traffic projections under the high scenario could be expected to increase as much as 6 times the existing traffic volumes at various locations along the corridor. Exhibit 4.9 provides a summary of existing traffic volumes and future traffic volumes expected during the PM peak hour.

Under the high land use scenario, the 24-hour traffic volume west of the I-35 interchange in Ottawa is expected to 23,500; 21,00 vpd near Paola; and 17,700 vpd in Louisburg east of US-69. The existing and future 24-hour traffic counts are shown on Exhibit 4.10 on page 4.8.

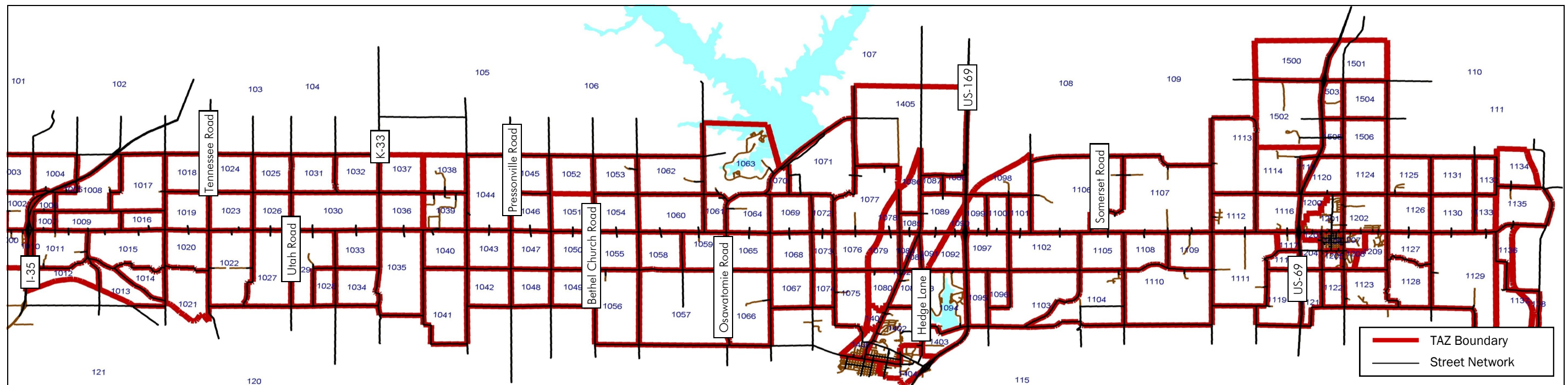


Exhibit 4.8: Traffic Analysis Zones

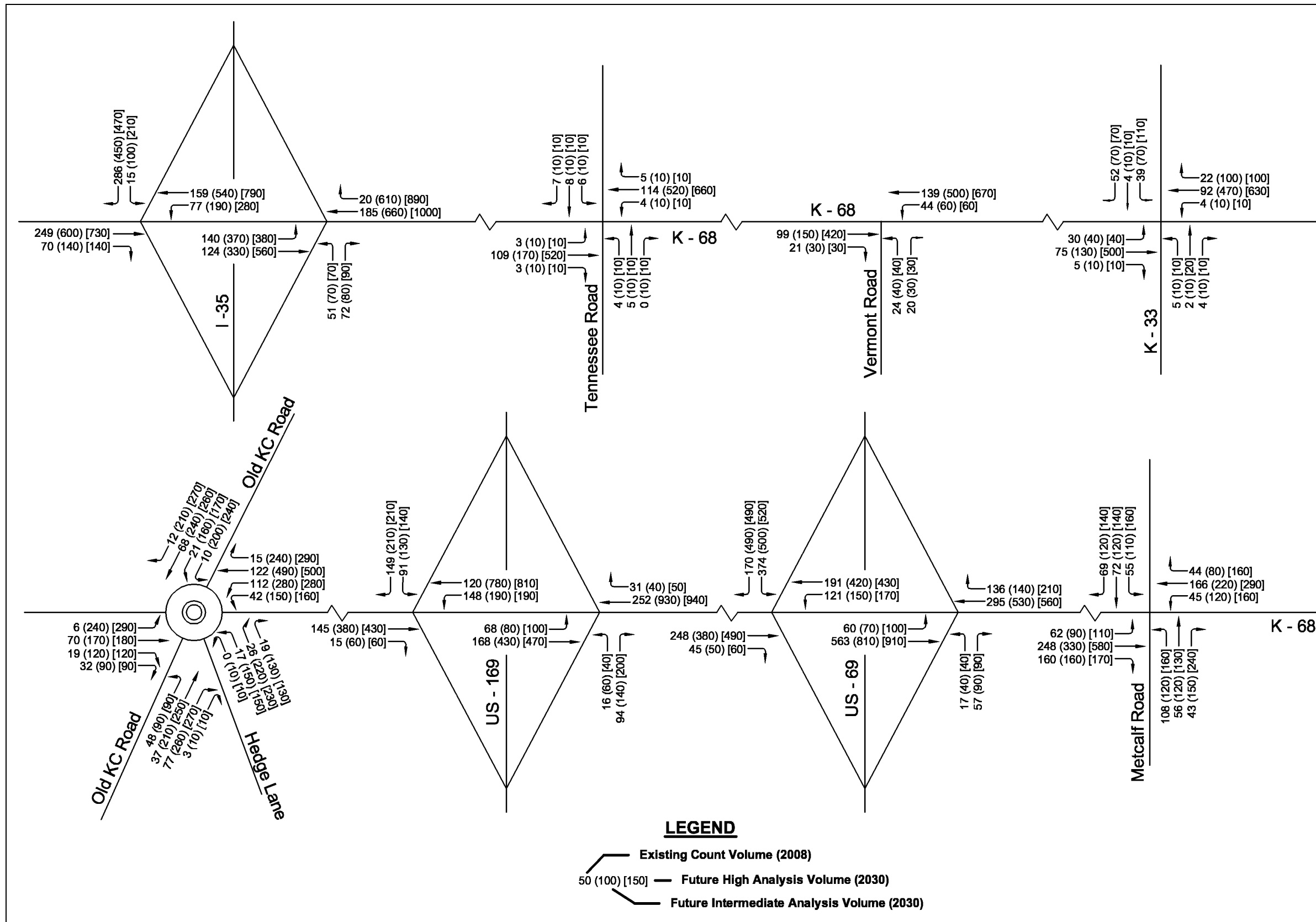


Exhibit 4.9: Traffic Volumes Summary

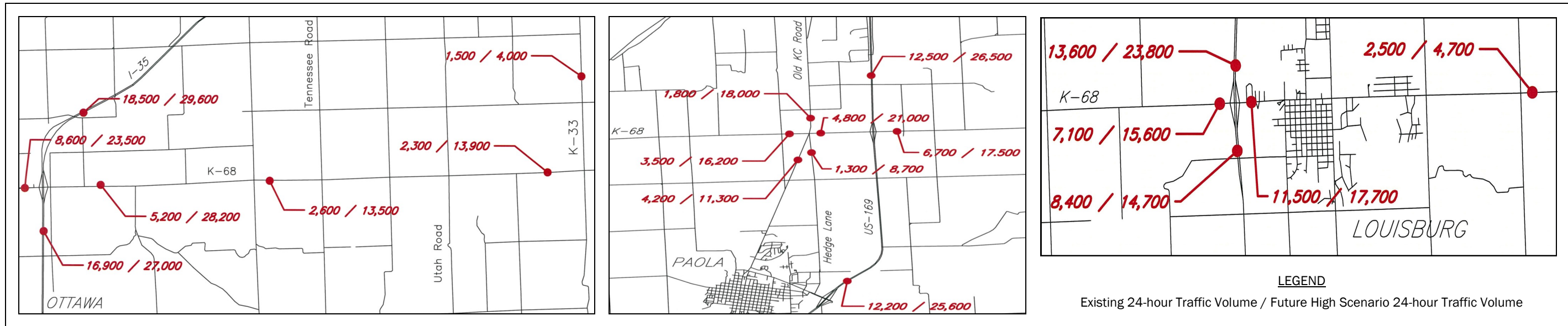


Exhibit 4.10: Future 24-hour Traffic Volumes

Future Capacity Analysis: A series of capacity analyses were completed at the 11 previously analyzed intersections along the corridor to determine the expected LOS that drivers will experience. Each intersection was analyzed using the existing geometry with the future traffic volumes.

A summary of the completed analysis for the critical PM peak hour traffic volumes is shown in Table 4.G and on Exhibits 4.11 and 4.12, LOS of Future 2030 Intermediate Land Use and LOS of Future 2030 High Land Use for each of the travel demand model scenarios.

The completed analyses indicate improvements need to be considered at many of the intersections along the K-68 corridor. Additionally much of the corridor will need to be widened to a four lane, expressway facility.

Table 4.G: PM Peak Hour Future 2030 Intersection Level of Service

Intersection Level of Service				
Intersection	Intermediate	High		
SB US-69 Ramp—Signalized	B	B		
Old KC Road—Roundabout	F	F		
Approach Level of Service				
Intersection	NB	SB	NB	SB
I-35 Southbound Ramp	—	F	—	F
I-35 Northbound Ramp	F	—	F	—
Tennessee Road	C	C	D	D
Vermont Road	C	—	C	—
K-33	C	C	E	F
US-169 Southbound Ramp	—	F / D*	—	F / D*
US-169 Northbound Ramp	F / B*	—	F / B*	—
US-69 Northbound Ramp	F / B*	—	F / B*	—
Metcalf Road	F	D	F	E

* Left Turn Level of Service / Right Turn Level of Service

Intersection Approach Leg: NB = Northbound, SB = Southbound

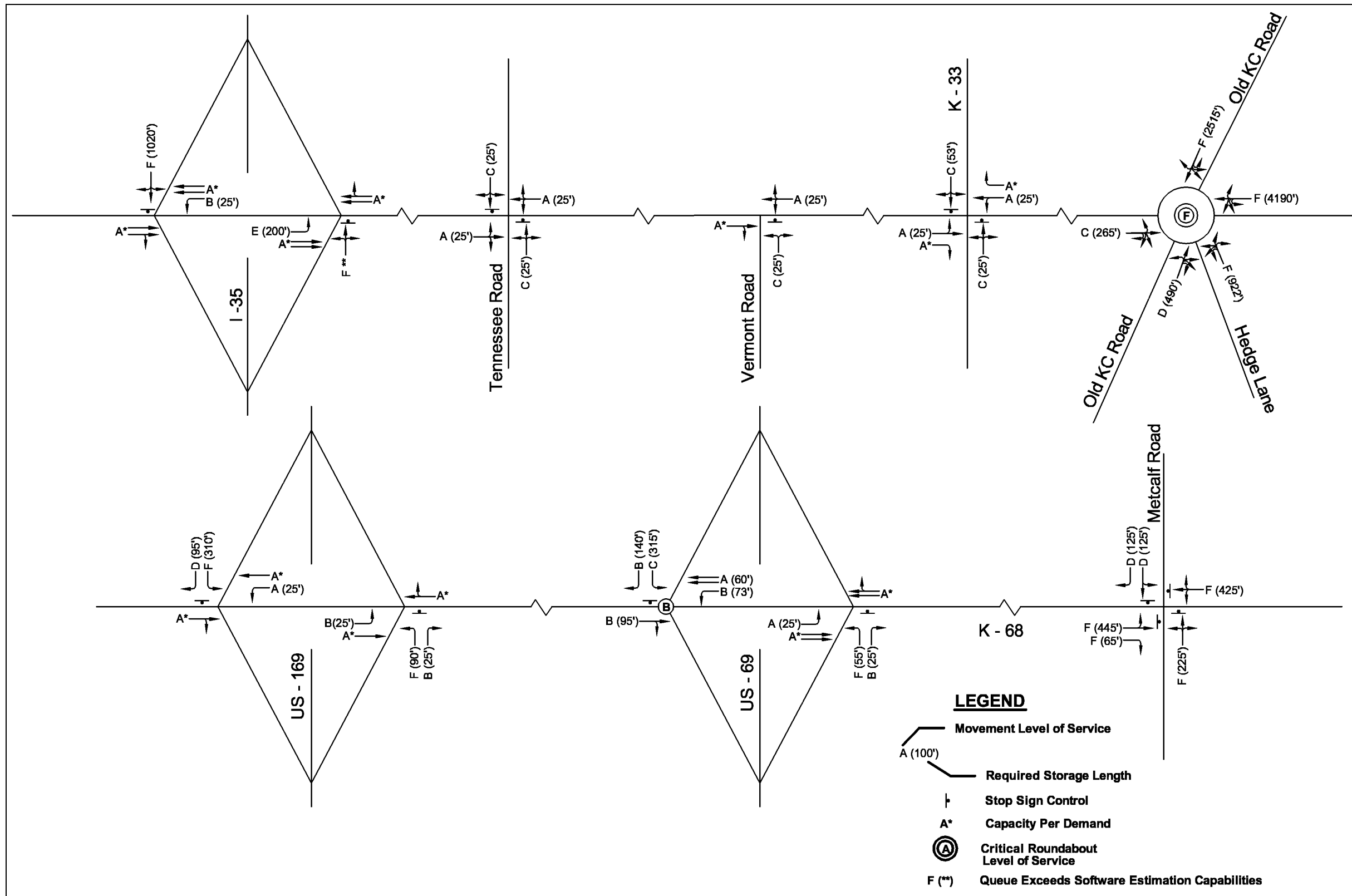


Exhibit 4.11: Level of Service for Future 2030 Intermediate PM Peak Hour Traffic Volumes

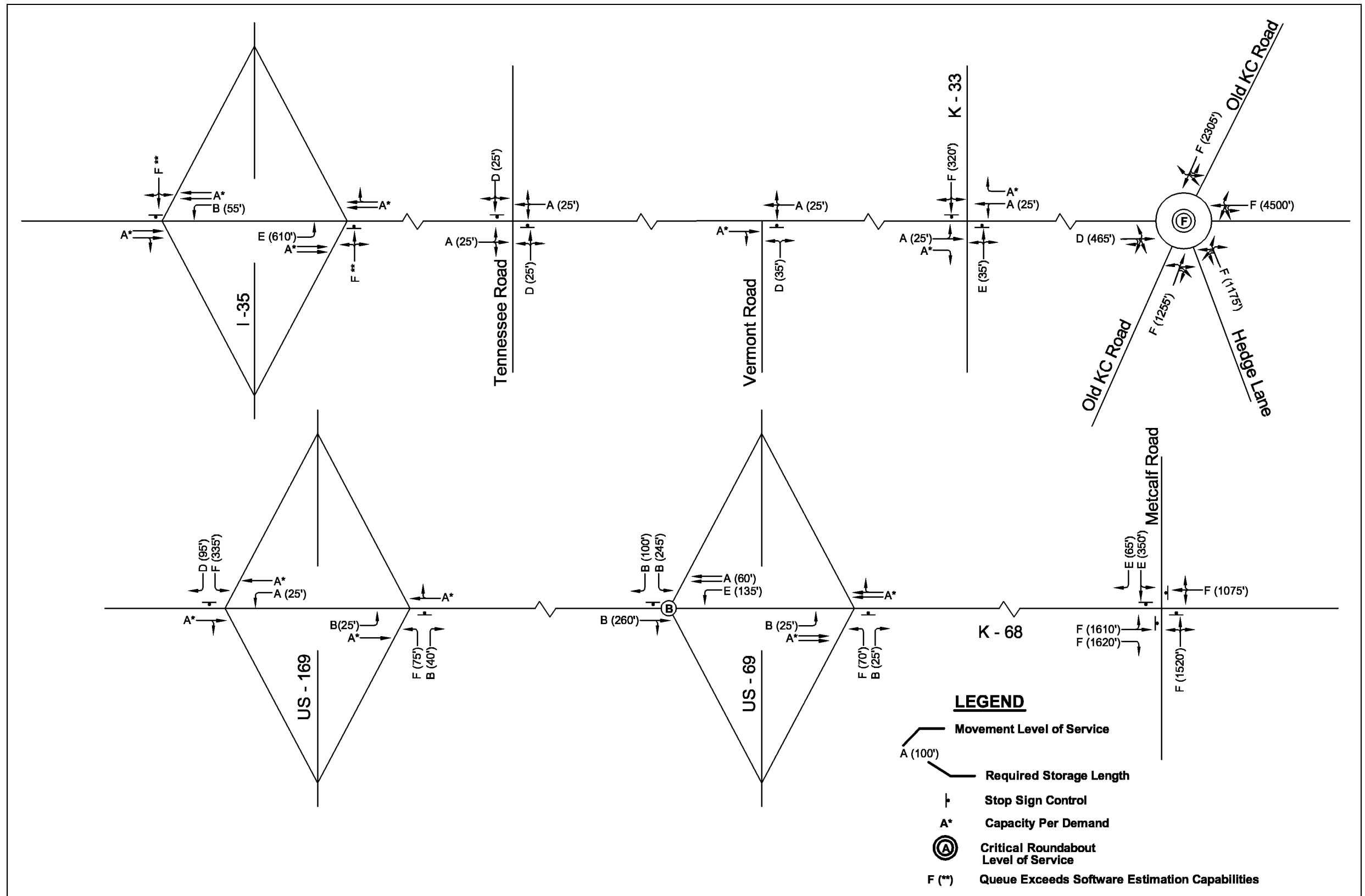


Exhibit 4.12: Level of Service for Future 2030 High PM Peak Hour Traffic Volumes

Louisburg Interchange Alternate: Due to the significant amount of traffic on K-68 through old-town Louisburg, generated by the residential growth projected to occur along 287th Street in the southern portion of Louisburg, an alternative was developed to alleviate congestion on this portion of the highway. A final traffic demand model was developed to examine the effects of constructing a new interchange on US-69 at 287th Street as an alternative access to these large areas of future development and review the options for minimizing traffic lanes on K-68 through Louisburg.

A diamond type interchange would utilize the existing overpass of 287th Street over US-69 to provide nearly direct access to the proposed development areas. In addition to access for the residential development tracts, this interchange would also allow for additional US-69 highway oriented commercial development within Louisburg away from the K-68 corridor. The interchange of 287th Street with US-69 would be expected to serve nearly 8,000 vehicles per day based on the current high land use scenario in this area of the city. With the potential addition of commercial type developments at the interchange, this number would be expected to increase.

This interchange would significantly reduce traffic volumes on K-68 between US-69 and Metcalf Avenue. Approximately 4,000 vehicle per day would be expected to use the new interchange reducing the traffic at the K-68 to about 13,700 vpd east of US-69. The lower highway traffic volumes would reduce the need for widening K-68 to a 5-lane roadway and allow either maintaining the existing 4-lane section, or modify K-68 to a 3-lane section with one through lane in each direction and a center turn lane. Without this proposed interchange, traffic volumes on K-68 would be expected to be 17,700 vehicles per day immediately east of US-69. A comparison of traffic volumes for the high land use scenario and the high land use scenario with the interchange at 287th Street is shown on Exhibit 4.12.

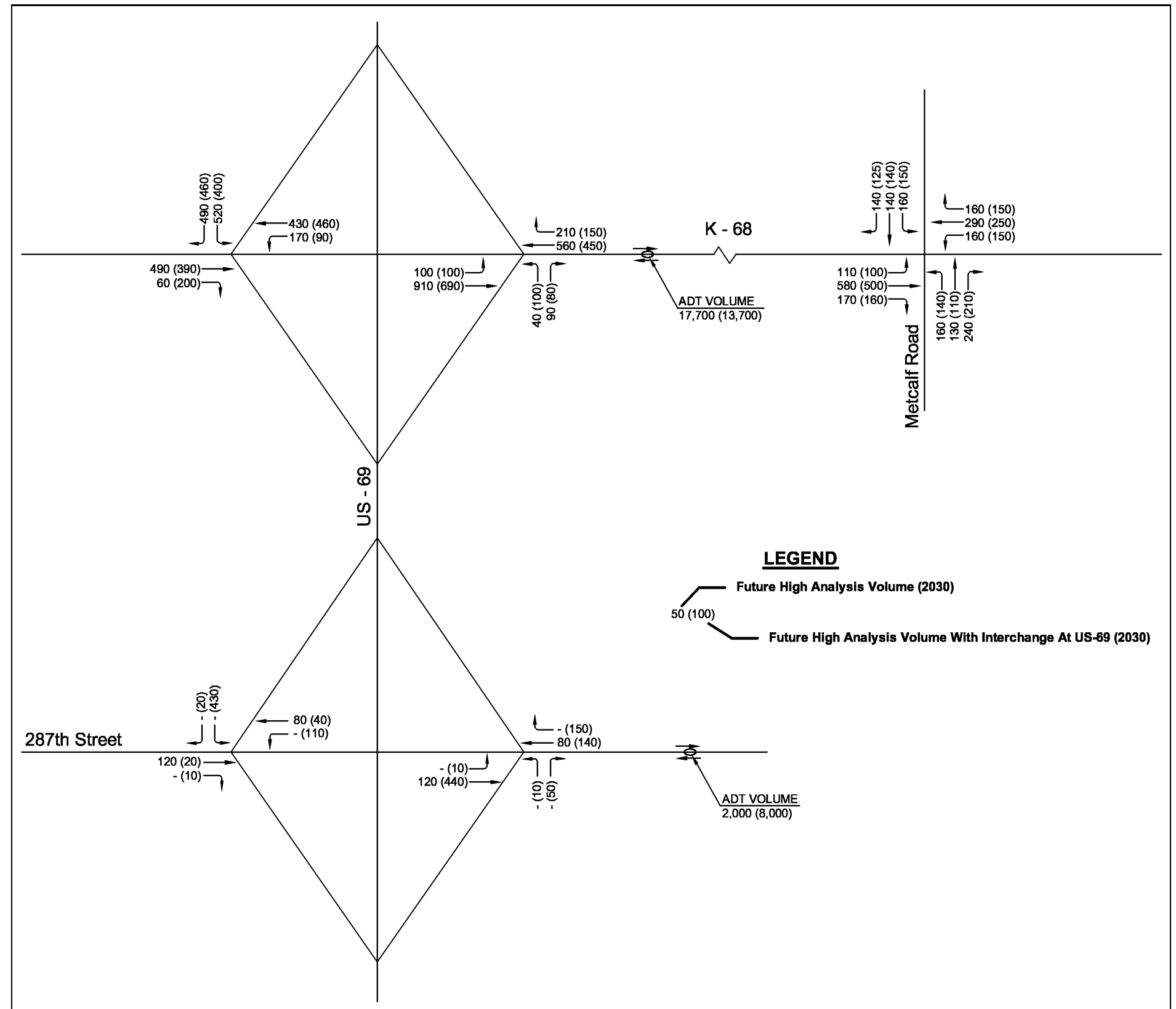


Exhibit 4.12: Level of Service for Future 2030 High PM Peak Hour Traffic Volumes

Chapter 5—Improvement Recommendations

TRANSPORTATION RECOMMENDATIONS

K-68, within the limits of this corridor plan area, generally provides overall good highway service. The consultant team identified some localized deficiencies, which should be addressed as time and budgets allow. The team also identified future improvement needs as a result of the expected continued increases in land use development and traffic volumes. Where possible, many improvements should be constructed as a part of the development or redevelopment that occurs along the corridor.

Table 5.A has been prepared to provide a summary of the existing and future improvement recommendations. This summary identifies locations, timeframes, triggers, and construction cost estimates for the various improvement recommendations. This summary also includes alternatives which should be considered to address capacity and / or safety concerns at some locations. Table 5.A is an overall “wish list” of improvements which need to be prioritized and implemented by the Counties, the three Cities, and KDOT as time and budgets allow.

A series of schematic improvement plan “plates” were also developed to illustrate the types and locations of the recommended improvements. These plates are included in the Appendix.

The recommended improvements and alternatives are intended to address the existing and projected future deficiencies. The improvement recommendations are, in part, a result of the technical analyses completed as part of this plan. However, members of the project Steering Committee, the public, and the Elected Officials were also instrumental in the development of the recommendations.

Access Management Tools: A variety of general access management tools have been developed for use, not only at the studied intersections, but also for other segments of the

corridor. Many of the tools have been identified as short term or long term improvement recommendations for the corridor plan. These tools are proven methods to effectively provide access to properties while maintaining high levels of traffic safety and operations of the highway. A short list of common access management tools is provided below. Each tool is illustrated in detail in Table 5.B at the end of this chapter:

- Interim intersection upgrades (traffic signals, turn-lanes, and acceleration lanes)
- Consolidate mainline driveways
- Relocate mainline driveways/side road access
- Relocate public road connections to mainline, reconnect to frontage roads
- Relocate private driveways, reconnect to frontage roads
- Intersection and drive way consolidation
- Convert major intersections to interchanges
- Advanced right-of-way acquisition
- Close median breaks

Short Term Improvements: Based on the traffic analysis and field observations, the consultant team identified improvement projects to address existing deficiencies along the corridor. The short term improvements include:

Nebraska Terrace: As development or redevelopment allows, reconstruct the north and/or south legs to align and eliminate the interlocking or overlapping left turn vehicle queues at the existing offset intersection.

Intersection Improvements: Construct left-turn and right-turn lanes along the existing two-lane K-68 pavement to increase safety and efficiency by removing vehicles slowing to turn from the high speed through lanes of K-68 at the intersections of:

- The Wal-Mart Distribution Center main access driveway
- Nevada Terrace
- K-33

- Sutherland Drive
- Metcalf Road
- Summerfield Drive / Aquatic Drive

In addition to the previously listed intersections, the left turn and right turn traffic volumes should be monitored at other intersections along K-68 to identify when the criteria for deceleration and acceleration lanes is met.

Signalized intersection improvements may soon be warranted at other intersections along K-68. The safety and capacity of the intersection of K-68 with the northbound ramps at I-35 and at US-69 should be monitored.

Summerfield Drive / Aquatic Drive: Construct pedestrian crossing with flashing beacon to provide improved school pedestrian safety along K-68 between Metcalf Road and Rockville Road.

Crestview Circle: Construct a center raised median to restrict West Crestview Circle to right-in / right-out and provide channelized left turn lanes and traffic signal control at the East Crestview Circle intersection.

Corridor Transportation System Enhancements: As soon as practical, several improvements should be implemented to provide or improve services for pedestrian and bicycle modes of transportation and to provide intermodal capability. These should include:

- Extending sidewalks in Louisburg along the south side between Crestview Circle and Summerfield Drive / Aquatic Drive
- Adding “Share the Road” signs for cyclists along appropriate sections of K-68 and adjacent routes to the corridor
- Providing Park and Ride facilities adjacent to the interchanges of K-68 with I-35, US-169, and US-69 for commuters to and from the KC Metro area.

Access Management Improvements: Currently, K-68 within the boundaries of the plan, is listed as a D Route on the Kansas State Transportation System. It has been proposed to upgrade the route classification to a C Route, increasing the spacing between access points in rural areas and limiting the number of intersections along the route. In addition to upgrading the route classification of K-68, segments with multiple, closely spaced access drives to existing developments, such as the portion of K-68 adjacent to the interchange with US-69, should be relocated or combined onto a frontage road or “reverse frontage” road.

Long Term Improvements: As indicated in Table 5.A, there are improvement projects which should be programmed to address expected future deficiencies. These long term improvements include:

General widening from 2-lane to 4-lane, median divided cross section: The analysis indicated in both the moderate and high land use growth scenarios, the anticipated 2030 traffic volumes along the K-68 corridor would require the highway be widened from 2 lanes to 4 lanes, with auxiliary turn lanes, from I-35 to Nevada Terrace and from Hospital Drive to Metcalf Road. Only during the high land used scenario is it expected that K-68 would need to be widened to a four-lane section between Nevada Terrace and Hospital Drive and between Metcalf Road and Mission Belleview Road.

Proposed Interchange: Construction of an interchange on US-69 at the existing 287th street overpass should be considered. This interchange would allow traffic to be diverted from the section of K-68 between US-69 and Metcalf Road where it is very difficult to provide the necessary widening to a five-lane cross section. Instead K-68, between US-69 and Metcalf Road, could be converted to a three lane section, requiring less right-of-way.

Intersection Improvements: As indicated in Table 5.A, there are other intersections where traffic signals will likely be warranted based on land use development along the corridor. As developments are proposed, site specific traffic impact analyses should be completed to determine the needs for traffic signals or other traffic control devices created by these developments. Left turn and right turn traffic volumes should also be monitored at intersections along K-68 to identify when the criteria for deceleration and acceleration lanes is met.

Major Intersection Traffic Control: The analysis indicated traffic control along K-68 would need to be improved to provided increased capacity and safety for future traffic demands at major intersections. A traffic signal or roundabout should be considered at the following intersections by the year 2020:

- Southbound Ramps at I-35
- Northbound Ramps at I-35
- Nebraska Terrace
- Wal-Mart Distribution Center Main drive
- Nevada Terrace
- Hospital Drive
- Old KC Road / Hedge Lane (upgrade roundabout to 2 lanes)
- Southbound Ramps at US-169
- Northbound Ramps at US-169
- Victory Road
- Wonka Drive
- Northbound Ramps at US-69
- Sutherland Drive
- Rogers Street
- Metcalf Road
- Rockville Road

Access Management Improvements: There are several locations shown on the graphic plates in the Appendix where closely spaced access drives should be combined onto a frontage road, or “reverse frontage” road where appropriate. These access roads should be constructed as part of the highway widening projects, or as part of development projects wherever possible.

Other access management improvement recommendations include constructing raised medians to reduce the conflicts to and from side roads. In high speed, rural areas of the corridor, wide medians should be considered to eliminate the need for traffic signals at higher volume intersections. Wider medians allow turning or crossing traffic volumes to move into the wide median as the first stage of their maneuver and complete the turn or cross as a second stage of their maneuver.

TABLE 5.A: IMPROVEMENT RECOMMENDATIONS SUMMARY

Route Segment / Location	Improvement	Timing	"Trigger"	Estimated Cost*	Footnotes
I-35 to Nevada Terrace					
At SB I-35 Ramp intersection	Add Traffic Signal	< 5 years	Based on monitoring of Signal Warrants	\$150,000	
At NB I-35 Ramp intersection	Alt 1. Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal
At Nebraska Road (East frontage road) intersection	Alt 1. Combine into roundabout with NB I-35 ramps	5 to 10 years	With development	\$500,000	Preferred alternative
	Alt 2. Convert to right-in / right-out	5 to 10 years	With development	\$100,000	
Nebraska Road to Nevada Terrace	Widen K-68 to provide 4 lanes with a 22 to 34-foot urban median	10 to 15 years	ADT > 12,000 vpd	\$7,680,000	Assumes total pavement replacement
At Nebraska Terrace intersection	Add EB and WB left turn and right turn lanes	< 5 years	Needed Now	\$635,000	Add to 2-lane cross section
	Reconstruct to align north and south approaches	< 5 years	Needed Now	\$400,000	
	Alt 1. Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal
At Wal-Mart Distribution Center Main Drive intersection	Add EB right turn lane and EB and WB left turn lane	< 5 years	Needed Now	\$335,000	Add to 2-lane cross section
	Alt 1. Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal
At Nevada Terrace intersection	Add EB right turn lane and EB and WB left turn lane	< 5 years	>40 LT's; >40 RT's	\$535,000	Add to 2-lane cross section
	Alt 1. Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	Preferred alternative
	Alt 2. Construct roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal
Nevada Terrace to BNSF Railroad (West of Hospital Drive)					
Nevada Terrace to BNSF Railroad	Widen K-68 to provide 4 lanes with a 60-foot minimum rural median; provide right-in-right-out operation at most drives; construct U-turn channelization at strategic locations for indirect left turns to and from drives.	20 to 30 years	ADT > 12,000 vpd	\$92,500,000	Assumes total pavement replacement
At Ohio Road intersection	Add EB left turn lane and WB right turn lane	10 to 15 years	>40 LT's; >40 RT's	\$335,000	Add to 2-lane cross section
At Oregon Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
At Tennessee Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
At Texas Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
At Utah Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section

Route Segment / Location	Improvement	Timing	"Trigger"	Estimated	Footnotes
Nevada Terrace to BNSF Railroad (West of Hospital Drive) (cont.)					
At Vermont Road intersection	Add EB right turn lane and WB left turn lane	< 5 years	Needed Now	\$335,000	Add to 2-lane cross section
	Widen median to 150 feet to provide 2-stage crossing traffic movements	20 to 30 years	ADT > 12,000 vpd	\$50,000	Cost is in addition to basic route widening
At K-33 (Virginia Road) intersection	Add EB and WB left and right turn lanes	< 5 years	Needed Now	\$635,000	Add to 2-lane cross section
	Widen median to 150 feet to provide 2-stage crossing traffic movements	20 to 30 years	ADT > 12,000 vpd	\$50,000	Cost is in addition to basic route widening
At Pleasant Valley Road intersection	Add EB and WB left and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
Pleasant Valley Road to 1/2 mile East	Extend frontage road south of K-68 east from Pleasant Valley Road; relocate six direct access drives on K-68 to frontage road.	20 to 30 years	ADT > 12,000 vpd	\$1,520,000	Construct as part of overall route widening
At Pressonville Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
	Widen median to 150 feet to provide 2-stage crossing traffic movements	20 to 30 years	ADT > 12,000 vpd	\$50,000	Cost is in addition to basic route widening
At Indianapolis Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
At Bethel Church Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
At Crescent Hill Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
At Plum Creek Road intersection	Add EB right turn lane and WB left turn lane	10 to 15 years	>40 LT's; >40 RT's	\$335,000	Add to 2-lane cross section
At Overbrook Road intersection with Waverly Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$670,000	Add to 2-lane cross section
	Realign north and / or south legs of Waverly Road and Overbrook Road to eliminate offset intersections	20 to 30 years	ADT > 12,000 vpd	\$400,000	Construct as part of overall route widening
	Widen median to 150 feet to provide 2-stage crossing traffic movements	20 to 30 years	ADT > 12,000 vpd	\$50,000	Construct as part of overall route widening
Overbrook Road to 1/2 mile East	Extend frontage road south of K-68 east from Overbrook Road; relocate four direct access drives on K-68 to frontage road.	20 to 30 years	ADT > 12,000 vpd	\$880,000	Construct as part of overall route widening
At Osawatomie Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
	Widen median to 150 feet to provide 2-stage crossing traffic movements	20 to 30 years	ADT > 12,000 vpd	\$50,000	Construct as part of overall route widening
At Lookout Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
	Relocate private drive to Lookout Road north of intersection	20 to 30 years	ADT > 12,000 vpd	\$160,000	Construct as part of overall route widening

*Cost estimates are construction costs for budgeting purposes only and do not include right-of-way, utility relocation, and engineering, as required.

Improvement Recommendations

TABLE 5.A: IMPROVEMENT RECOMMENDATIONS SUMMARY (COND.)

Route Segment / Location	Improvement	Timing	"Trigger"	Estimated Cost*	Footnotes
Nevada Terrace to BNSF Railroad (West of Hospital Drive) (cont.)					
At Lone Star Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
Lone Star Road to Cedar Niles Road	Extend frontage road south of K-68 between Lone Star Road and Cedar Niles Road; relocated direct access drives on K-68 to frontage road.	20 to 30 years	ADT > 12,000 vpd	\$1,120,000	Construct as part of overall route widening
At Cedar Niles Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
Harmony Road	Add EB left & WB right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
BNSF Railroad (West of Hospital Drive) to Woodland Road					
BNSF Railroad to Woodland Road	Widen K-68 to provide 4 lanes with a 22 to 34-foot urban median	10 to 15 years	ADT > 12,000 vpd	\$16,380,000	Assumes total pavement replacement
At BNSF Railroad Overpass	As part of new highway bridges over railroad, provide for a loop collector road system that provides access to adjacent property via Hospital Road (See plate 18)	10 to 15 years	ADT > 12,000 vpd	\$2,320,000	Construct as part of overall route widening
At Hospital Drive intersection	Add EB & WB left turn and right turn lanes	< 5 years	Needed Now	\$635,000	Add to 2-lane cross section
	Alt 1. Add Traffic Signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct Roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$500,000	Alternate to traffic signal
At Old KC Road / Hedge Lane intersection	Widen Old KC Road to four lanes and expand roundabout to 2 circulating lanes	10 to 15 years	ADT > 12,000 vpd on K-68 or Old KC Road	\$1,900,000	Construct as part of overall route widening
At UP Railroad Overpass	As part of new highway bridges over railroad, provide for a loop collector road system that provides access to adjacent property via right-in / right-out access drives (See plate 20)	10 to 15 years	ADT > 12,000 vpd	\$2,400,000	Construct as part of overall route widening
At SB US-169 Ramp intersection	Alt 1. Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal
At NB US-169 Ramp intersection	Alt 1. Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal
At Victory Road intersection	Add EB left turn lane and WB right turn lane	5 to 10 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
	Alt 1. Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal

*Cost estimates are construction costs for budgeting purposes only and do not include right-of-way, utility relocation, and engineering, as required.

Route Segment / Location	Improvement	Timing	"Trigger"	Estimated Cost*	Footnotes
BNSF Railroad (West of Hospital Drive) to Woodland Road (cont.)					
At Woodland Road intersection	Add EB & WB left turn and right turn lanes	5 to 10 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
	Alt 1. Add traffic signal	10 to 15 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct roundabout	10 to 15 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal
Woodland Road to Spring Valley Road					
Woodland Road to Flint Street	Widen K-68 to provide 4 lanes with a 60-foot minimum rural median; provide right-in-right-out operation at most drives; construct U-turn channelization at strategic locations for indirect left turns to and from drives.	15 to 20 years	ADT > 12,000 vpd	\$29,310,000	Assumes total pavement replacement
At Block Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
At Oak Grove Road intersection	Add EB right turn lane and WB left turn lane	10 to 15 years	>40 LT's; >40 RT's	\$335,000	Add to 2-lane cross section
At Somerset Road (north) intersection	Add EB left turn lane and WB right turn lane	5 to 10 years	>40 LT's; >40 RT's	\$335,000	Add to 2-lane cross section
	Realign north leg of Somerset Road with Oak Grove Road to eliminate offset intersections	15 to 20 years	ADT > 12,000 vpd	\$800,000	Construct as part of overall route widening
At Somerset Road (south) intersection	Add EB right turn lane and WB left turn lane	10 to 15 years	>40 LT's; >40 RT's	\$335,000	Add to 2-lane cross section
1/2 mile west of Beaver Creek Road	Construct frontage road north of K-68 west of Beaver Creek Road; relocate two direct access drives on K-68 to frontage road	15 to 20 years	ADT > 12,000 vpd	\$1,304,000	Construct as part of overall route widening
At Beaver Creek Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
At Private Drive intersection	Add EB right turn lane and WB left turn lane	10 to 15 years	>40 LT's; >40 RT's	\$335,000	Add to 2-lane cross section
At New Lancaster Road intersection	Add EB & WB left turn and right turn lanes	10 to 15 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
	Widen median to 150 feet to provide 2-stage crossing traffic movements	15 to 20 years	ADT > 12,000 vpd	\$50,000	Construct as part of overall route widening
New Lancaster Road to Spring Valley Road	Construct frontage north of K-68 between New Lancaster Road and Spring Valley Road	15 to 20 years	ADT > 12,000 vpd	\$2,560,000	Construct as part of overall route widening
At Flint Street intersection with Spring Valley Road intersection	Realign north leg of Spring Valley Road with Flint Street to eliminate offset intersections	15 to 20 years	ADT > 12,000 vpd	\$1,135,000	Construct as part of overall route widening

TABLE 5.A: IMPROVEMENT RECOMMENDATIONS SUMMARY (COND.)

Route Segment / Location	Improvement	Timing	"Trigger"	Estimated Cost*	Footnotes
Spring Valley Road to Sutherland Drive					
Spring Valley Road to US-69	Widen K-68 to provide 4 lanes with a 22 to 34-foot urban median	10 to 15 years	ADT > 12,00 vpd	\$4,500,000	Assumes total pavement replacement
At Wonka Drive intersection	Alt 1. Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal
	Construct frontage road north of K-68 west of Wonka Drive; relocated direct access on K-68 to frontage road	10 to 15 years	ADT > 12,00 vpd	\$360,000	Construct as part of overall route widening
At SB US-69 Ramp intersection	Provide interconnection to coordinate with proposed adjacent traffic signals	5 to 10 years	Construct with adjacent traffic signals	\$160,000	
At NB US-69 Ramp intersection	Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
At Crestview Circle (west) intersection	Convert to right-in / right-out with center median on K-68	2010 Construction	Needed Now	\$500,000	
At Crestview Circle (east) intersection	Add traffic signal and EB & WB left turn lanes	2010 Construction	Needed Now	\$500,000	
At Sutherland Drive intersection	Add EB & WB left turn lanes and WB right turn lane	2010 Construction	Needed Now	\$635,000	Add with development of intersection
	Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
Sutherland Drive to Metcalf Road					
Sutherland Drive to Metcalf Road	Alt 1. Widen K-68 to provide 5-lane cross section with Two Way Left Turn Lane (TWLT)	5 to 10 years	ADT > 12,000 vpd	\$4,680,000	
	Alt 2. Restripe as a 3-lane road in conjunction with a new interchange on US-69 at existing 287th Street overpass	5 to 10 years	ADT > 12,000 vpd	\$7,000,000	Includes cost to add ramps at 287th Street
At Rogers Street intersection	Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
At Metcalf Road intersection	Add WB left turn lane	< 5 years	Needed Now	\$300,000	
	Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	

Route Segment / Location	Improvement	Timing	"Trigger"	Estimated Cost*	Footnotes
Metcalf Road to Rockville Road					
Metcalf Road to Rockville Road	Widen K-68 to provide 4 lanes with a 20-foot urban arterial median	15 to 20 years	ADT > 12,000	\$5,150,000	Assumes total pavement replacement
At Middle School Drive intersection	Add EB right and WB left turn lanes	< 5 years	>40 LT's; >40 RT's	\$350,000	Add to 2-lane cross section
At Summerfield Drive / Aquatic Drive intersection	Add EB & WB left turn and right turn lanes	< 5 years	>40 LT's; >40 RT's	\$650,000	Add to 2-lane cross section
	Provide school pedestrian crossing with flashing beacons	< 5 years	Needed Now	\$75,000	
At Harvest Drive intersection	Add EB right turn lanes & WB left turn	< 5 years	>40 LT's; >40 RT's	\$350,000	Add to 2-lane cross section
At Rockville Road intersection	Add EB & WB left turn and right turn lanes	< 5 years	>40 LT's; >40 RT's	\$650,000	Add to 2-lane cross section
	Alt 1. Add traffic signal	5 to 10 years	Based on monitoring of Signal Warrants	\$150,000	
	Alt 2. Construct Roundabout	5 to 10 years	Based on monitoring of Signal Warrants	\$400,000	Alternate to traffic signal
Rockville Road to Mission Belleview Road					
Rockville Road to Mission Belleview Road	Widen K-68 to provide 4 lanes with a 20-foot urban arterial median	20 to 30 years	ADT > 12,000 vpd	\$4,880,000	Assumes total pavement replacement
At Mission Belleview Road intersection	Add EB left & WB right turn lanes	5 to 10 years	>40 LT's; >40 RT's	\$635,000	Add to 2-lane cross section
Mission Belleview Road to Missouri State Line					
Mission Belleview Road to Missouri State Line	Widen and improve shoulders	10 to 15 years	ADT > 5,000	\$6,335,000	Assumes construction of new shoulders
At Cold Water Road intersection	Add EB left turn lane	15 to 20 years	>40 LTs	\$220,000	Add to 2-lane cross section

*Cost estimates are construction costs for budgeting purposes only and do not include right-of-way, utility relocation, and engineering, as required.

TABLE 5.B: ACCESS MANAGEMENT TOOLS

Tool	Description	Jurisdiction	Implementation and Compensation Requirements
Interim Intersection Upgrades	Identify at-grade intersections where traffic volumes or accident rates require interim improvement until the corridor is complete.	KDOT / LOCAL	KDOT may authorize interim intersection improvements including traffic signals, turn-lanes and acceleration/deceleration lanes under general statutory authority to establish and maintain state system. Though KDOT must ultimately authorize these upgrades, the evaluations undertaken to determine if they are warranted, their timing, their nature and the source of funding for the upgrades is often initiated by local governments. It is also common for these upgrades to be provided, in whole or in part, by private landowner as a part of an exaction negotiated during the development approval process, based on the extent to which the demand for the upgrade is generated by the proposed development.
Consolidate Private Driveways	Consolidate redundant driveway connections to mainline into single driveway connection, either within an individual tract or at property line of contiguous tracts.	KDOT / LOCAL	If "reasonable" access to the property will remain after consolidation, consolidation can potentially be accomplished by KDOT regulation of driveway permits under police power without payment of compensation to affected property owners. More typically, existing access control breaks allowing private driveways to mainline are acquired through traditional negotiation or condemnation processes. If abutting property owner submits a re-zoning or development proposal to local government, driveway locations are subject to regulation under zoning authority without payment of compensation as condition of zoning or development plan approval.
Eliminate Private Driveways / Side-Road Access	Where property owner has frontage on both mainline and side-road, eliminate mainline driveway and restrict access to side-road.	KDOT / LOCAL	If "reasonable" access to the property will remain after consolidation, elimination can potentially be accomplished by KDOT regulation of driveway permits under police power without payment of compensation to affected property owners. More typically, existing access control breaks allowing private driveways to mainline are acquired through traditional negotiation or condemnation processes. If abutting property owner submits a re-zoning or development proposal to local government, driveway locations are subject to regulation under zoning authority without payment of compensation as condition of zoning or development plan approval.
Relocate Road Connections to Mainline, Re-Connect to Frontage Road	Where local roads connect to mainline at locations other than mile roads, relocate connection between mainline and local cross-road, re-connecting cross-road to newly installed frontage or reverse frontage road.	KDOT / LOCAL	KDOT may regulate location where public roads connect to mainline under general statutory authority to establish and maintain state system and its police power. No public "property right" in location where local roads connect to mainline. Therefore, local governments cannot enjoin closure of mainline connections nor can abutting property owners seek compensation for resulting re-routing along local roads to mainline. More typically, KDOT and local governments will jointly undertake coordinated road improvement projects pursuant to their respective general statutory powers to establish and maintain public roadways. Such a project would include closing cross-road intersections with mainline and reconnecting cross-roads to frontage or reverse-frontage roads which connect to mile-roads and mainline interchanges. If abutting property owner submits a re-zoning or development proposal to local government, location of abutting public or private streets are subject to regulation under zoning authority without payment of compensation as condition of zoning or development plan approval.
Relocate Private Driveways, Re-Connect to Frontage Road	Where private driveways connect directly to mainline, relocate private driveways and re-connect to newly installed frontage or reverse road.	KDOT / LOCAL	Acquire existing access control breaks through negotiation or condemnation, stipulating property remaining will be connected to a newly installed frontage or reverse frontage road. If abutting property owner submits a re-zoning or development proposal to local government, driveway locations are subject to regulation under zoning authority without payment of compensation as condition of zoning or development plan approval.
Intersection Consolidation	Consolidate redundant, at-grade local road intersections into single intersection by establishing local road network to facilitate connection to single remaining at-grade intersection.	KDOT / LOCAL	KDOT may regulate location where public roads connect to mainline under general statutory authority to establish and maintain state system and its police power. No public "property right" in location where local roads connect to mainline. Therefore, local governments cannot enjoin closure of mainline connections nor can abutting property owners seek compensation for resulting re-routing along local roads to mainline. More typically, KDOT and local governments will jointly undertake coordinated road improvement projects pursuant to their respective general statutory powers to establish and maintain public roadways. Such a project would include consolidating redundant, at-grade local road intersections with local road network to facilitate connection to single remaining at-grade intersection. If abutting property owner submits a re-zoning or development proposal to local government, intersection location is subject to regulation under zoning authority without payment of compensation as condition of zoning or development plan approval.
Interchanges at Major Roads	Replace major road at-grade intersections with grade-separated interchanges	KDOT	KDOT may install interchanges under general statutory authority to establish and maintain state system. Acquire necessary right of way through traditional negotiation and condemnation processes.
Advance ROW Acquisition	Identify and prioritize critical parcels most vulnerable to development or other market forces.	KDOT / LOCAL	After identifying and prioritizing critical parcels most vulnerable to development or other market forces which would make acquisition at time of future project physically impossible or unnecessarily expensive. KDOT or local government may acquire necessary right of way as funding is available through traditional negotiation and condemnation processes.
Close Mainline Median Breaks	Eliminate existing median breaks to prohibit left turns to / from mainline and abutting properties.	KDOT	Administrative action under police power to regulate traffic flow. No private property right exists in traffic flow (turning movements) and therefore no compensation due abutting property owners.

Chapter 6—Implementation Strategies

Substantial effort and expense has been put into the development of this Corridor Management Plan for K-68. All of the parties have invested significant resources to:

- Collect and analyze all available, relevant background information on the land area included within the corridor footprint map to fully understand current conditions
- Study and extrapolate projections from the current plans adopted and being prepared by the parties and other entities whose plans may have an impact on development within the Corridor to identify trends and prepare alternative scenarios of how future development may and can progress
- Prepare market projections on development opportunities and constraints that will either positively or adversely affect development potentials
- Reach out to all interested stakeholders to obtain input and guidance on what has occurred, what exists and what they feel should be the vision for this Corridor into the future
- Forge a consensus among KDOT, the community partners and interested stakeholders on a plan that captures this shared vision for enhancements to the mainline highway and adjacent local street network and the interface between the two, including the type and location of points of access, as well as land uses and densities and intensities of development within the Corridor

Successfully completing this planning effort is a major accomplishment in and of itself. The dividends which will flow to the parties from having achieved this goal are inestimable.

That being said, the K-68 Corridor Management Plan is just that: A PLAN. The real purpose for doing a plan is to, through comprehensive and thorough analysis, create a guide to decision-making by all the interested parties, so that the vision and, as much as possible, the details of the plan can become reality. To make the vision of the Plan a reality, KDOT and each of the local communities within the Corridor: Miami County,

Franklin County and the cities of Ottawa, Louisburg and Paola must take action to implement the Plan. This Chapter of the Plan describes a series of techniques that can be used by the partners to help turn the maps, illustrations, policies, goals, strategies and recommendations of the Plan into the actual facility improvements and the associated development patterns envisioned by the Plan. The tools described in this Chapter, when put into place, have the supplemental benefit of establishing additional criterion against which state, county, municipal and utility improvement plans and private development proposals can be evaluated, as each is brought forward through time. Having these supplemental criterion in place will give all parties greater assurance that all the resources the parties put toward creation of the K-68 Corridor Management Plan are realized upon and that the vision for this Corridor becomes a well-functioning component of each community.

The tool box of techniques described here is divided into four major sub-sets: Corridor Preservation Strategies; Access Management Strategies, Financing Strategies and Interlocal Cooperation. Each of these sub-sets are, where appropriate, further categorized to give those using the Plan a better understanding of the role the technique plays in this tool box of implementation techniques, the authority to use the tool and how the techniques complement one another when used appropriately.

CORRIDOR PRESERVATION STRATEGIES

Corridor preservation is achieved through planning and the implementation of those resulting plans using a variety of regulatory strategies, including zoning, subdivision regulations, access management and exercise of the police power. One primary goal is to control or protect areas identified in the Plan that will be necessary for future enhancement to the mainline of K-68, as well as for improvements to the local street network within the K-68 Corridor. An equally important goal is to

preserve and, wherever possible, enhance opportunities for development at locations within the K-68 Corridor that maximize the economic potential of this Corridor, while simultaneously preserving the functionality of this portion of K-68, its access points and the interfacing adjacent local street network. Benefits of corridor preservation include:

- Preventing incompatible development
- Minimizing adverse environmental/social/economic impacts
- Reducing displacements
- Establishing the location of transportation facilities which allows communities increased opportunities to achieve orderly development through future planning
- Reducing future project costs

Close coordination between KDOT and the five local communities is essential since authority for some preservation tools are vested in the state and the authority for others is vested in the local governments.

Planning Tools

Comprehensive Planning: To help ensure that the land development decisions are consistent with and are made in accordance with the recommendations of the K-68 Corridor Management Plan, each community should adopt this Plan, including the footprint map covering areas lying within the city's planning area, as a part of the city's comprehensive plan. K.S.A. 12-747 authorizes city and county planning agencies to make or cause to be made a comprehensive plan for the development of that community. There is specific authority to adopt area or sector plans covering only a portion of the area within a community's jurisdictional boundaries. The plan must show the commission's recommendation for the development or redevelopment of the territory included in the portion of the plan prepared.

The planning commission must hold a hearing on the adoption of the Corridor Management Plan and make a recommendation to the governing body on its adoption. The plan does not become effective unless approved by the governing body. *Jurisdiction: Local.*

Official Maps: An official map is a legally adopted map that conclusively shows the location and width of proposed roads or streets, public facilities and public areas and drainage rights-of-way. It is also commonly referred to as a major street plan. Although the Kansas statutes do not specifically authorize cities or counties to adopt an official map, K.S.A. 12-747, in its description of the elements that should be covered in a comprehensive plan, clearly contemplates that the plan include the type of information that is traditionally included in an official map.

Franklin and Miami Counties and Ottawa and Paola have adopted one of these types of maps. It goes without saying that the lack of specific statutory authority to adopt an official map in no way precludes a city or county from acting pursuant to their home rule authority to do so. In addition, K.S.A. 12-765, discussed below in Subsection Regulatory Tools-Setback Ordinances, granting authority to cities and counties to establish building or setback lines, does authorize cities doing so to incorporate by reference an official map in the ordinance or resolution, as the case may be.

The adoption of an official map as a part of the community's comprehensive plan or as a stand alone document gives that community one additional point of reference and source of guidance when considering development applications relating to land that lies within the Corridor to determine whether the development proposed will have an impact on the improvements contemplated by the Corridor Management Plan. *Jurisdiction: Local.*

Plan Consistency: To help ensure that the community's comprehensive plan is internally consistent and therefore effectively serves as a comprehensive guide to development within the community, upon adoption or in conjunction with the

adoption of the Corridor Management Plan as a part of that community's comprehensive plan, the community should review its existing comprehensive plan to assure that other portions of the plan support and are not in conflict with the recommendations of the Corridor Management Plan. If the community identifies inconsistencies, it should revise and readopt the comprehensive plan with revisions designed to eliminate those inconsistencies using the procedures outlined for the adoption of a comprehensive plan. *Jurisdiction: Local.*

Utility Planning: Utilities necessary to support development will be constructed within the Corridor. It is critical that these utilities be located at places that are consistent with the K-68 Corridor Management Plan, so they will not have to be relocated upon construction of enhancements to K-68 at future dates.

Each community within the Corridor should, in coordination with all providers of utility services within its corporate boundaries, prepare and continually update a utility master plan. These utility master plans must be carefully coordinated with the Corridor Management Plan to ensure consistency between the two. KDOT and communities within the Corridor should carefully evaluate the Corridor Management Plan, when making decisions about the location of new utilities and related easements.

In addition, KDOT and each community should establish a regular point of interface with each utility provider to ensure coordination between the parties in ongoing planning efforts and land acquisition and placement decisions. *Jurisdiction: KDOT/Local.*

Conformity of Public Improvements: K.S.A. 12-748 provides that whenever a planning commission has adopted a comprehensive plan for an area, no "public improvement, public facility or public utility," of a type covered by the recommendations of that plan, may be constructed without first being submitted to and approved by the planning commission as being in conformity with the plan.

Public entities with plans for construction of these improvements, facilities and utilities should consult with the representative of cities and counties with adopted comprehensive plans early in that entity's decision-making process and timely submit those plans to the appropriate planning commissions for this determination. This requirement applies to any public entity that is intending to do this type of construction within the jurisdictional boundaries of a city or county. This is an important way to ensure due consideration is given to the recommendations of the Management Plan, once it is made a part of each community's comprehensive plan.

Cities and counties that learn of plans for construction of this type, by another public entity within their boundaries, should be diligent in contacting the entity to make sure they are aware of this obligation and then to facilitate the contemplated review, thereby helping to ensure the Plan is fully considered in these situations.

It is important to note that the governing body of the entity proposing this construction can over-ride a negative recommendation of a local community planning commission, but even in that instance, an important opportunity for review of the consistency between the proposed construction and the Management Plan by the parties is captured. *Jurisdiction: KDOT/Local.*

Regulatory Tools

Development Moratoria: Any of the cities and counties along the K-68 Corridor may, through passage of a development moratorium, temporarily halt the processing of applications for all or a specified type of development until a governmental activity is completed, such as the adoption of a plan or the passage of a revised ordinance on a specified subject. The Supreme Court recently held that a reasonable moratorium fulfills a legitimate public purpose and is not per se a taking.

As vigilant as the partners to this Plan may be in incorporating the Management Plan into their comprehensive plans and utilizing the regulatory strategies to implement the Plan,

situations are bound to arise where development pressures overtake the local professional staff's ability to effectively manage those pressures. In those situations, development moratoria are a very effective tool to help stem those pressures while the community determines what approach will be most effective; be it an amendment to the comprehensive plan or passage of an ordinance/resolution establishing a new or updated regulatory implementation technique, such as an overlay district.

The moratorium ceases the processing of applications during a legislatively established period of time needed to prepare and adopt strategies the community determines will best address the circumstance. It is important to note that adoption of moratoria is generally considered to be a zoning action. Accordingly, that ordinance/resolution must be passed pursuant to the hearing and notice requirement of Article 7 of the Kansas Statutes. For that reason, it is critical that communities act quickly to get a moratorium in place once a situation calling for a "time out" is identified.

One way to close the window on the rush of applications that might result from notice of the consideration of a moratorium ordinance is for the community's governing body to adopt a resolution directing staff to stop accepting applications until the moratorium ordinance takes effect. The authority for adoption of a resolution of this type is found in the "pending ordinance" doctrine, which has been accepted by the courts of most states. *Jurisdiction: Local.*

Zoning: Zoning is one of the most prevalent and effective mechanisms for implementing a comprehensive plan. Zoning is a process utilized by local governments to classify land into areas and districts. These areas are generally referred to as "zones," and impose, in each area and district, restrictions related to building and structure designs, building and structure placement, and uses to which land, buildings, and structures within these districts may be put, including setbacks and height, lot coverage, and impervious cover restrictions.

The authority to establish setbacks from rights-of-ways is not

specifically mentioned, but is derived from the authority to set sizes of buildings, the percentage of each lot that may be occupied and the size of yard and other open space. See Subsection Regulatory Tools-Setback Ordinances of this Chapter for a discussion of the authority to establish setbacks or building lines granted in K.S.A. 12-765. See also, the authority to establish setbacks derived from K.S.A. 749, which provides cities and counties with the authority to establish subdivision regulations. The implicit authority to establish setbacks as a part of zoning district restrictions is located in K.S.A. 12-755. These statutory provisions provide authority to establish setbacks for more than just buildings. They may apply to any structure within the designated setback.

Traditionally, however, though established at depths adequate to preserve rights-of-way for the local street network system, the normal front and side yard setback included in zoning ordinances and subdivision regulations are not generally sufficient in depth to preserve rights of way that may be necessary for enhancement to K-68 within the Corridor.

Zoning ordinances may also make provisions for certain uses to be established community-wide or in individual zones only by issuance of a special or conditional use permit. Rezoning of parcels that have been previously zoned may be initiated by the local community or by a property owner. *Jurisdiction: Local.*

Through the adoption of zoning ordinances, which are carefully tailored to implement the strategies and policies of the Corridor Management Plan, development within the K-68 Corridor can be effectively managed to ensure successful implementation of that Plan. K.S.A. 12-755 and 12-756 authorize both cities and counties to adopt zoning ordinances, and K.S.A. 12-757 authorizes the rezoning of properties in those instances where changing a property's zoning classification is advisable or necessary to adapt original zoning to current situations.

If a rezoning application proposes a zoning classification that is determine to have the potential of adversely impacting the

Corridor, copies of the application, along with the staff report, should be provided to KDOT for input, at the same time any other affected party is provided notice of the hearing on the application.

K.S.A. 12-715b authorizes cities, with a couple of exceptions and under certain conditions, to adopt zoning regulations applicable to land located outside of its corporate limits, but only within three miles of those limits and only if the county has not adopted zoning regulations applicable to that area of the county.

Written notice of a city's intent to adopt zoning outside its limits must be provided to the appropriate board of county commissioners. Similarly, each county that proposes to adopt zoning regulations affecting property within three miles of the corporate limits of a city, must give written notice of its intent to that city's governing body. Along the K-68 Corridor, both Franklin and Miami County have adopted zoning that includes all of its jurisdiction, but does exclude the Urban Growth Areas and Community Growth Areas, respectively, surrounding cities within each county.

Zoning Approval Criteria: Arguably, the most important Kansas Supreme Court case dealing with zoning is *Golden v. the City of Overland Park*. *Golden* sets out a set of factors that planning commissions and governing bodies may consider when deciding whether to approve or deny a zoning application. One of those factors is consistency with the comprehensive plan. Each community along the K-68 Corridor, when acting on a development application related to land that lies within the Corridor, should consider whether the development proposed by that application is consistent with the Corridor Management Plan, as adopted into its comprehensive plan.

Overlay Districts: One of the most effective plan implementation zoning techniques is overlay districts. An overlay district can be either mapped or narratively described to be mapped at some later point in time (floating). An overlay district superimposes certain additional restrictions that modify

or supplement the restrictions of the underlying zoning district or districts, in recognition that distinguishing circumstances exist within the area that must be regulated in a manner different from the regulations of the underlying district.

One misunderstanding about the term overlay district is that communities think there is a model that can be pulled off the shelf and adopted to serve as its overlay district. While it might be accurate to say that a model procedural framework might exist, nothing could be farther from the truth when talking about the real implementation aspects of the overlay district. The whole goal behind adoption of an overlay district is to address special and unique circumstances and considerations that affect a specific geographic area of the jurisdiction differently than other areas of the jurisdiction. Thus the objective is to identify those circumstances and considerations; articulate a vision for how that particular area should develop over time (while both accommodating and capitalizing on opportunities presented by those considerations); then develop regulations, restrictions and incentives to guide development to effectively realize that vision.

Overlay ordinances are generally composed mainly of design and performance guidelines and standards, and are filled with illustrations and graphics. They are carefully prepared to effectuate the plan for that specific area. In this instance, the K-68 Corridor Management Plan has created the vision, or at least, the superstructure of that vision.

An overlay district is crafted to implement that Plan. It is also common for people to believe that the community could prepare one overlay district and that it would apply to all land in its jurisdiction within the Corridor. For the very reasons stated above, that notion is incorrect also. Because the Plan identifies development scenarios that are unique to each different location within the Corridor, the idea that one set of regulations and incentives could be prepared to guide development along an entire length of a corridor is flawed. Each one of those locations should have its own overlay district with carefully chosen implementation techniques employed to achieve Plan objectives.

Potentially, one overlay district could be prepared for each jurisdiction along the Corridor, but for it to have any real usefulness, it would have to break the Corridor into distinct segments with a separate set of standards created for each segment. For example, an overlay district can be effectively used to establish setback or building lines that are deeper than the setbacks set out in the underlying district regulations. This can be particularly effectual, as diverse setback distances can be established for different segments along the Corridor, depending on the need for additional rights-of-way at a specific location and on whether the segment is a developed or an undeveloped area, as well as on the nature and intensity of any existing development.

Planned Districts: Conventional zoning allows for an amendment of the zoning classification of land upon application of the governing body or the planning commission. If the proposed amendment affects specific property, the landowner may make application. The procedures set forth above govern the consideration of and action on zoning amendments, generally called rezonings. So long as the decision to rezone is reasonable, in light of the *Golden* criteria, the rezoning may take place at any point in time.

Most commonly, a rezoning is applied for just in advance of development of that property or when a change of use is contemplated as a part of redevelopment of the property. Nothing, however, requires that there be pending development for a rezoning of a particular property to be reasonable. Sometimes properties are rezoned well in advance of any potential development or redevelopment activity. There may be a very valid public purpose for rezoning land substantially before it is ripe for development or redevelopment, and in those instances, the application should be made by the governing body or planning commission.

It is generally good planning, however, not to prematurely rezone land to a zoning category other than one that allows its current use or to a use that is imminent. A community can successfully illustrate its vision of how land should be developed, in terms of general uses, through the future land

use map of its comprehensive plan. It really does not need to zone land to an anticipated land use well in advance of development to make its community vision for land use known.

Generally, a community's development objectives can best be served if it has as much information about contemplated uses, proposed site terrain, location and type of infrastructure being proposed, building arrangement, architectural design and other features of development, as is possible, when it considers a rezoning application.

Planned districts are an excellent tool to help in achieving this objective. A community's zoning ordinance can provide that all its zoning districts are planned districts, it can provide a parallel planned district for each or any number of its conventional districts (such as C-1 and C-1/P) or it can create separate planned districts for certain types of development or for development in certain locations.

The planned district process ensures this type of information is available to the planning commission and governing body by converting the traditional rezoning process into a two step process. The applicant submits two separate plans to the community at different points in the approval process. The plan contains an increasing level of detail commensurate with the stage at which the property is in the development process. These plans are generally called development plans; one a preliminary and the other a final development plan. Although what the submittal is called is without significance.

The preliminary development plan is submitted along with the application for rezoning. The amount of information that is included in the preliminary plan can and should vary from community to community but in any event should include enough to allow decisions makers to understand the nature and quality of the development being proposed. The following type of information would generally be included: topography, locations of building and other structures, dimensions portraying relationships between buildings and to property and setback/build to lines, on site and adjacent area circulation, storm water management approach, preliminary sketches

depicting the general style, size and exterior construction materials of proposed structures and evidence of adequate public facilities.

Both the planning commission and the governing body consider and act on the preliminary plan at the same meeting they consider the rezoning application. No rezoning application may be approved until and unless a preliminary plan for that property is approved. This helps ensure that the decision makers fully understand what is going to be developed on that property when the rezoning is approved. An applicant may opt to combine the two plans into one and submit the combined plan with the rezoning application. It is just necessary that all the submission requirements of the two plans are incorporated in the submitted plan.

If the development proposed by the preliminary development plan application is determined to have the potential of adversely impacting the Corridor, copies of the application along with the staff report, should be provided to KDOT for input, at the same time any other affected party is provided notice of the hearing on the application.

Typically, the approved preliminary plan stays in effect for a set period of time; most commonly 2 years, with the possibility of an extension if justified and applied for before the expiration of the approval. This process can be easily adapted to phased projects.

The second step in the planned district approval process is the submission of a final development plan. This occurs after engineering drawings have been approved, but before any building permit may be issued. The final plan must be substantially consistent with the approved preliminary plan or be approved using the same process for preliminary plan approval. The final plan contains much more information than the preliminary, as, of course, the developer has moved farther along in designing the development, so more information is available to provide additional assurance to the community that the development proposed is appropriate for that location.

These final plans, when consistent with the preliminary, can be approved administratively or legislatively or through a combination of the two. Once the plan is approved, it is filed of record with the county register of deeds. All development at the location covered by the rezoning and development plan application must then be constructed in accordance with the plan or risk stop work orders and zoning ordinance violations.

Site Plans: Although a site plan itself is very similar to the development plans discussed above in the description of Planned Districts, the term is used here to describe a plan submitted during the course of the development approval process when the community does not employ a planned district process. It is also designed as a mechanism to inform the decision makers of the applicant's proposal for development of property.

Unlike the Planned District process, which is traditionally a two step plan submittal process undertaken in conjunction with a rezoning of land, the site planning process is generally a one step process that is required of developers that are not required to rezone their property prior to the issuance of a building permit. To institute this mechanism, the community would need to revise its land development codes to require that, in instances of proposed developments, where some other plan approval process is not required prior to issuance of a building permit, the applicant must submit a site plan for review and approval prior to building permit issuance. It would be common for certain types of development to be excluded from the site plan approval process, such as development of a single family house or similar smaller type developments that will have a minimal impact on facilities and services or on the landscape.

The usual site plan would be described as a plan for one or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, floodplains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices; surrounding

development; and any other information that reasonably may be required for an informed decision to be made by the approving authority.

It is not uncommon for the site planning process to be divided formally or informally into two parts, and for that matter, for the planned district two step process to be modified to add a third step. In these circumstances, an initial submittal, often called a concept plan, is made to the technical staff for informal review. The applicant and its consultant sit down with the approving authority's technical staff to discuss the plan and exchange views on what the applicant is proposing and what the technical staff believes will be acceptable to the approving authority. It can also serve as an opportunity to fine-tune the plan for formal submittal. Once that process is complete, a formal site plan, as described above, or a preliminary development plan is submitted for staff review and report.

The nature of the approval required for a site plan can vary greatly, depending on the expertise of staff and the appetite of the community to delegate approval authority to an administrative official. So, for example, a community could decide to vest plan approval authority for some categories of development in an administrative official, other categories of development in its planning commission and retain to the governing body still another category of development approvals. One would expect that administrative approval would be available for those categories of development that are determined to be of the least potential community impact, moving up to governing body approval on those that could have far reaching impacts, such as development at certain locations (key intersections) along the K-68 Corridor.

If the site plan proposed in the application is determined to have the potential of adversely impacting the Corridor, copies of the application, along with the staff report, should be provided to KDOT for input, at the same time any other affected party is provided notice of the hearing on the application. If no hearing is required, this notice should be provided to KDOT in enough time before action on the application take place to allow meaningful KDOT input.

Another excellent way to approach site planning is to combine site plan review with an overlay district. The site plan is then used to evaluate the extent to which the design and performance guidelines of the overlay district are met by the proposed development. Going a step further, the overlay district could set forth certain guidelines that are mandatory, others that are encouraged and a last tier that are desirable, or some variance of this approach. The nature of the approval could then be tied to the degree to which the different tiers of guidelines are achieved. For example, all proposals that achieve all the mandatory and encouraged guidelines can be approved administratively. If the staff determines that the proposals does not achieve the guidelines in both tiers, the site plan must be considered by the planning commission or governing body. The variants that can be employed here are nearly endless.

Subdivision Regulation: The subdivision of land through platting is the second most common method used by communities to manage the development of property within its jurisdiction. The control of the division of a parcel of land is effectuated by adopting subdivision regulations by ordinance or resolution that requires development be in accordance with set design standards and procedures adopted locally.

K.S.A. 12 – 749 grants cities and counties the authority to adopt subdivision regulations. Subdivision regulations may include, but need not be limited to regulations designed to: ensure efficient and orderly location of streets; reduction of vehicular congestion; reservation or dedication of land for open spaces; off-site and on-site public improvements; recreational facilities; flood protection; building lines; compatibility of design; storm water runoff; and any other services, facilities and improvements deemed appropriate. It is through the consideration and action on plats that communities along the K-68 Corridor are able to require that the distances which structures are set back from rights-of-way (a very important tool for preservation of rights-of-way for proposed enhancements to K-68), the layout of building lots, the points of ingress and egress from the lot(s) (effective in helping to manage access), and the public improvements

associated with those lots do, in fact, conform to locally established standards, including adopted plans such as corridor management plans.

In some locations, subdivision regulation and plat approval may actually be the most significant regulatory tool for managing development. In some more rural areas, it is more common for counties to have adopted subdivision regulations than to have adopted zoning. In those unincorporated areas, there would be no local legislative authority to manage development through zoning restrictions. Accordingly, subdivision regulation would be those counties' primary land management tool. Both Miami and Franklin Counties' subdivision regulations authorize the cities in the respective counties to enter into interlocal cooperation agreements regarding the regulation of subdivisions within areas surrounding the cities within the counties.

Subdivision regulations usually specify what improvements the subdivider will be required to provide and the standards to which the improvements need to be constructed. A plat is a map prepared by a registered civil engineer or licensed land surveyor showing the boundaries and locations of individual properties and the streets of the proposed subdivision. The plat generally also shows land to be dedicated to a public sector entity for streets and easements for public utilities.

K.S.A. 12-749 authorizes a planning commission to adopt and amend regulations regarding the subdivision of land, including payment of a fee in lieu of dedication of land. This same section also authorizes a county planning commission to establish subdivision regulations. Much like zoning, a city may adopt subdivision regulations that control the subdivision of land outside of its corporate boundaries, but only within three miles of that limit or one half the distance between two cities, whichever is less. Similar written notice requirements apply.

The regulations must be considered by the planning commission at a public hearing, and the commission must forward its recommendation to the governing body for its approval. K.S.A. 12-750 lays out a process that must be

followed where a city desires to adopt extraterritorial subdivision regulations and the county has its own regulations in effect as to that area. None of the cities along the K-68 Corridor have exercised extraterritorial subdivision regulation authority. That process can result in the creation of a joint city/county committee for subdivision regulation.

K.S.A. 12-752 establishes the procedure for the consideration of and action on plats. Each plat must be submitted to the planning commission, which determines if the plat conforms to the subdivision regulations. If it finds that it does, it notifies the owners of that fact and endorses that fact on the plat. A dedication of land for public purposes must be accepted by the governing body before it takes effect.

See Section Administrative Tools-Notice of Applicability of Plan below, of this Chapter, regarding notices that should be placed on plats prior to their recording with Registers of Deeds to help ensure that prospective purchasers of properties, which are included in the geographic area covered by the Corridor Management Plan, are informed of the ramifications on those properties of being within an the area covered by the K-68 Corridor Management Plan.

In addition, if the preliminary plat application is determined to have the potential of adversely impacting the Corridor, copies of the application along with the staff report, should be provided to KDOT for input, at the same time any other affected party is provide notice of the hearing on the application. *Jurisdiction: Local.*

Building Permits: The same section of Kansas Statutes discussed immediately above, prohibits the issuance of a building permit for the use or construction of any structure on any platted lot in an area governed by subdivision regulations, except in the manner provided by that section. It further authorizes subdivision regulations adopted by cities and counties to provide a procedure for the issuance of building permits that takes into account the need for adequate street rights-of-way, easements, improvements of public facilities and zoning regulations, if in existence.

The issuance of a building permit is obviously the last step in the typical development approval process. Although courts hold that a building permit must be issued upon submission of a complete application, if all code provisions governing the process for building permit issuance have been fulfilled, this does not mean that communities cannot creatively incorporate building permit requirements into their governing code provisions. For example, it is common for the issuance of a building permit to be conditional upon the payment of a legislatively imposed fee, such as an impact fee.

In cities or counties that have not adopted zoning or subdivision regulations, local regulations governing the issuance of building permits may not only be the last step, but also the first step in the development approval process, thus markedly increasing the importance of this tool in the arsenal of techniques a community may employ to effectively manage land development. This is not a concern along the K-68 Corridor. Even in communities that have adopted one or both regulatory tools, the procedure for the issuance of building permits still may play a very a critical role. See subsection Regulatory Tools-Zoning, Site Plan above, of this Chapter, on Site Plans for a description of how that technique can be used to more effectively manage the development of land in jurisdictions where either zoning or subdivision regulations have not been enacted.

K.S.A. 12-751 authorizes cities to adopt and enforce building codes outside that city's limits and allows compliance with subdivision regulations to be a condition of the issuance of a building permit. *Jurisdiction: Local.*

Transfer of Development Rights and Density Transfers: Some locations along the K-68 Corridor, for a variety of reasons, including availability of access, are best developed with more intense and/or dense uses. Other locations along the Corridor, for other reasons, including the lack of direct access, are best suited for less intense or dense development.

One way communities along the Corridor can help ensure that property owners are afforded the maximum opportunity to

develop their property to its most reasonable and economic potential is to establish a system of density incentives and transfers to encourage more intense development in areas designated on the Plan for that type of development. This system provides those landowners whose land is designated for less intense development the ability to transfer some or all of their development rights to locations where more intense development is planned, through a sale of those rights to landowners at those intense locations. These systems involve the transfer of all or a part of the permitted density on one parcel to another parcel or to another portion of that same parcel, thus allowing higher density at that location than would be allowed under the existing zoning regulations.

The transfer or removal of the right to develop or build is expressed in units per acre or floor area ratio. This transfer generally occurs in accordance with a legislative established program that allows the shifting of development potential from areas where more intense land uses are considered undesirable (the donor site or sending zone), such as at locations which are a distance from the location where K-68 interchanges are to be constructed, to other areas (receiving zones) chosen on the basis of its ability to accommodate development that is more dense or intense, such as areas adjacent to proposed interchanges. For example, developers can buy development rights from properties targeted for public open space and transfer the additional density to the base number of units permitted in the zone in which they propose to develop.

Density Incentives: This technique is an additional method of increasing density at locations designated by the Plan, and thereby maximizing the economic potential of the Corridor without sacrificing K-68's functionality and the functionality of the adjacent local street network. It involves identifying areas, such as areas near interchanges or other access points, which are shown on the Management Plan as more appropriate for dense or intense development than other areas within the Corridor and providing incentives that will encourage developers to propose a form of development at those locations that conform to the density or intensity levels

contemplated by the Plan.

The most common incentive is to allow for a streamlined development approval process for applications that propose developments which exceed the density thresholds otherwise established by the local community through the restrictions of the underlying zoning district regulations. This is generally achieved by allowing for administrative, rather than legislative, approvals during the application review process. To be legally valid, the legislation establishing the program must include specific standards to guide the administrative official in decisions on when an application qualifies for streamlined review and when the application approval criteria are met. There are few limits to the innovation that can be used in creating incentives to lure more dense development. The Management Plan should serve as a good source of inspiration on potential incentives. *Jurisdiction: Local.*

Cluster Development: This technique is yet another tool to help achieve Plan goals of ensuring denser development at locations where the Plan calls for it, while simultaneously keeping development away from or at very minimal levels at locations where it will have an adverse impact on Plan goals. A good example would be to preserve and protect critical environment or cultural resources. This technique is generally authorized by specific district regulations, such as a cluster subdivision. It is a development design technique that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreational, common open space or preservation of historically or environmentally sensitive areas.

Through the employment of this technique, property owners are able to achieve an acceptable average density for the entire parcel, and both the public and private sector participants are able to effectively protect key community resources. This technique is intended to allow for significant creativity in site layout and planning, generally resulting in added value to development areas as a result of access to permanent open space and recreational opportunities. *Jurisdiction: Local.*

Setback Ordinances: One of the keys to successful implementation of the Corridor Management Plan is ensuring that development does not encroach on right-of-way that would be necessary for improvements to K-68 and its interchanges, as the Corridor develops. Along with the authority granted to cities and counties to zone and adopt subdivision regulations, one very effective way to achieve this objective is through the adoption of a building or setback line. This tool preserves projected rights-of-way and reduces acquisition costs: both over-riding goals of the Management Plan. K.S.A. 12-765 authorizes cities or counties, which have adopted a plan for a major street or highway system (which would include the Corridor Management Plan), as a part of its comprehensive plan, to adopt building setback lines.

After consultation with the Secretary of Transportation, the county engineer and any planning commission of a county or counties within which that highway system lies, the governing body may establish, by ordinance or resolution, a building or setback line along proposed major streets or highways. This enactment, much like building and set back lines established in zoning district regulations and subdivision regulations, includes a prohibition on the location of buildings in front of that setback line. The enacting ordinance or resolution may incorporate by reference an official map showing with survey accuracy the location and width of existing or proposed major streets or highways and any setback or building line.

A building or setback line cannot be enforced until a certified copy of the map and any adopting ordinance or resolution is filed with the register of deeds of each county. The key to the enforceability of the setback line is a careful evaluation of the impact of the line, and its attendant prohibition, on adjacent landowners. The restriction on development must leave these owners with viable economic uses for their commonly owned contiguous parcels of land.

As a safety valve, the local board of zoning appeals is vested by statute with the power to modify any building restrictions to address unwarranted hardships that constitute a complete deprivation of use.

Building setback lines, like build-to lines, can also be established as a part of zoning district restrictions, subdivision regulations and as a design guideline in an overlay district. Although this is an additional tool available to communities along the Corridor to implement the Management Plan, it may well be that cities and counties can as effectively accomplish the goals of this tool through set back and building lines established in zoning ordinances and subdivision regulations, though care must be taken to ensure that the set back established in these regulations are large enough to preserve the rights-of-way that is contemplated to be necessary for enhancement to K-68 over time. *Jurisdiction: KDOT/Local.*

4(f) Uses: Federal statute places significant restrictions on the authority of the United States Secretary of Transportation to approve a transportation program requiring use of publicly-owned land, a public park, recreation area or wildlife refuges or land of a historic site. Because state transportation programs or projects often involve federal funds, the Secretary's approval is commonly required. Accordingly, it is important that these uses not be located within the Corridor unless no other viable option is available. This imperative makes it critical that the Corridor communities avoid locating or approving development applications seeking to establish public parks, recreation areas or wildlife refuges and historic sites, also known as 4(f) uses, in the areas shown on the Plan footprint map as right-of-way for K-68 or of any portion of the local street network. The moniker 4(f) comes from the United States Code provision that limits the Secretary's approval authority. *Jurisdiction: KDOT/Local.*

Variations: Communities in Kansas have authority to grant variances from the specific terms of the zoning restriction whenever doing so is not contrary to the public interest and where, due to special conditions, local enforcement of the provisions of the regulations, in an individual case, results in unnecessary hardship. K.S.A. 12-759.

The board of zoning appeals has the authority to grant a variance to area and setback regulations applicable to that property. The grant of a variance from district restrictions, such

as parking requirements and impervious cover requirements, may be an effective way to allow an important development proposal to proceed with minor modifications that keep it out of necessary K-68 rights-of-way and behind setback lines. At the same time, the grant of some variances could adversely impact the recommendations of the Plan. Therefore, it is recommended that the board of zoning appeals consult the Corridor Management Plan, as incorporated into its comprehensive plan, when considering any request for a variance to ensure that the variance decision supports the recommendations of the Plan.

In addition, if the variance proposed is determined to have the potential of adversely impacting the Corridor, copies of the application, along with the staff report, should be provided to KDOT for input, at the same time any other affected party is provided notice of the hearing on the application. *Jurisdiction: Local.*

Administrative Tools

Accessibility of the Comprehensive Plan: The goal of a comprehensive plan is not only to serve as a guide to development for the planning commission and the governing body but also to owners and potential owners of property within the community's jurisdictional boundaries. That being the case, it is recommended that the amended comprehensive plan be posted on the city's website and at all other appropriate locations to assist in assuring that all interested parties are informed of the recommendations of the Corridor Management Plan for areas included in its footprint map. *Jurisdiction: Local.*

Notice of Applicability of Plan: One tool to help ensure that individuals who own property within the Corridor and who are considering purchase and/or development of that property are aware that the land is included in the area covered by the Corridor Management Plan is for each of the partner counties and cities in the development of a Corridor Management Plan to require that all plats approved by them contain a statement, similar to the following, placed in the dedication section of each approved plat.

"The property shown on and described in this plat is and shall hereinafter perpetually be subject to that certain [INSERT CORRIDOR NAME] Corridor Management Plan, adopted by the Kansas Department of Transportation on _____, the City of _____, Kansas on _____, _____ and _____ County, Kansas on _____, _____, recorded in the Register of Deeds for _____ County, Kansas, in Book _____, at Page _____."

Another way to help ensure that those interested in developing areas of land covered by the Management Plan are aware of the Plan, is for communities within the Corridor to amend all their development applications to highlight the existence of special planning areas in the city or county, including the areas covered by the Corridor Management Plan. This could be handled informally through an internal process established wherein all individuals who request a development application are routinely asked by staff the location of the property that will be the subject of the application to allow the staff member to inform the potential applicant when the area to be developed is included in an area covered by a special area plan. Alternately, it could be handled more formally by inserting a line on all applications with a space to be filled in identifying parcels covered by special plan areas. The latter is the recommended approach, as it avoids reliance on, what could be, revolving staff to ensure that knowledge of the relevance of areas plans is consistently imparted to applicants. That being said, development application forms cannot always be changed immediately, so the informal process may be employed until the opportunity arises to make the formal change.

Entities or persons interested in developing at locations within the Corridor may also become informed of the existence of the Plan as a result of the requisite filing of the Interlocal Cooperation Agreement (entered into among all parties to the Study that resulted in the Corridor Management Plan) in the register of deeds office in the county where that property is located. It should be noted that upon its filing the Interlocal Agreement will not be filed in the grantor/grantee index, so it would typically not show up on a title search. The agreement

is filed under the names of the parties to the agreement. See Interlocal Cooperation of this Chapter for details on filing of the interlocal agreements. *Jurisdiction: Local.*

Notice and Opportunity to Provide Input: Since the Corridor Management Plan is a joint cooperative effort between the Kansas Department of Transportation and the 2 counties and three cities along the Corridor to create a vision for development of that Corridor and provide a guide to development decisions made by each community within that Corridor, all parties with an interest in potential development along the Corridor should be afforded an opportunity to provide input on that decision-making process during the requisite application and consideration procedures utilized by that community. Accordingly, each community should provide KDOT with appropriate notice of any development application (including rezoning and associated preliminary development plans applications, special or conditional use applications, site plan applications and preliminary plat applications and hearings on an amendment to that community's comprehensive plan), that could reasonably be expected to have the potential to adversely impact the Corridor. In addition, each community should provide KDOT with advance copies of all such proposed plan amendments or development applications and any related staff reports. *Jurisdiction: KDOT/Local.*

Notice of Land Marketed for Sale: Success in being able to acquire property necessary for rights-of-way for K-68 at the earliest time possible is critical to the successful implementation of the Corridor Management Plan. The ability to act quickly when an opportunity arises is key to this success. If KDOT has prompt notice of properties that become available for purchase within areas shown as future right-of-way in the Corridor Management Plan, it will be in a better position to timely coordinate with local governments on the acquisition of necessary rights-of-way. Each of the cities and counties within the Corridor should employ whatever means are available and identify additional means by which they can keep apprised of land purchase opportunities as they arise within the Corridor. *Jurisdiction: KDOT/Local.*

Economic Incentive Policy: As discussed below, city and county economic incentives can effectively be focused to increase the amount of revenues they generate to pay for the cost of acquisition of land needed for transportation facilities and for the actual construction of the facilities shown on the Plan, as well as to encourage dedications of land for facility rights-of-way. Many cities and counties have adopted policies to guide governing body decisions on when to grant incentives and the level of incentives that will be available. If a community along the Corridor has adopted or is considering the adoption of an economic incentive policy, that policy should be revised or adopted to encourage the use of economic incentives to implement the recommendations of the Corridor Management Plan. *Jurisdiction: Local.*

Acquisition Tools

Land Acquisition: Public sector entities have the authority to acquire land for public improvements, including state highways and local roads and streets by gift, purchase, or condemnation (K.S.A. 19-101 et seq., Article 12, Section 5 of the Kansas Constitution, K.S.A. 68-404). Sufficient land may be acquired to accommodate immediate construction needs, as well as for future needs. In appropriate circumstances, public sector entities can acquire interests in land for public improvements in advance of the date of the start of construction. Timely acquisition of necessary rights-of-way preserves opportunities to fully implement the goals of the Corridor Plan and helps reduce the cost of full implementation.

The primary objective of all the partners in implementing the Plan must be to continually coordinate with one another to identify opportunities to acquire the interests in land necessary to construct the transportation improvements envisioned by the Plan. Continuing coordination is critical, but it means nothing if the partners are not equally devoted to cooperation with one another in the identification of traditional and innovative new sources of revenue and in creative partnering on acquisition strategies. *Jurisdiction: KDOT/Local.*

Access Acquisition: As discussed in Section Access Management Strategies-Closing of Access below, existing access points that

are not consistent with the Corridor Management Plan can often be eliminated through the KDOT's, city's or county's exercise of their police power. For that exercise to be appropriate however, adjacent landowners must be left with "reasonable" access after the inconsistent access point is removed. A private property owner does not have a legal right to direct access to the highway or to a particular local street. It is only required that a reasonable access is available to a property owner through some alternative means, such as access to a frontage or reverse frontage road, in the case of K-68 or from some other adjacent street. That being said, situations will arise where this objective of reasonable access cannot be achieved solely through exercise of a public entity's police power.

Situations will also exist where it is desirable to eliminate one or more existing access points to a particular parcel to achieve the access management objectives of the Plan, while still leaving that property owner with a point of direct access that is consistent with the Plan. In those, and in other instances, it may be advisable or even necessary to acquire inconsistent points of access through traditional negotiation or condemnation processes. The authority to acquire land referenced in Section Corridor Preservation-Acquisition Tools-Land Acquisition above is also the source of KDOT's, cities' and counties' authority to acquire access. Acquisition of access rights can be applied to:

- Limit access to designated locations or side streets
- Control access and sight distance at intersections or interchanges
- Introduce long term or permanent access control
- Control traffic and turning movements at locations where high numbers of conflicting movements occur

Land Dedication and In-Lieu Fees: One of the most, if not the most, critical recommendation of the Corridor Management Plan is that both KDOT and the communities along the Corridor do everything within their power to preserve and acquire the right-of-way necessary to construct the enhancements to K-68 and to the adjacent and interfacing local street network.

One of the goals of the plan is to maximize economic opportunities for both landowners and communities along the Corridor while, at the same time, minimizing development of land at locations of a nature, and of an intensity that impedes the partners' ability to ensure that K-68 and the local street network function as envisioned by the Corridor Management Plan. New development that takes place within the corridor, in most instances, will create a need for new transportation network facilities to accommodate the vehicle trips it generates.

Both federal and state law authorize the communities along the corridor to require, as a condition of development approval, that the landowner dedicate rights-of-way needed for network improvements in an amount that is roughly proportionate to the need for facilities generated by that development. A carefully calculated system of fees in lieu of dedication also can be effectively utilized to ensure the timely purchase of sufficient rights-of-way. These in-lieu fees are authorized by K.S.A. 12-749.

If each community along the corridor adopts a well-designed, legally defensible right-of-way dedication and/or in-lieu fee program, the significant costs of acquiring the right-of-way contemplated by the Corridor Management Plan can be greatly minimized, thereby helping to ensure successful implementation of the Plan. *Jurisdiction: Local.*

ACCESS MANAGEMENT STRATEGIES

KDOT and local communities can undertake access management activities through its "governmental police powers," which is the authority to take action to protect the well-being, safety and health of the public, and through its authority to acquire interests in land. These management strategies can be designed to apply equally to all parts of the transportation network within the Corridor. Alternatively, access management tools and regulations can be imposed as an overlay district and don't have to be city or county-wide, but can be tailored to accomplish specific objectives in defined areas.

A component of access management is known as regulation of traffic flow. Regulation of traffic flow could include several actions listed in the access management tools described below or be as simple as prohibiting left turns, prescribing one-way traffic, or restricting speed. Managing access is complicated and requires careful consideration, but it can be done while still allowing the property owner reasonable access to their property and to the surrounding street network. It is important to understand the differences between access (connection with surrounding roadways) and routing (direction of flows between properties and surrounding roadways).

The following are several action steps the Corridor partners can take in the area of access management to help assure successful implementation of this Management Plan.

Closing of Access

While the ultimate objective of conversion of an existing route to an access controlled facility generally may not be realized immediately, KDOT and the communities need to constantly be looking for and acting on opportunities to eliminate access at locations other than those interchanges and access locations designated in the Plan. Access management is necessary to protect safety for the motoring public and the operational efficiency of the Corridor. Effective access management also protects public investments and facilitates the continued economic vitality of the corridor. In contrast, uncontrolled access, generally impedes development and produces high costs when and if retrofits are needed. *Jurisdiction: KDOT/Local.*

Approval of Access

As stated above, the authority to allow access to a state highway or city connecting links is vested in KDOT. See The Kansas Department of Transportation Corridor Management Policy, <http://www.ksdot.org:9080/BurTrafficEng/cmpworking/Index.asp>. A request for access is approved and controlled through issuance of a Highway Permit. The Permit is the legal document that establishes the relationship between the landowner and KDOT. All points of access to the state highway system must be the subject of a Highway Permit. This includes when access connections or local streets and intersections are installed, relocated, improved, removed, or replaced on or along state highway system right-of-way, such as K-68. The permit will specify such things as the location of the point of access, issues related to the construction of the access, type of use allowed at the access point and other conditions and limitations of access at that point. The KDOT District Engineer has been delegated the authority to approve Highway Permits. A request for a Highway Permit must be made with the appropriate KDOT Area Office.

With respect to access to local streets within the K-68 Corridor, the authority to approve that access is vested in either the city or county that has jurisdiction at the requested location. This authority is derived from the government's inherent police power. The actual procedure for obtaining access will vary from community to community. Some communities may have adopted an access management policy that governs the location and other aspects of access to the public streets and road. In other instances, regulations governing access points may be located in the community's zoning district regulations or its subdivision regulations. Provisions on access should be included in any overlay district created for an area within the Corridor. On City Connecting Links, a Highway Permit must be obtained for work in the right-of-way. Executed copies of the permit, approved by KDOT and the city or county will be provided to the property owner.

Input to KDOT on Access/ Coordination of Access Management

Because of the importance of access management on K-68, and on the road and street network within the Corridor, and because

the authority to permit and close access to the state highway system and its connecting links is vested exclusively in KDOT, (K.S.A. 68-413 and K.S.A. 68-404(a)), it is critical that communities along the Corridor confer with KDOT respecting development applications that propose access points on K-68 and on portions of the local street network that are included in the Corridor Management Plan, particularly if that access is not consistent with points shown on the Corridor Management Plan as future points of access. *Jurisdiction: KDOT/Local.*

Coordination with KDOT

The K-68 Corridor Management Plan identifies existing access points on the highway that should be closed over time, as appropriate circumstances present themselves, to achieve access management objectives. Accordingly, each community along the Corridor should cooperate with KDOT in identifying existing access points along K-68 and in closing those points, where doing so, will implement the access management goals of the Corridor Management Plan. Each local government partner should establish points of contact with KDOT to facilitate the ability to quickly capitalize on opportunities as they arise. Early coordination with KDOT at the site plan and preliminary plat stages is important. *Jurisdiction: KDOT/Local.*

Shared Access

One meaningful way to help ensure that all property owners are afforded reasonable access to the mainline and to the local street network consistent with the full functionality of that network, is to encourage that joint access to that network by adjacent property owners be utilized to the maximum extent possible. Therefore, communities, when reviewing development applications should consider, as a condition of approval of that application, the grant of a recorded easement by the applicant to adjoining property owners or such other conditions as are appropriate to further the Corridor access management objectives. *Jurisdiction: Local*

A list of common access management tools is provided below:

- Close median breaks
- Consolidate mainline driveways
- Eliminate mainline driveways/side road access
- Eliminate public road connections to mainline, reconnect to frontage roads
- Eliminate private driveways, reconnect to frontage roads
- Intersection consolidation
- Convert major intersections to interchanges
- Advanced right-of-way acquisition
- Interim intersection upgrades (traffic signals, turn-lanes and acceleration lanes)

FINANCING STRATEGIES

The Corridor Management Plan has been developed to maximize economic opportunity and to provide a fully functional highway and street network for property owners within the K-68 Corridor. The full costs of the improvements to the mainline highway and adjacent street network necessary to achieve these Plan objectives are significant. Monies needed to complete these enhancements may not be available from KDOT or from the cities and counties within the Corridor when the enhancements are needed. The following are all critical to the successful implementation of the Management Plan:

- Identifying all existing financing tools, both the traditional and the alternative tools;
- Creatively analyzing how these tools can best be utilized individually and in concert with one another to maximize resources;
- Investigating possibilities for new options using home rule and delegated powers;
- Pursuing federal and state statutory and regulatory amendments to eliminate funding obstacles and provide new approaches; and
- Pursuing new legislative authority for innovative funding approaches

All are critical to the successful implementation of the Management Plan.

To achieve this sought-after success, it is imperative that all Corridor partners carefully and constantly coordinate with one another to identify potential sources of funds and work diligently, once sources are identified, to make certain that available funds are utilized in the most effective and efficient way to the benefit of all parties to this endeavor.

That having been said, there is a wide array of financing options available to cities and counties to finance infrastructure improvements. Notably, many of these same financing options can be used as economic incentives to encourage development to occur at a certain location, in a certain form, and/or in specified densities or intensities. These financing options include

the traditional mechanisms used by cities and counties to raise revenues and to pay for both the capital and operational expenses of government, as well as other alternative financing strategies.

Traditional Funding

Traditional funding mechanisms include federal and state funds, real and personal property taxation (Article 12, Section 5 of the Kansas Constitution, K.S.A. 19-101 et seq. and K.S.A. 79-1801 et seq.), sales taxation (K.S.A. 12-187 et seq.), economic development tax exemptions (Article 11, Section 13, Kansas Constitution), special assessments (K.S.A. 12-6a01 et seq., and K.S.A. 12-601), and the Main Trafficway Act (K.S.A. 12-685). The latter two are both discussed in some detail immediately below.

K.S.A 12-6a Improvement Districts: Improvement Districts are the Kansas form or a traditional benefit district; a financing and development tool whereby cities and counties can establish a district, construct improvements and then issue general obligation bonds for construction of public improvements and assess the cost to those properties that are specifically benefited by the improvement. The bonds are then retired through payment of special assessments that are paid along with the benefited property owner's ad valorem property taxes by these benefiting properties. There is a very specific statutory process that must be followed to effectively utilize this strategy.

Improvement Districts may be used by the cities and counties to assist in development of arterial roadways (usually associated with section line roads), water lines and sanitary sewers, among other public improvements. It is a responsible and fair method available to communities in Kansas to pay for the roads and infrastructure associated with new development, though its use is not limited to improvements to support only new development. For example it is often used as the financing mechanism for the construction of new sidewalks in existing developments. However, the method can be effectively used to ensure existing property owners do not pay for improvements from which they do not receive a special benefit.

With the number of roadway, sanitary sewers and water line improvements throughout a community, if the community did not utilize improvement districts, either the improvements would not be made or property owner's ad valorem property taxes would need to be raised to allow for the construction of these necessary improvements. Developers have the option to build the improvements in front of their land to meet city specifications, but in so doing, a hodge-podge of improvements would occur, and the improvements could be under construction at different times and cause much more disruption than the orderly process afforded by the creation and administration of Improvement Districts. *Jurisdiction: Local.*

Main Trafficways: K.S.A. 12-685 et seq. authorizes cities to designate by ordinance any existing or proposed street, boulevard, avenue or part thereof, within its jurisdictional boundaries as a main trafficway, if the primary function of the street is the movement of traffic between areas of concentrated activity within or outside the city. Once designated a main trafficway, the city is authorized to acquire by purchase or condemnation the land necessary for that facility and to improve or reimprove that trafficway. Virtually all aspects of the construction of these trafficways is authorized, including bridges, viaducts, overpasses, underpasses, culverts and drainage, trafficway illumination, traffic control devices and pedestrian ways. The cost for these improvements, including acquisition, can be paid for from the cities general improvement fund, internal improvement fund or any other available funds or by the issuance of general obligation bonds. No vote of the public is required for issuance of bonds for these purposes. This method is often used in conjunction with the improvement district statute for street improvements. *Jurisdiction: Local*

All of these financing mechanisms are available to fund improvements contemplated by the Corridor Management Plan, and their use, as the situation dictates, should not be ignored.

Because the traditional mechanisms are regularly utilized by KDOT, cities and counties to pay for capital projects, they will not be discussed in further detail in this Chapter; rather this portion of this Chapter is devoted to an explanation of several of the less-traditional mechanisms available to cities and counties to pay for improvements contemplated by the Plan and to incent Corridor development that is consistent with the Plan's recommendations.

Although not actually a source of additional revenue, the bonding authority of cities and counties is worthy of mention. Each is authorized to issue long-term debt to finance projects, with that debt to be repaid from a variety of traditional and some alternative revenue sources. Bonding authority is important for many reasons, but one key advantage of issuing bonds to finance public improvements is that it allows the issuing entity to pay for an improvement up front (before total project costs are available in hand) to get a project started or even completed in those instances where timing is critical in terms of events in the community and/or to take advantage of favorable financial markets. These improvements can then be paid for over time, generally up to 20 years, as tax revenues or other dedicated sources become available. This can be a huge advantage and can help the partners in their efforts to acquire land for and make the improvements contemplated by the Plan when actual situations in the K-68 Corridor dictate those actions occur.

Cities and counties are authorized to issue general obligation bonds payable from a general tax levy on all taxable property within the city (K.S.A. 10-101 et seq.). These GO Bonds are backed by the full faith and credit of the issuing entity. As an alternate, the city may issue revenue bonds (K.S.A. 10-1201 et seq.). Revenue bonds are repaid from a pledge of the revenue from a specified income-generating facility or source. Revenue bonds are not guaranteed by the full faith and credit of the issuer. A city may issue special assessment bonds to be repaid, in whole or in part, from the revenues received from special assessments imposed on properties that are specially benefited by the improvement(s) constructed within an assessment district (K.S.A. 12-60015). Special assessment bonds are actually

general obligations of the issuer, which, in addition to the pledge of the revenues from the special assessment, are backed by the full faith and credit of the city. The final category of traditional municipal bonds is special obligation bonds. These are bonds issued under the authority of Kansas statute, specifically, K.S.A. 12-1770 et seq. and 12-17, 160, et seq., to finance the undertaking of redevelopment projects. These bonds are payable from incremental property tax increases resulting from the redevelopment in an established redevelopment district, a pledge of a portion of the revenues received by the issuer from transient guest, sales and use taxes collected from taxpayers doing business in a redevelopment district, franchise fees, private, state or federal assistance or any combination thereof.

Alternative Funding Mechanisms

Most alternative funding techniques are devised by one local government to meet a local need and their use than spreads from community to community. The techniques are refined based on trial-and-error. Many of these approaches do not have specific legislative authority, but are enabled through home rule, local police powers, or a broad reading of authority from another source, such as local planning.

State highway, road and street projects required to support new development, may be constructed utilizing economic incentives, such as tax increment financing, Star Bonds, sales tax reimbursement agreements, tax abatement, special assessment districts and transportation development districts, to name only several of the options. It is important that, wherever possible, local communities along the Corridor be cognizant of their ability to require that revenues from the grant of these incentives to developers be used to offset the cost of the construction of mainline highway improvements and related improvements to the local street network, as shown on the K-68 Corridor Management Plan. But, even more importantly, they must actually make the grant of these incentives conditional on a reasonable portion of these monies being used to pay the cost of Corridor Management Plan identified improvements.

These incentives also can be effectively used to influence the location, type/uses, form, architectural quality, configuration and density/intensity of development. It is important to utilize these incentives, not only to offset traditional public costs for these facilities, but also as incentives to shape development proposals, so they further Plan recommendations and achieve quality design and sustainable development in the Corridor.

Impact Fees: Impact fees are one-time regulatory fees assessed against new development to cover the costs for necessary capital facilities proportionate to the demand generated by the new development. The fee is imposed by a public sector entity on development activity as a condition of granting development approval, and generally is calculated at the platting stage and collected at the time a building permit is issued. Kansas has no impact fee statutory authority.

Nevertheless, cities and counties can establish a system of impact fees using their home rule authority. This system of fees requires the development of a local legislative adopted scheme that includes the calculation methodology for the fee, and a system of credits, exemptions and appeals. The system would be adopted by ordinance or resolution, as the case would require. Impact fees must be used to add capacity attributable to new development; they cannot be used to pay for improvements necessitated by existing development. An impact fee must meet three requirements:

- The new facilities are a consequence of new development
- There must be a proportionate relationship between the fee and the infrastructure demand
- The funds collected must be used to provide a substantial benefit to the new development

In Kansas, impact fees may be collected either across the entire jurisdiction or in a designated geographic area. While they may be assessed at platting, impact fees are typically collected upon building permit issuance. A detailed calculation is necessary to ensure that the system, and particularly the fee charged property owners, is proportionate to the demand for

¹257 Kan. 566, 894 P.2d 836 (1995).

new facilities that each unit of new development generates, i.e., its impact, in terms of facility capacity consumed. In funding transportation network facility improvements, the measuring stick for each development's impacts is the number of vehicle trips it will generate. Since streets are generally designed to accommodate the PM peak hour trips, that is generally the time interval used.

The Kansas Supreme Court has recognized the legitimate use of impact fees in *McCarthy v. City of Leawood*. In that case, the City of Leawood assessed the payment of impact fees on the issuance of building permits and plat approvals for properties within the K-150 (135th Street) Corridor. The purpose of the fee was to finance a portion of the improvements of K-150. Back when first established in 1988, the fee was calculated based upon trip generation, at a rate of \$26.45 per trip. This rate was then multiplied by the average number of trips generated by a use to determine the individual fee. For example, residential uses were projected to generate 10 trips per day, multiplied by \$26.45 for a fee of \$264.50 per unit. *Jurisdiction: Local.*

Excise Tax: Technically, an excise tax is a broad term that covers every type of tax, except a property tax. As with all taxes, it is a method of raising revenue. It is distinguished by the fact that rather than being based on the value of property, it is levied on a certain activity or the exercise of a privilege – more accurately described as business done, income received, or privilege enjoyed.

Typical examples of excise taxes include taxes on the purchase of gasoline, alcohol or cigarettes, business license taxes and on the rental of hotel rooms. In recent past, local governments in Kansas have innovatively used an excise tax to fund transportation network improvements that are required to support development. It is structured as a tax on the activity of platting lots. The rate of the tax is based on the amount of square footage proposed to be constructed or on the number of vehicle trips the proposed development will generate on the street network. The key reason for its use has been that because it is a tax and not a regulatory fee, the rate is not

required to satisfy the constitutional benefit or nexus requirements of regulatory fees imposed by local governments, such as impact fees discussed above. Kansas courts had upheld this financing approach.

In 2006, however, the Kansas Legislature amended K.S.A. 12-194 to make it uniformly applicable to all cities. By doing so, this provision became no longer subject to a charter ordinance or resolution whereby cities and counties could make its provisions inapplicable to that city or county and adopt supplemental provisions on the subject. This charter approach was the one that cities had used to eliminate the legal impediment in K.S.A. 12-194 and use their ordinary home rule power to establish an excise tax system of this type. It had become known as a "development excise tax." That amendment, in addition to precluding local governments that did not have a development excise tax in place from adopting one, also included a provision that prevented cities and counties that had levied or imposed a development excise from increasing the rate of the tax without a majority vote of the electors, after July 1, 2006. Accordingly, this technique is only available to local governments that had a development excise tax in place before that date, and those that did have one in place cannot increase the rate charged without a vote. *Jurisdiction: Local.*

Transportation Development Districts: A Transportation Development District (TDD) (K.S.A. 12-17,140 at seq.) is a form of a special district enacted specifically to facilitate the construction, maintenance and financing of a broad array of transportation projects, ranging from streets, roads, highway access roads, interchanges and bridges to light rail and mass transit facilities. Most improvements related thereto, such as streetscape, utility relocations and other necessary associated infrastructure, can also be funded using this technique. While a regular special district can be used to address transportation issues, transportation development districts allow greater funding flexibility, including authority to impose a transportation development district sales tax of up to 1% (K.S.A. 12-17,145), in addition to the authority to levy special assessments.

If a transportation development district is sought to be imposed, the governing body must hold a duly noticed public hearing in advance of adopting the resolution or ordinance creating the district and approving the method of financing projects within the district. The district may issue bonds backed by the revenues received from properties in the district from the imposed sales tax or special assessment.

One significant difficulty in utilizing this mechanism for improvements covering a larger area is that the district can only be formed through a petition signed by owners of all of the land area within the proposed district. So, if the improvement is adjacent to lands owned by different owners, it may be difficult to obtain the consent of all necessary owners. It may have its greatest utility for distinct segments of the improvements proposed by the Management Plan, such as mainline highway interchanges and access roads located within one tract of land that is designated in the Plan for more dense or intense development.

This technique can also be used effectively to assist in the financing of key portions of the adjacent local street network. The statutory scheme allows for a good deal of flexibility in how the boundaries of the district are established, so long as all included property owners agree. For that reason, the community partners should keep this tool on the list of the ones that should be considered for funding, particularly in those instances where a property owner or several property owners want to develop an area of land at an access point with sales tax generating properties. *Jurisdiction: Local.*

Transportation Utility Fee: A transportation utility fee is a fee collected on residences and businesses within a city's or county's corporate limits tied to the use and consumption of the transportation system. While this approach has only recently been applied to transportation services, utility charges

²64 Am. Jur.2d Public Utilities § 1 (1972) (cited in Susan Schoettle & David Richardson, *Nontraditional Uses of the Utility Concept to Fund Public Facilities*, 25 URB. LAW. 519 (1993).

³*Id.* at 525.

⁴*Id.*

have been used for years "to finance not only public water and wastewater systems but also such diverse facilities and services as electricity, telephone or telegraph services, gas, and a cotton gin."² There are a number of benefits to TUFs:

Utility rates and fees provide a steady revenue stream that may be used for maintenance and operations costs, as well as facilities construction and are not required to meet the direct benefit test applicable to special assessments. Also, utility charges are generally not subject to voter approval, as are many taxes.³

And perhaps most applicable to the current circumstances, "[t]he development of a transportation utility is a particularly attractive option in states with strong home rule powers, such as Colorado, Florida, and California."⁴

Utility fees are collected from all development, both existing and new (as it "hooks-in" to the existing system). Charges are based on usage estimates of trips by land use and project budgets. The transportation utility fee is typically included on an existing county or utility collected tax or rate bill.

The uses to which revenues from a utility can be used are limited only by the restrictions placed on their use in the home rule authority. Generally, however, the revenues would be placed into a separate fund and earmarked or dedicated to the purposes stated in the enabling authority and to no other purpose.

There is no specific legislative authority for transportation utility fees in Kansas. Local governments will need to look to home rule to authorize this financing mechanism. The key to the successful employment of this technique is crafting an ordinary ordinance or resolution that establishes a system of charges that will not be found to be a "tax," while at the same time ensuring that the ordinance or resolution is not in conflict with existing state statutes, such as, by example, K.S.A. 12-6a01 et seq., authorizing special assessment districts.

⁵784 P.2d 304, 305 (Colo. 1989).

In the leading case on transportation utility fees, *Bloom v. City of Fort Collins*⁵, the Colorado Supreme Court reached the following conclusion:

We hold that a transportation utility fee is not a property tax but rather is a special fee imposed upon owners or occupants of developed lots fronting city streets and that such fee . . . is reasonably related to the expenses incurred by the city in carrying out its legitimate goal of maintaining an effective network of city streets.

The Fort Collins transportation utility fee was adopted to address maintenance issues. Nothing, however, would prohibit the utility fee from being designed to fund construction-related costs. The Fort Collins fee was calculated based on: "the amount of frontage in linear feet that each lot or parcel has on the right-of-way of an accepted street; the base rate maintenance cost of each foot of frontage; and the developed use of the property (which includes the amount of vehicular traffic generated by the property)". The fee was billed monthly. The Colorado Supreme Court found that the transportation utility fee qualified as a fee and not a direct tax. "Unlike a tax, a special fee is not designed to raise revenues to defray the general expenses of government, but rather is a charge imposed upon persons or property for the purpose of defraying the cost of a particular governmental service."

Although this technique has a lot of potential as a viable alternative funding strategy, careful coordination with legal counsel will be necessary to ensure the precise structure developed is legally defensible. *Jurisdiction: Local.*

Tax Increment Financing: Tax increment financing (K.S.A. 12-1770 et seq.) is a tool used by local governments to capture the future increases in property tax and all or a portion of the revenues received from transient guest, use, local sales taxes collected from taxpayers doing business within the district, and increased franchise fees, and to make revenues realized there from available as an incentive to development, by using the revenue to pay for, generally, public infrastructure necessary to implement a redevelopment project plan (K.S.A. 12-170a (o)). Project costs may not include costs related

to a structure to be owned by or leased to a developer.

TIF funding can provide funds either as collected (pay-as-you-go) or through special obligation tax increment bonds repaid over twenty years.

While there is specific enabling authority for the use of TIF, it is limited to "eligible" areas that fall within one of the following categories and the boundaries of which are designated by the local government as a redevelopment district :

- Blighted
- Blighted and in a 100-year flood-plain
- Intermodal transportation area
- Major commercial entertainment and tourism area Conservation (becoming blighted)
- Major tourism area
- Historic theater
- Enterprise zone, or
- Environmentally contaminated area

Therefore, not all property within a local government's jurisdictional boundaries may qualify to be included in a redevelopment area.

Eligible project costs most certainly will include all transportation network public infrastructure identified in the K-68 Corridor Management Plan. *Jurisdiction: Local.*

Sales Tax and Revenue Bond Districts: This mechanism (K.S.A. 12-17, 160 et seq.) is the big brother/sister of tax increment financing. It's "Super TIF," if you will. The entire mechanism works almost exactly like tax increment financing, except the districts are called STAR bond project districts and the individual projects in the district are called STAR bond projects. Each project must be approved by the Secretary of Commerce and include at least a \$50,000,000 of capital investment and evidence \$50,000,000 in project gross annual sales or, if outside a MSA, met the requirements of K.S.A 12-17,162 (w). It is the heightened level of incentives authorized in these districts that is key. Once a district is established and a project plan is

approved, the approving city may issue special obligation bonds. Importantly, those bonds may be repaid from the portion of the city and county sales and use tax collected from taxpayers within the city portion of the district AND the sales tax increment revenues received from any state sales taxes collected from taxpayers in that district. This is in addition to the property tax increment and local sales, use and franchise fee that can be pledged to repayment of the special obligation bonds issued in a traditional tax increment financing project. The Secretary can set a limit on the amount of bonds that may be issued to pay eligible project costs.

Community Improvement Districts: Enacted in the 2008 Legislative Session, H.B. 2324 authorizes cities and counties to establish community improvement districts. These districts, like the other financing strategies discussed in this Section, can be used effectively to finance improvements and services contemplated by the Corridor Management Plan. The array of project that may be financed in a district is very broad. It includes:

- Structures and facilities
- Streets, roads, interchanges, highway access roads, intersections, bridges, over and underpasses, traffic signs and signals, pedestrian amenities, drainage, water, storm and sewer systems and other site improvements
- Parking lots and garages
- Streetscapes and lighting
- Parks and landscape
- Art and cultural amenities
- Airports, railroad and mass transit
- Lakes, wharfs, ports and levies
- Contracts for music, news, childcare, transportation
- Security
- Promotion of tourism and cultural activities
- Promotion of business activity or economic development
- Personnel training programs
- Impact, marketing and planning studies

These projects may be funded with:

- Installment or front-end paid special assessments (levied in accordance with Chapter 12-6a01 discussed above, except no city at large levy is allowed)
- A community improvement district retailer's sales tax in an amount not to exceed 2% (must sunset in 22 years if the project is financed with sales tax revenues as they are received [pay-as-you-go] or when the bonds are retired, if the revenues from a sales tax are pledged for that purpose)
- Ad valorem taxes
- Other funds appropriated by the city or county.

Special obligation and full faith and credit bonds may be issued to facilitate the financing of a project; provided that, if a petition signed by 5% of the qualified voters of the city or county is filed with the clerk within 60 days of the public hearing held on the establishment of the district, no bonds may be issued unless and until approved by a majority of the voters voting at that election. The amount of any full faith and credit bonds issued that exceeds 3% of the assessed value of the issuing city or county shall be considered to be within that community's bonded debt limit.

Costs that can be paid for with revenues generated from sources above include: preliminary reports, plans and specifications; publication and ordinance or resolution preparation costs; necessary fees of consultants; bond issuance and interest costs; plus not to exceed 5% of total project cost for administration and supervision of the project by the city or county.

The process to establish a district with respect to which project costs both will be paid for only with special assessments and which is not seeking to issue full faith and credit bonds must be initiated by the filing of a petition signed by the owners of all the land area within the proposed district. Once the petition is filed, the governing body may proceed without notice or hearing to make findings by resolution or ordinance on the nature, advisability, estimated cost of the project, its boundaries, and the amount and method of assessment. Once these findings are made, the governing body, by majority vote, may by ordinance or resolution, authorize that project. All properties that are benefitted by the project(s) need not be included in the district.

On the other hand, the process to establish a district funded in any other authorized manner, may be initiated by the filing of a petition signed by landowners owning more than 55% of the land area AND by owners owning more than 55% of the assessed value of the land within the proposed district. In this instance, once a petition is filed, a resolution providing notice of a public hearing on the advisability of creating the district must be adopted. The resolution must be published as required by this enactment and certified mail notice to all owners provided. Upon the completion of the hearing, the governing body may create the district, approve the estimated cost of the project and the legal description of the district boundaries, contain a map, levy the sales tax, approve the maximum amount and method of the assessment, if applicable and approve the method of financing, including the issuance of full faith and credit bonds, if applicable.

The contents of the petition in each of the above circumstances is also set forth in the enactment.

General Contract Authority: It is important to recognize that local governments have significant powers pursuant to the Constitutional home rule amendment and Chapter 19 of the Kansas Statutes. These powers include all powers of local legislation and administration that they deem appropriate, with really only minor exceptions. This Chapter extensively discusses state, county and city powers, such as the power to regulate through exercise of the police power, the power to zone, the power to tax, the power to charge fees, the power to impose special assessments and the power to purchase, hold, sell and convey land, including exercise of the power of eminent domain. The one power that really hasn't yet received that much analysis in this Chapter is the power to contract. It would be a mistake not to also highlight this power, which all the parties share. In addition to finding the source of the power to contract in the home rule provisions, K.S.A. 12-101 contains a specific statutory delegation of power to cities to contract. K.S.A. 19-101 contains a similar grant to counties; and, among others, K.S.A. 75-5004 vests power to contract in the KDOT's Secretary of Transportation.

The limits on the power of the participants to the preparation of

this K-68 Plan to contract are minimal. The two major limitations are: (1) whether the contract is within the scope of the delegated power: and (2) whether it is entered into and executed in accordance with statutory requirements. As to the first limitation, since the delegation in each instance is along the lines of “to make contracts in relation to the property and concerns of the city and necessary to the exercise of its corporate powers, “ as is readily apparent, the power to contract is quite broad. Generally, it is only limited by whether the contract is in conflict with statute or the constitution. A contract that violates the first limitation is *ultra vires* and void. For example, a contract that violates the Cash-Basis Law (K.S.A. 10-11-1 *et seq.*) because it obligated the public entity to pay monies that are not budgeted and encumbered is completely void. Legally, it is as if it never existed.

It goes without saying that monies paid pursuant to a contractual obligation, like any other payment of monies by a public entity, must be for a public purpose. Courts, however, are clear on the broad scope of what constitutes a public purpose. Courts will presume that facts declared in support of a legislative determination of public purpose to be true and adequate. A good rule is that a public entity is permitted to enter into all contracts that are reasonable and proper and which are reasonably necessary to allow it to fully perform the functions expressly conferred on it, as well as those that are essential to enable it to perform the duties of government for the benefit of its citizens.

The other main limitation on the contract power of which public entities should be wary is the prohibition on contractually bargaining away its duty to make reasonable laws and exercise their other legislative powers whenever doing so is necessary to preserve or protect the public health, safety and general welfare. As an example, a public entity could not agree by contract to approve a rezoning or impose or not impose some tax or fee at some later point in time.

The beauty of the contracting power is that it is so comparatively unfettered by limitation, particularly by those of the constitutional variety, such as the 5th Amendment’s constraints on exercise of

the zoning and police power to require the dedication of land as a condition. As noted above, for good and valid reasons, any dedication of land required in that instance must be roughly proportionate, in its nature and in its extent, to the impacts created by development. (See Section Corridor Preservation Strategies-Acquisition Tools-Land Dedication and In-Lieu Fees)

In situations where the public entity is exercising its contract power, the parties are negotiating their own contractual duties and obligations. Ostensively, the ultimate objective of both parties is to achieve a win-win situation, where both receive the benefit of the bargain struck. The traditional elements of a contract must exist for the agreement to be binding, of course. There must be an offer, acceptance of the offer, mutuality and delivery. As an example of use of the contract power to implement the K-68 Plan, an entity or individual contracting with a community within the Corridor may be willing to agree to convey more land than the community could legally require them to dedicate when exercising its police or zoning power. So, there may well be benefits the community can and is willing to provide to a developer that are more valuable to them than retaining that portion of the land which exceeds what “rough proportionality” would allow the community to require, as a part of the development approval process. Based on the mutual interests of both parties, a deal can be struck that helps implement the Plan , while at the same time enhancing the developer’s business objectives. The fact that a contracting party voluntarily agrees to an obligation to which it could not be required to commit as a part of the development application process does not make the contractual obligation illegal.

The opportunities to utilize public entity contract powers to help implement this Plan are numerous and should not be ignored. In fact, each community along the Corridor and KDOT should be ever vigilant about identifying situations where this power can be used beneficially.

Virtually every time public incentives are provided to a developer, a contract is employed to memorialize the duties and obligations of the parties. The recipient of the incentives will expect that it will be asked to provide benefits to the community

in exchange for being provided development incentives. There is no absolute right to develop land. Each party to the contract, however, must receive compensation (mutuality). Cities and the counties along the K-68 Corridor should be constantly watchful for opportunities to negotiate for the inclusion of provisions into agreements with developers and landowners along the Corridor that obligate them to take whichever appropriate actions they may be able to take to help implement the K-68 Corridor Management Plan.

INTERLOCAL COOPERATION

Through the exercise of home rule, by entering into an interlocal cooperation agreement, pursuant to K.S.A. 12-2901 et seq., and by utilizing powers granted to cities and counties by Kansas statutes, significant opportunities exist for cities and counties to cooperate with each other in the creation of corridor-wide financing strategies for K-68 enhancements and city connectors and local road projects within the Corridor. There is potential for such cooperation in the use of both the traditional and the alternative financing mechanisms described above.

K.S.A. 12-2901 et seq. authorizes all public agencies of the state (including KDOT) to jointly cooperate in the exercise of any power, or privileges, or authority exercised or capable of exercise by such agency, including economic development and public improvements, pursuant to an agreement in the form therein provided. See also, K.S.A. 75-5023.

K.S.A. 12-2904 (f) dictates that each interlocal agreement, prior to it taking effect, shall be submitted to the attorney general for a determination of whether or not the agreement is in proper form and compatible with the laws of the state. The Office of the Attorney General has made this determination on other interlocal agreements related to implementation of Corridor Management Plans, so obtaining approval of interlocal agreements, which are based on the KDOT approved template Interlocal Cooperation Agreement, is not daunting.

In addition, K.S.A. 12-2905 requires that, also prior to the interlocal agreement taking effect, it be filed with the register of deeds of every county in which each political subdivision or agency of the state that is a signator to the agreement is located. The agreement also must be filed with the Office of Secretary of State.

Wherever possible, these opportunities should be investigated by KDOT and each local community to ascertain if a multi-jurisdictional approach will be beneficial to all parties, by providing better opportunities to successfully implement the goals of the Management Plan. *Jurisdiction: KDOT/Local.*

Chapter 7—Gap Analysis

GAP ANALYSIS

The Gap Analysis is one final, critical part of the K-68 Corridor Management Plan, providing each of the local partners detailed information to assist in full implementation of the Plan recommendations within their individual jurisdictional boundaries.

The chapters, Implementation Strategies and Gap Analysis, are intended to be used in conjunction with one another to implement this Plan. The objective of the Implementation Strategies chapter is to identify an array of techniques communities along the corridor can employ to implement the recommendations of the Plan and also to describe generally how those tools are used to implement plan documents in other communities across Kansas while the Gap Analysis is designed to identify instances where techniques discussed in the Implementation Strategies can be added to the communities arsenal of tools to be used, when the situation dictates, to implement the Plan.

As a part of the Gap Analysis, the Consultant team carefully analyzed the development codes of each of the five local community partners, with the goal of identifying locations within those codes where each community should consider making revisions to their codes to give them additional authority to implement the separate recommendations of the Plan and to help make the short and long term vision for the K-68 Corridor, as expressed in the Plan, become a reality.

As part of the recommended code revisions, this chapter makes references to specific sections of the Implementation chapter to better define why the recommendation was made. The recommendations included in this Gap Analysis are structured either to give that community authority to employ a technique or to place restraints on the exercise of powers granted. See Table 7.A for a summary of codes to consider for revision by jurisdiction.

The Gap Analysis includes merely recommendations for consideration by each city or county. Situations, of which the consultants may not be aware, could dictate against making the recommended revision as proposed. We hope that each city and county that has been a party to the development of the Plan will carefully consider the recommended revisions and put them in place in those situations where they find them appropriate.

Table 7.A Codes to Consider for Revision

	Franklin County	Miami County	Ottawa	Paola	Louisburg
ZONING REGULATIONS					
General Provisions	✓	✓			✓
Purpose and Intent			✓	✓	✓
Rules, Interpretation and Definitions			✓		✓
District Regulations	✓		✓	✓	✓
District Intensity and Bulk Standards				✓	
Agricultural District	✓ (A-1)	✓ (AG)	✓ (A)		
Transitional Agricultural District (A-2)	✓				
Residential Zoned Districts (R-1 : R-3)			✓		
Rural Residential District (R-1)		✓			
Residential Estate District (R-E)	✓				
Single Family Residential Three Acre District (R-3A)	✓				
Single Family Residential District (R-1)	✓				
Traditional Neighborhood Development (TN)			✓		
Countryside District (CS)		✓			
Mobile Home Park District (MH-P)	✓				
Elderly Housing Overlay District (EH-O)			✓		
Housing Opportunity Overlay District (HO-O)			✓		
Low Intensity Commercial District (C-1)		✓			
Commercial Zoned District (C-1 : C-4)			✓		
Neighborhood Commercial District (C-1)	✓				
Commercial District (C-2)		✓			
Highway Commercial District (C-2)	✓				
Business Park District	✓ (B-P)	✓ (BP)			
Light Industrial District (I-1)	✓	✓	✓		
Heavy Industrial District (I-2)	✓	✓	✓		
Planned Development District (PD)		✓			
Planned Development Overlay District (PD)	✓				
Floodplain Overlay District (F-P)	✓	✓			
Village Overlay District (V)		✓			
Special Use Permits	✓				
Nonconforming Uses					✓
Supplemental District Regulations			✓		✓
Parking and Loading Regulations					✓
Procedures & Administration	✓		✓	✓	✓
Board of Zoning Appeals			✓		✓
Permits	✓				
Site Plan Approval			✓		
Street and Access Standards				✓	
Miscellaneous	✓				
SUBDIVISION REGULATIONS					
General Provisions	✓	✓	✓		✓
Definitions			✓	✓	
Dedication and Reservation of Public Sites and Open Space			✓		
Submission and Approval of Plats	✓	✓	✓		✓
Lot Splits	✓				✓
Boundary Line Adjustments and Mergers	✓				
Variances and Exceptions					
Variances, Appeals & Waivers			✓		✓
Replatting and Reversion to Acreage	✓				
Subdivision Design Standards	✓	✓	✓	✓	✓
Drainage, Utilities, Parking, Loading, and Lighting				✓	
Administration	✓	✓		✓	

GAP ANALYSIS

FRANKLIN COUNTY—ZONING REGULATIONS

ARTICLE 1. GENERAL PROVISIONS

General Recommendations: No change.

Specific Recommendations:

Section 1-3. Purpose

1-3.02. Intent. Consider adding a new provision between existing subsections F. and G. to provide that to facilitate the implementation of the Comprehensive Plan for Franklin County, Kansas, and any adopted area or corridor plan is a purpose of these zoning regulations. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 2. DEFINITIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 3. ZONING DISTRICTS AND GENERAL REGULATIONS

General Recommendations: No change.

Specific Recommendations:

Section 3-1 Zoning Districts and Zoning District Map Established

3-1.01 and .03. Consider amending these sections to reflect additional overlay districts established at critical locations along the corridor, particularly where the Corridor Management Plan indicates high intensity development will locate. See Section Corridor Preservation Strategies—Regulatory Tools—Zoning (Overlay Districts) of the Implementation Chapter of the K-68 Corridor Management Plan.

Section 3-2. General Regulations Governing All Zoning District

3-2.01.G.2. Consider amending this section to add a limitation on any setback of yards that is less than the setback necessary to preserve proposed necessary right-of-way for enhancements to the K-68 Highway, as shown on the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Regulatory Tools—Zoning, Subdivision Regulations and Setback Ordinances of the Implementation Chapter of the K-68 Corridor Management Plan.

Section 3-3. Miscellaneous Regulations Governing All Zoning Districts

3-3.01.G.2. Consider amending this subsection to provide that setbacks of yards shall not be less than the setback required to preserve projected necessary right-of-way for K-68 Highway, as shown on the K-68 Corridor Management Plan, as well as those specified for the zoning districts.

3-3.03.H.1. and 2. Consider amending these subsections to provide that, in any event, no

setback shall be less than the setback required to preserve projected necessary right-of-way for K-68 Highway, as shown on the K-68 Corridor Management Plan.

Consider adding a new provision between existing subsection K. and L. providing that no utility facilities or rights-of-way shall be located or established within the area shown on the K-68 Corridor Management Plan as projected necessary right-of-way for K-68 Highway.

ARTICLE 4. AGRICULTURAL DISTRICT (A-1)

General Recommendations: No change.

Specific Recommendations:

Section 4-5. Height and Yard Regulations

4-5.02.1. Add a new subsection e. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 5. TRANSITIONAL AGRICULTURE DISTRICT (A-2)

General Recommendations: No change.

Specific Recommendations:

Section 5-5. Height and Yard Requirements

5-5.02. Consider adding a new subsection e. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 6. RESIDENTIAL ESTATE DISTRICT (R-E)

General Recommendations: No change.

Specific Recommendations:

Section 6-5. Height and Yard Regulations

6-5.02.1. Add a new subsection e. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 7. SINGLE FAMILY RESIDENTIAL THREE-ACRE DISTRICT (R-3A)

General Recommendations: No change.

Specific Recommendations:

Section 7-5. Height and Yard Regulations

7-5.02.1. Consider adding a new subsection d. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for

K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 8. SINGLE FAMILY RESIDENTIAL DISTRICT (R-1)

General Recommendations: No change.

Specific Recommendations:

[Section 8-5. Height and Yard Regulations](#)

8-5.02.1. Consider adding a new subsection d. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 9. MOBILE HOME PARK DISTRICT (MH-P)

General Recommendations: No change.

Specific Recommendations:

[Section 9-5. Height and Yard Regulations](#)

9-5.02.1. Consider adding a new subsection c. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 10. NEIGHBORHOOD COMMERCIAL DISTRICT (C-1)

General Recommendations: No change.

Specific Recommendations:

[Section 10-5. Height and Yard Regulations](#)

10-5.02.1. Consider adding a new subsection d. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 11. HIGHWAY COMMERCIAL DISTRICT (C-2)

General Recommendations: No change.

Specific Recommendations:

[Section 11-5. Height and Yard Regulations](#)

11-5.02.1. Consider adding a new subsection d. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 12. BUSINESS PARK DISTRICT (B-P)

General Recommendations: No change.

Specific Recommendations:

[Section 12-5. Height and Yard Regulations](#)

12-5.02.1. Consider adding a new subsection c. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 13. LIGHT INDUSTRIAL DISTRICT (I-1)

General Recommendations: No change.

Specific Recommendations:

[Section 13-5. Height and Yard Regulations](#)

13-5.02.1. Consider adding a new subsection d. providing that in no event shall building setbacks be less than the amount necessary to preserve the projected necessary right-of-way for K-68 Highway enhancements, as shown on the K-68 Corridor Management Plan.

ARTICLE 14. HEAVY INDUSTRIAL DISTRICT (I-2)

General Recommendations: No change.

Specific Recommendations:

[Section 14-5. Height and Yard Regulations](#)

14-5.02.1. Consider adding a new subsection d. Section 13-5. Height and Yard Regulations.

ARTICLE 15. PLANNED DEVELOPMENT OVERLAY DISTRICT (PD)

General Recommendations: No change.

Specific Recommendations:

[Section 15-2. Objectives](#)

15-2.01 Consider amending subsection D. to add a reference to any adopted area or corridor plan.

ARTICLE 16. FLOODPLAIN OVERLAY DISTRICT (F-P)

General Recommendations:

Between Articles 16 and 17, consider including an article or articles establishing overlay districts at critical locations along the corridor, particularly where the Corridor Management Plan indicates high intensity development will locate. See Section Corridor Preservation Strategies—Regulatory Tools—Zoning (Overlay Districts) of the Implementation Chapter of the K-68 Corridor Management Plan.

Specific Recommendations: No change.

ARTICLE 17. SPECIAL USE PERMITS

General Recommendations: No change.

Specific Recommendations:

Section 17-3. Approval Procedures

17-3.02. Consider amending to add a new sentence after the first sentence, providing that, if an application for a rezoning of land is deemed to have an impact on development within the K-68 Corridor, notice of that application shall be sent to KDOT at least 20 days prior to the scheduled Planning Commission meeting. See Section Corridor Preservation Strategies—Administrative Tools—Notice of Opportunity to Provide Input of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 18. NONCONFORMING USES

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 19. PARKING AND LOADING REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 20. SIGN REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 21. AMENDMENT PROCEDURES

General Recommendations: No change.

Specific Recommendations:

Section 21-5. Public Hearing Before Planning Commission

21-5.02. Consider amending this section by adding a new sentence after the second sentence, providing that, if the proposed amendment is deemed to have an impact upon development in the K-68 Corridor, notice shall be sent to KDOT at least 20 days prior to the scheduled Planning Commission meeting.

21-5.04.9. Consider amending this section to add any adopted area or corridor plans.

ARTICLE 22. BOARD OF ZONING APPEALS

General Recommendations: No change.

Specific Recommendations:

Section 22-2. Powers and Jurisdictions

22-2.01.2.b. Consider adding a new 3) providing that, no yard regulation variance shall permit the variation of a setback to allow for a setback less than the setback necessary to preserve projected necessary right-of-way, as shown in the K-68 Corridor Management Plan.

22-2.01.2.c.5). Consider amending this section to add a reference to the County Comprehensive Plan and any adopted area or corridor plan. See Section Corridor Preservation Strategies—Regulatory Tools—Variances Uses of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 23. PERMITS

General Recommendations: No change.

Specific Recommendations:

Section 23-1. Building Permits.

Consider adding a new section between existing sections 23-1-.02 and 23-1.03 entitled, "Conformance with County Comprehensive Plan" and stating no building permits shall be issued for any building or structure unless the same is consistent with the County Comprehensive Plan and any adopted area and corridor plan. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning and Corridor Preservation Strategies—Regulatory Tools—Building Permits of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 24. TEMPORARY USES/ACCESSORY USES

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 25. USES PROHIBITED

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 26. MISCELLANEOUS

General Recommendations:

Consider adding a new section allowing for cluster development at locations along the corridor where less intense development on the overall tract is appropriate to ensure open space, protect critical environmental features and ensure future development and more dense patterns may occur as the demand for that type of development increases. See section Corridor Preservation Strategies—Regulatory Tools—Cluster Development, Implementation Chapter of the K-68 Corridor Management Plan

Although not necessary in order to adopt an ordinance establishing a moratorium, the city's zoning ordinance could include specific authority to adopt moratoria in situations where it desires to allow the city time to adopt code or plan revisions before development is allowed to proceed. See Section Corridor Preservation Strategies—Regulatory Tools—Development Maratoria, Implementation Chapter of the Corridor Management Plan.

Specific Recommendations: No change.

FRANKLIN COUNTY—SUBDIVISION REGULATIONS

ARTICLE 1. GENERAL PROVISIONS

General Recommendations: No change.

Specific Recommendations:

Section 1-2. Purpose

1-2.01. Consider adding in the third from the bottom line after entities: "to assist in implementation of the County Comprehensive Plan and any adopted area or corridor plan." See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

1-2.02.G.3. Consider amending this subsection to add: "for right-of-way sufficient to preserve projected necessary right-of-way for K-68 Highway and adjacent streets shown on the K-68 Corridor Management Plan." See Section Corridor Preservation Strategies—Planning Tool—Regulatory Tools—Zoning (Overlay Districts), Subdivision Regulations, and Setback Ordinances of the Implementation Chapter of the K-68 Corridor Management Plan

ARTICLE 2. PLAT FILING REQUIREMENTS

General Recommendations: No change.

Specific Recommendations:

Section 2-3. Preliminary Plat

2-3.03. Consider amending this section to add a sentence after the first sentence requiring that, if a preliminary plat is deemed to have an impact upon development within the K-68 Corridor, KDOT shall be provided notice of the Planning Commission public hearing at least 20 days prior thereto. See Section Corridor Preservation Strategies—Administrative Tools—Notice and Opportunity to Provide Input of the Implementation Chapter of the K-68 Corridor Management Plan.

2-4.03. Consider adding between subsections M. and N. a provision requiring a statement of notice that the area covered by the final plat is also within the area covered by the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Administrative Tools—Notice of Applicability of Plan, Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 3. LOT SPLITS

General Recommendations: No change.

Specific Recommendations:

Section 3-4. Approval Guidelines

3-4.01. Consider adding a section between existing sections F. and G. providing that, no lot split shall be approved, if such lot split results in the need for an ingress and egress point onto K-

68 Highway that is not consistent with the K-68 Corridor Management Plan. See Section Access Management Strategies of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 4. BOUNDARY LINE ADJUSTMENTS AND MERGERS

General Recommendations: No change.

Specific Recommendations:

Section 4-4. Approval Guidelines

4-4.01. Consider adding a new section providing that no boundary line adjustment or merger shall be approved if, as a result, the parcel or parcels created create a demand for a point of ingress and egress on K-68 Highway that is not consistent with the K-68 Corridor Management Plan.

ARTICLE 5. REPLATTING AND REVERSION TO ACREAGE

General Recommendations: No change.

Specific Recommendations:

Section 5-4. Approval Guidelines

5-4.01. Consider adding a new subsection prohibiting replats if, as a result, a lot creates a demand for a point of ingress or egress onto K-68 Highway, which is not consistent with the K-68 Corridor Management Plan.

ARTICLE 6. SUBDIVISION DESIGN STANDARDS

General Recommendations:

Between Sections 6-4.01 and 6-5.01, consider adding a provision authorizing the dedication of land, or an in-lieu fee (impact fee) [See Section Financing Strategies—Alternative Funding Mechanisms—Impact Fee of the Implementation Chapter of the K-68 Corridor Management Plan.], to acquire right-of-way necessary to accommodate the enhancements to K-68 Highway as such projected necessary right-of-way as shown in the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Acquisition Tools—Land Dedication and In-Lieu Fees of the Implementation Chapter of the K-68 Corridor Management Plan.

Specific Recommendations:

6-5. Road Standards

6-5.01. Conformance with the Comprehensive Plan. Consider amending this section by adding to the end of the first sentence, or any adopted area or corridor plan.

6-5.01. Roads, Alleys and Public Ways. Consider amending subsection C. to provide that requirements are consistent with the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

6-5.01.I. Consider amending this subsection to provide that requirements are consistent with the K-68 Corridor Management Plan.

6-5.01.L. Minimum Requirements. Consider amending this subsection to provide that the minimum right-of-way width shall in all instances be as is shown in the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Acquisition Tools— Land Dedication and In-Lieu Fees of the Implementation Chapter of the K-68 Corridor Management Plan.

6-5.01.P. Dedication of Abutting Road Right-of-Way. Consider amending the first sentence to include a reference to the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Acquisition Tools— Land Dedication and In-Lieu Fees of the Implementation Chapter of the K-68 Corridor Management Plan.

6-8.01. Consider amending this section by adding a new sentence after the second sentence providing that no utility easements shall be located in the areas shown on the K-68 Corridor Management Plan as projected necessary right-of-way for K-68 Highway. See Section Corridor Preservation Strategies—Planning Tools—Utility Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 7. REQUIRED IMPROVEMENTS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 8. ADMINISTRATION

General Recommendations: No change.

Specific Recommendations:

8-1. Rule Exception

8-1.01. Consider amending C. to provide that the exception will not be inconsistent with the County Comprehensive Plan or any adopted area or corridor plan.

ARTICLE 9. MISCELLANEOUS

General Recommendations: No change.

Specific Recommendations: No change.

MIAMI COUNTY—ZONING REGULATIONS

ARTICLE 1. GENERAL PROVISIONS

General Recommendations:

Although not necessary in order to adopt an ordinance establishing a moratorium, the county's zoning ordinance could include specific authority to adopt moratoria in situations where it desires to allow the county time to adopt code or plan revisions before development is allowed to proceed. See Sections Corridor Preservation Strategies—Regulatory Tools—Development Moratoria, Implementation Chapter of the Corridor Management Plan.

Section 1-6. Consider adding a new section at this location providing for density transfer and incentives to encourage more dense or intense development at locations indicated on the Plan, which are appropriate for such development and to protect any environmentally sensitive features, agricultural lands or projected lower density locations. These density transfers and incentives could be located in the overlay district recommended above or other locations. See Section Corridor Preservation Strategies—Regulator Tools—Transfer of Development Rights and Density Transfers of the Implementation Chapter of the K-68 Corridor Management Plan.

Specific Recommendations:

Section 1-3. Purpose

1-3.02. Purpose. Consider amending 9. to include a reference to the K-68 Corridor Management Plan, unless or until the Management Plan is incorporated into the Comprehensive Plan for Miami County, Kansas. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 2. DEFINITIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 3. DISTRICTS AND DISTRICT MAPS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 4. PLANNED DEVELOPMENT DISTRICT (PD)

General Recommendations: No change.

Specific Recommendations:

Section 4-5. Height, Area, Yard and Open Space Regulations

4-5.02. Front Yard. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Regulatory Tools—

Development Moratoria, Subdivision Regulations, and Setback Ordinances of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 4A. RURAL RESIDENTIAL DISTRICT (R-1)

General Recommendations: No change.

Specific Recommendations:

Section 4A-5. Height, Area and Yard Regulations

4A-5.02. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan.

ARTICLE 5. COUNTRYSIDE DISTRICT (CS)

General Recommendations: No change.

Specific Recommendations:

Section 5-5. Height, Area and Yard Regulations

5-5.02.3. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan.

ARTICLE 6. AGRICULTURAL DISTRICT (AG)

General Recommendations: No change.

Specific Recommendations:

Section 6-5. Height, Area and Yard Regulations

6-5.02.3. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan.

ARTICLE 7. LOW INTENSITY COMMERCIAL DISTRICT (C-1)

General Recommendations: No change.

Specific Recommendations:

Section 7-5. Height, Area and Yard Regulations

7-5.02. Front Yard. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan.

ARTICLE 8. COMMERCIAL DISTRICT (C-2)

General Recommendations: No change.

Specific Recommendations:

Section 8-5. Height, Area and Yard Regulations

8-5.02. Front Yard. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan.

ARTICLE 9. BUSINESS PARK DISTRICT (BP)

General Recommendations: No change.

Specific Recommendations:

Section 9-5. Height, Area and Yard Regulations

9-5.03.1.A. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan.

ARTICLE 10. LIGHT INDUSTRIAL DISTRICT (I-1)

General Recommendations: No change.

Specific Recommendations:

Section 10-6. Height, Area and Yard Regulations

10-6.02. Front Yard. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan.

ARTICLE 11. HEAVY INDUSTRIAL DISTRICT (I-2)

General Recommendations: No change.

Specific Recommendations:

Section 11-5. Height, Area and Yard Regulations

11-5.02. Front Yard. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan.

ARTICLE 12. FLOODPLAIN OVERLAY DISTRICT (F-P)

General Recommendations: No change.

Specific Recommendations:

Section 12-11. Variances

12-11.03.7. Additional Conditions for Variances. Consider a revision to include a reference to the K-68 Corridor Management Plan if that Plan has not been incorporated into the Comprehensive Plan. See Section Corridor Preservation Strategies—Regulatory Tools—Variances of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 12A. VILLAGE OVERLAY DISTRICT (V)

General Recommendations:

After Article 12A, consider including an article or articles establishing overlay districts at critical locations along the Corridor, particularly where the Corridor Management Plan indicates high intensity or high density development will locate. See Section Corridor Preservation Strategies—Regulatory Tools—Zoning (Overlay Districts) of the Implementation Chapter of the K-68 Corridor Management Plan.

Specific Recommendations:

Section 12A-5. Height, Area and Yard Regulations.

12A-5.02.1. Front Yard. Consider amending to provide that yard setback line shall not be less than setbacks required to preserve projected necessary rights-of-way as shown on the K-68 Corridor Management Plan.

ARTICLE 13. AIRPORT ZONING REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 14. CONDITIONAL USES

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 15. USES PROHIBITED

General Recommendations: No change.

Specific Recommendations: No change.

MIAMI COUNTY—SUBDIVISION REGULATIONS

ARTICLE 16. NONCONFORMING USES

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 17. PARKING REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 18. SIGN REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 19. SITE PLAN APPROVAL

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 20. HOME OCCUPATION STANDARDS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 21. PERMITS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 22. AMENDMENT PROCEDURES

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 23. BOARD OF ZONING APPEALS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 24. MISCELLANEOUS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 1. GENERAL PROVISIONS

General Recommendations: No change.

Specific Recommendations:

Section 1-2. Purpose

1-2.02.2. Consider amending to also reference any adopted area or corridor plans. See Section Corridor Reservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 2. LOT SPLITS/PARCEL SPLITS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 3. PLAT FILING REQUIREMENTS

General Recommendations: No change.

Specific Recommendations:

Section 3-2. Preapplication Conference and Sketch Plan

3-2.01.3. Consider amending this section to include that the sketch plan shall include a general location map showing relationship to any adopted area or corridor plan. See Section Corridor Preservation Strategies—Regulatory Tools—Site Plans of the Implementation Chapter of the K-68 Corridor Management Plan.

Section 3-3. Preliminary Plat

3-3.01. Consider amending section to include conformance with any adopted area or corridor plan. See Section Corridor Preservation Strategies—Administrative Tools—Subdivision Regulations of the Implementation Chapter of the K-68 Corridor Management Plan.

Consider adding a new section between existing Section 3-3.04 and 3-3.05 requiring that KDOT be provided with notice of any preliminary plat application that is deemed to have the potential of impacting development in the K-68 Corridor. See Section Corridor Preservation Strategies—Administrative Tools—Notice and Opportunity to Provide Input of the Implementation Chapter of the K-68 Corridor Management Plan.

3-3.05. Consider amending subsection 3. to include notice to KDOT; provided that the preliminary plat application is deemed to have the potential to have an impact upon development within the K-68 Corridor. See section Corridor Preservation Strategies—Administrative Tools—Notice of Applicability of Plan , of the Implementation Chapter of the K-68 Corridor Management Plan.

[3-4. Final Plat](#)

3-4.03. Consider adding a new section A. requiring the inclusion of a statement providing notice that the area included within the subdivision is also included within the area covered by the K-68 Corridor Management Plan. See section Corridor Preservation Strategies—Administrative Tools—Notice of Applicability of Plan, of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 4. BOUNDARY LINE ADJUSTMENTS & MERGERS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 5. SUBDIVISION DESIGN STANDARDS

General Recommendations: No change.

Specific Recommendations:

[Section 5-3. Street Standards](#)

5-3.01. Amend this section to include a requirement that it be integrated with the proposed system of streets as shown on the K-68 Corridor Management Plan if that plan has not been incorporated into the Miami County Comprehensive Transportation Plan.

Consider amending the third paragraph to reference the K-68 Corridor Management Plan as well as the Comprehensive Plan.

5-3.02. Consider amending the first sentence to also require conformance with the K-68 Corridor Management Plan if the County's Entrance Policy has not been amended to reflect the recommendations of the Management Plan. See section II. of the Implementation Chapter of the K-68 Corridor Management Plan.

5-3.09. Dedication of Abutting Street Rights-of-Way. Consider amending this section to include reference to the K-68 Corridor Management Plan in the first sentence in addition to the Miami County Comprehensive Transportation Plan. See section Corridor Preservation Strategies—Acquisition Tools—Land Dedication and In-Lieu Fees of the Implementation Chapter of the K-68 Corridor Management Plan.

5-3.12. Minimum Infrastructure Requirements. Consider amending the second paragraph to include reference to the K-68 Corridor Management Plan in addition to the Miami County Comprehensive Transportation Plan, if the Transportation Plan has not been amended to correspond to the Management Plan. See section Corridor Preservation Strategies—Acquisition Tools—Land Dedication and In-Lieu Fees, of the Implementation Chapter of the K-68 Corridor Management Plan.

5-3.12.1.C. Consider amending this section to include reference to the K-68 Corridor Management Plan in addition to the Miami County Comprehensive Transportation Plan, if the Transportation Plan has not been amended to correspond to the Management Plan. See section

Corridor Preservation Strategies—Acquisition Tools—Land Dedication and In-Lieu Fees of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 5-3.13 Infrastructure Categories](#)

5-3.13.1. Roads. This is another example of instances where it is important to ensure that the Miami County Comprehensive Transportation Plan is amended to incorporate the provisions of the K-68 Corridor Management Plan or to amend the relevant code provision to require compliance with the Management Plan until the incorporation into the Transportation Plan can be made. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 5-5. Lot Standards](#)

5-5.03 Lots on Freeways or Thoroughfares. Consider amending this section to reference the K-68 Corridor Management Plan. See Section Access Management Strategies of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 5-7. Easements](#)

5-7.01. Utility Easements. Consider adding at the end of the section, provided that, no utility easement shall be located in projected necessary right-of-way for K-68 Highway as shown on the K-68 Corridor Management Plan. See section Corridor Preservation Strategies—Planning Tools—Utility Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 6. REQUIRED IMPROVEMENTS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 7. ADMINISTRATION

General Recommendations: No change.

Specific Recommendations:

[Section 7-1. Rule Exceptions](#)

7-1.01. Consider amending the first paragraph to reference that rule of exception shall not be approved that are inconsistent with the recommendation of the K-68 Corridor Management Plan.

In the second paragraph of this section, consider adding a number 4. requiring that rule exceptions be consistent with the Miami County Comprehensive Plan and any adopted area or corridor plans.

ARTICLE 8. MISCELLANEOUS

General Recommendations: No change.

Specific Recommendations: No change.

CITY OF OTTAWA—ZONING REGULATIONS

ARTICLE 1. TITLE AND PURPOSE

General Recommendations: No change.

Specific Recommendations:

[Section 1-2 Purpose an Intent](#)

1-102. 11. Consider adding language calling for consistency with adopted area and corridor plans in addition to the comprehensive plan. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 1-3 Consistency with Comprehensive Plan](#)

1-103. Consider adding language calling for consistency with adopted area and corridor plans in addition to the comprehensive plan.

ARTICLE 2. RULES, INTERPRETATIONS AND DEFINITIONS

General Recommendations: No change.

Specific Recommendations:

[Section 2-1 Rules and Interpretations](#)

2-101. b.2. Recommend adding language providing that the depth of the projected necessary right-of-way, as shown for K-68 shown on the relevant plats of the Corridor Management Plan, shall control over the yard regulations contained in Sections 6-602 and 6-303 when a greater setback is necessary to preserve the projected necessary right-of-way. See Section Corridor Preservation Strategies—Regulatory Tools—Zoning, Subdivision Regulations and Setback Ordinances of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 3. DISTRICTS AND BOUNDARIES

General Recommendations:

Consider including an article or articles establishing overlay districts at critical locations along the corridor, particularly where the Corridor Management Plan indicates high intensity development will locate. See Section Corridor Preservation Strategies—Regulatory Tools—Zoning (Overlay Districts) of the Implementation Chapter of the K-68 Corridor Management Plan.

Specific Recommendations:

[Section 3-5 Variance and Exceptions Required](#)

3-501 d. Consider adding language specifying that yards shall not be reduced beyond the depth of the projected necessary right-of-way for K-68, as shown in the Corridor Management Plan.

ARTICLE 4. INTENT OF DISTRICTS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 5. AGRICULTURAL DISTRICT (A)

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 6. RESIDENTIAL ZONED DISTRICTS (R-1 : R-3)

General Recommendations: No change.

Specific Recommendations:

6-602 Yard Regulations. Consider adding language specifying that yards shall not be reduced beyond the depth of the projected necessary right-of-way for K-68, as shown in the Corridor Management Plan.

6-603 Yard Regulations in Certain Blocks. Consider adding language specifying that yards shall not be reduced beyond the depth of the projected necessary right-of-way for K-68, as shown in the Corridor Management Plan.

ARTICLE 7. TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TN)

General Recommendations: No change.

Specific Recommendations:

7-405 3. and 4. Lot and Block Standards. Consider adding language specifying that yards shall not be reduced beyond the depth of the projected necessary right-of-way for K-68, as shown in the Corridor Management Plan.

ARTICLE 8. COUNTRYSIDE DISTRICT (CS)

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 9. MANUFACTURED HOME SUBDIVISION DISTRICT (MHS)

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 10. MANUFACTURED HOME PARK DISTRICT (MP)

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 11. ELDERLY HOUSING OVERLAY DISTRICT (EH-O)

General Recommendations: No change.

Specific Recommendations:

11-602 Yards. Consider adding language specifying that yards shall not be reduced beyond the depth of the projected necessary right-of-way for K-68, as shown in the Corridor Management Plan.

ARTICLE 12. HOUSING OPPORTUNITY OVERLAY DISTRICT (HO-O)

General Recommendations: No change.

Specific Recommendations:

12-402. Add new (e). Consider adding language specifying that yards shall not be reduced beyond the depth of the projected necessary right-of-way for K-68, as shown in the Corridor Management Plan.

ARTICLE 13. HISTORIC CONSERVATION OVERLAY DISTRICT (HC-O)

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 14. COMMERCIAL ZONED DISTRICTS (C-1 : C-4)

General Recommendations: No change.

Specific Recommendations:

14-501.c. Yard. Consider adding language specifying that yards shall not be reduced beyond the depth of the projected necessary right-of-way for K-68, as shown in the Corridor Management Plan.

ARTICLE 15. INDUSTRIAL DISTRICTS (I-1 AND I-2)

General Recommendations: No change.

Specific Recommendations:

15-401. Yard. Consider adding language specifying that yards shall not be reduced beyond the depth of the projected necessary right-of-way for K-68, as shown in the Corridor Management Plan.

ARTICLE 16. PUBLIC USE DISTRICT (P)

General Recommendations: No change.

Specific Recommendations:

16-501.b. Yard. Consider adding language specifying that yards shall not be reduced beyond the depth of the projected necessary right-of-way for K-68, as shown in the Corridor Management Plan.

ARTICLE 17. MIXED USE DISTRICTS (MU)

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 18. PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 19. FLOODPLAIN MANAGEMENT

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 20. LANDSCAPING

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 21. NONCONFORMING SITUATIONS AND VESTED RIGHTS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 22. OFF-STREET PARKING AND LOADING REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 23. HOME OCCUPATION REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 24. SUPPLEMENTAL DISTRICT REGULATIONS

General Recommendations:

Although not necessary in order to adopt an ordinance establishing a moratorium, the city's zoning ordinance could include specific authority to adopt moratoria in situations where it desires to allow the city time to adopt code or plan revisions before development is allowed to proceed. See Section Corridor Preservation Strategies—Regulatory Tools—Development Moratoria, Implementation Chapter of the Corridor Management Plan.

Consider establishing density transfers and incentives either in the overlay districts recommended above or at other locations in the code to encourage more dense or intense

development at locations indicated on the Plan, which are appropriate for such development, and to protect environmentally sensitive features, agricultural lands or projected lower density locations. See Section Corridor Preservation Strategies—Regulatory Tools—Transfer of Development Rights and Density Transfers and Density Incentives, Implementation Chapter of the Corridor Management Plan.

Consider adding a provision allowing for cluster development at locations along the Corridor where less intense development on the overall tracts when an overall tract is appropriate to ensure open space, protect critical environmental features, and ensure future development at more dense urban patterns may occur as the demand for that type of development increases. See Section Corridor Preservation Strategies—Regulatory Tools—Cluster Development, Implementation Chapter of the Corridor Management Plan.

Specific Recommendations:

Section 24-2 Height and Yard Regulations

24-201.b.1. Consider adding a new (c) providing that no recorded front building setback line shall be established which is less than the projected necessary right-of-way for K-68 as shown on the K-68 Corridor Management Plan.

ARTICLE 25. BOARD OF ZONING APPEALS AND ADMINISTRATIVE VARIANCES

General Recommendations: No change.

Specific Recommendations:

Section 25-3 Variances

25-301.c. Consider adding a new 6. which provides that the granting of a variance shall not be inconsistent with the comprehensive plan or any adopted area or corridor plan.

ARTICLE 26. AMENDMENT PROCEDURES

General Recommendations: No change.

Specific Recommendations:

Section 26-1 General Authority and Procedure

26-102. Consider revising subsection c. to provide that notice of the hearing on request for amendments, revisions or changes that have the potential to impact the recommendations of the K-68 Corridor Management Plan be provided to KDOT at least 20 days prior to the date of hearing. See Section Corridor Preservation—Administrative Tools—Notice and Opportunity to Provide Input of the Implementation Chapter of the K-68 Corridor Management Plan.

26-108.k. Consider adding language requiring "conformance to and further enhance the implementation of any adopted area or corridor plan."

26-110.8. Consider adding language requiring "conformance to and further enhance the implementation of any adopted area or corridor plan."

ARTICLE 27. SIGN REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 28. SITE PLANS

General Recommendations: No change.

Specific Recommendations:

Section 28-5 Submission Requirements

28-501.b.3. Consider a specific reference to projected rights-of-way for K-68 as shown on the K-68 Corridor Management Plan as that Plan is incorporated into the comprehensive plan.

Section 28-6 Standard of Review

28-601. Consider adding a new section stating that the recommendation of the zoning administrator shall be based upon the extent to which the proposal conforms to the comprehensive plan and any adopted area or corridor plan.

ARTICLE 29. TELECOMMUNICATIONS TOWERS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 30. ENFORCEMENT AND PENALTIES

General Recommendations: No change.

Specific Recommendations: No change.

CITY OF OTTAWA—SUBDIVISION REGULATIONS

ARTICLE 1. GENERAL REGULATIONS

General Recommendations: No change.

Specific Recommendations:

Section 1-2 Purpose

Section 1-201.b.2. Recommend adding language to include any adopted area or corridor plan. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

Section 1-201.b.10. Consider including dedication of land for K-68 right-of-way purposes. See Section Corridor Preservation Strategies—Acquisition Tools—land Dedication and In-Lieu Fees of the Implementation Chapter of the K-68 Corridor Management Plan.

Section 1-8 Interpretation—Conflict

Section 1-801. Consider adding provision providing that no building line shall be less than the depth of the proposed right-of-way necessary for enhancement to the K-68 highway, as shown on the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Regulatory Tools—Zoning, Subdivision Regulations, and Setback Ordinances of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 2. ADMINISTRATION

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 3. DEFINITIONS

General Recommendations: No change.

Specific Recommendations:

Section 3-2 Definitions

3-201. Consider amending the definition of "right-of-way" to include after "street," "highway."

ARTICLE 4. SUBDIVISION DESIGN STANDARDS

General Recommendations: No change.

Specific Recommendations:

Section 4-1 Applicability

4-101. Consider amending this section to add reference to adopted area and corridor plans.

4-102. Consider amending this section to add reference to adopted area and corridor plans.

Section 4-3 Street Standards

4-301.i. Consider revising to add reference to the minimum distance required by the protected right-of-way necessary for enhancement to the K-68 highway, as shown in the K-68 Corridor Management Plan. Also, consider adding a provision providing that the right-of-way width for streets shown on the K-68 Corridor Management Plan shall be consistent with minimum right-of-way widths shown therein.

Section 4-4 Lot Standards

Section 4-401.i. Consider revising to provide that front building or setback lines shall not be less than the area required to preserve right-of-way for K-68, as shown in the K-68 Corridor Management Plan.

ARTICLE 5. DEDICATION AND RESERVATION OF PUBLIC SITES AND OPEN SPACE

General Recommendations: No change.

Specific Recommendations:

Section 5-1 Dedication and Preservation of Public Sites and Open Spaces

5-101. Consider revision including rights-of-way for K-68 and adjacent local streets as shown on the K-68 Corridor Management Plan.

ARTICLE 6. SUBMISSION AND APPROVAL OF PLATS

General Recommendations: No change.

Specific Recommendations:

Section 6-3 Preliminary Plats

6-301.a. Consider adding a provision requiring that KDOT shall be provided notice of an application for preliminary plat approval when such plat is in an area covered by the K-68 Corridor Management Plan and has the potential to impact the recommendations of that plan. See Section Corridor Preservation Strategies—Acquisition Tools—Land Dedication and In-Lieu Fees of the Implementation Chapter of the K-68 Corridor Management Plan.

6-301.c. Consider revision to title of section to include approval or conditional approval and amendment to the last sentence in that subsection to include conditional approval.

Section 6-4 Final Plat

6-401.b. Consider adding a section to contain language indicating that the area covered by the plat is included within the K-68 Corridor Management Plan. See Corridor Preservation Strategies—Acquisition Tools—Access Acquisition of the Implementation Chapter of the Corridor Management Plan for details.

ARTICLE 7. IMPROVEMENTS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 8. IMPROVEMENT PROCEDURES

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 9. GUARANTEE OF INSTALLATION OF IMPROVEMENTS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 10. VARIANCES AND EXCEPTIONS

General Recommendations: No change.

Specific Recommendations:

Section 10-1 Variances and Exceptions

10-101.a. Consider adding a provision requiring that the Planning Commission find that the granting of a variance or an exception will not undermine the recommendations of the comprehensive plan or any adopted area or corridor plans. See Section Corridor Preservations Strategies—Regulatory Tools—Variances of the Implementation Chapter of the K-68 Corridor Management Plan.

10-101.b. Consider amending this provision to provide that the request for exception may be approved, approved subject to conditions or disapproved by the governing body.

ARTICLE 11. LOT SPLITS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 12. VACATIONS AND CORRECTIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 13. CONSERVATION SUBDIVISION DEVELOPMENT STANDARDS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 14. SOIL EROSION AND SEDIMENT CONTROL

General Recommendations: No change.

Specific Recommendations: No change.

CITY OF PAOLA—LAND DEVELOPMENT ORDINANCE

ARTICLE 1. TITLE AND APPLICABILITY

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 2. ESTABLISHMENT OF ZONING DISTRICTS

General Recommendations: No change.

Specific Recommendations:

Consider including an article or articles establishing overlay districts at critical locations along the corridor, particularly where the Corridor Management Plan indicates high intensity development will locate. See Section Corridor Preservation Strategies—Regulatory Tools –Zoning (Overlay Districts) of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 3. USE REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 4. DISTRICT INTENSITY AND BULK STANDARDS

General Recommendations: No change.

Specific Recommendations:

[Section 04.110 Performance Standards](#)

Consider adding a new sentence after the first sentence, providing that, no street yard, as shown on Table 04.110, shall be less than the proposed necessary right-of-way for enhancements to the K-68 Highway, as shown on the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Acquisition Tools—Land Dedication and In-Lieu Fees of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 5. SITE CAPACITY AND ENVIRONMENTAL STANDARDS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 6. LANDSCAPING, PARKING, AND LOADING STANDARDS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 7. SIGN REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 8. MODULATION AND BONUSES

General Recommendations: No change.

Specific Recommendations: No change.

[Section 08.140 Street Yard Setbacks](#)

Consider amending the first sentence to add a proviso that no street yard, as shown on Table 04.110, shall be less than the proposed necessary right-of-way for enhancements to the K-68 Highway, as shown on the K-68 Corridor Management Plan.

ARTICLE 9. NONCONFORMITIES

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 10. SUBDIVISION AND LAND DEVELOPMENT DESIGN STANDARDS

General Recommendations: No change.

Specific Recommendations:

[Section 10.132 Easements](#)

Consider amending the second sentence in the introductory paragraph to include a proviso that new utility easements, however, shall not be located in the projected necessary right-of-way for K-68 Highway enhancements as shown on the K-68 Corridor Management Plan.

[Section 10.210 General Standards](#)

Consider adding a new subsection H. providing that the site plan shall be consistent with the Comprehensive Plan and any adopted area or corridor plan.

ARTICLE 11. STREET AND ACCESS STANDARDS

General Recommendations: No change.

Specific Recommendations:

[Section 11.110 Street Design Objectives](#)

Consider adding a new subsection E. to implement the City's Comprehensive Plan and any adopted area or corridor plan, including the K-68 Corridor Management Plan.

[Table 11.130](#)

Consider adding a footnote referencing that street standards may be established for the street network adjacent to K-68 Highway in the K-68 Corridor Management Plan, check with City Public Works.

[Section 11.200 Access](#)

Consider adding a new sentence after the first sentence noting that proposed access points to K-68 Highway shall be as shown on the K-68 Corridor Management Plan. See Section II. of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 11.231 Access Spacing](#)

Consider adding a new sentence after the third sentence noting that access spacing shall be subject to the designation of access points as indicated in the K-68 Corridor Management Plan.

ARTICLE 12. DRAINAGE, UTILITIES, PARKING, LOADING, AND LIGHTING

General Recommendations: No change.

Specific Recommendations:

[Section 12.151 Requirements](#)

Consider amending subsection A. to provide that no utility shall be installed in designated easements located within the proposed necessary right-of-way for K-68 enhancements, as shown on the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Planning Tools—Utility Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 13. LANDSCAPING, TREE PROTECTION, AND EROSION CONTROL

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 14. SPECIAL SUBDIVISIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 15. QUALITY AND MONOTONY

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 16. RESERVED

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 17. RESERVED

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 18. RESERVED

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 19. RESERVED

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 20. ADMINISTRATIVE BODIES

General Recommendations: No change.

Specific Recommendations:

[Section 20.220 Planning Commission](#)

20.220.A. Consider amending to recognize the power to conditionally approve.

20.220.B. Consider amending to recognize the power to conditionally approve.

ARTICLE 21. PROCEDURES AND ADMINISTRATION

General Recommendations: No change.

Specific Recommendations:

[Section 21.151 Notice of Public Hearings](#)

Consider adding a new section between the two sections each marked B. entitled, "Notice to Kansas Department of Transportation" adding a provision that applications for development approval that have the potential of impacting development within the K-68 Corridor shall be provided to KDOT no less than 20 calendar days prior to the public hearing date. See Section Corridor Preservation Strategies—Administrative Tools—Notice and Opportunity to Provide Input of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 21.160 General Considerations in Rendering Decisions](#)

Consider amending subsection A. to include the Comprehensive Plan and any adopted area or corridor plans as a basis for decisions.

[Section 21.211 Standards for Zoning Map Amendment](#)

Consider adding a new subsection between subsections H. and I. establishing consistency with the Comprehensive Plan and any adopted area or corridor plans as a standard to be considered.

[Section 21.212 Standards for Ordinance Text Amendment](#)

Consider adding a new subsection H. that establishes consistency with the Comprehensive Plan and any adopted area or corridor plans as an additional consideration.

[Section 21.220 Conditional Uses](#)

21.220.A. Consider amending this section to also reference any adopted area or corridor plan.

[Section 21.251 Standards for Variances](#)

21.251.I. Considering amending this section to include a reference to any adopted area or corridor plan. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning and 4(f) Uses of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 21.261 Effect](#)

21.621.C. Final Plats Consider adding a provision that final plats shall contain a notice that the area covered by the preliminary plat is also covered by the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Administrative Tools—Notice and Opportunity to Provide Input, of the Implementation Chapter of the Corridor Management Plan.

ARTICLE 22. ADOPTION AND PURPOSES

General Recommendations: No change.

Specific Recommendations:

[Division 22.200 Ordinance Purpose](#)

22.200.C. Public Infrastructure. Consider amending subsection C.2. to include highways after roads in the two locations where the term "roads" is used.

Consider amending 6. to add, and to preserve projected necessary rights-of-way for K-68 enhancements as shown on the K-68 Corridor Management Plan.

ARTICLE 23. DEFINITIONS

General Recommendations:

Although not necessary in order to adopt an ordinance establishing a moratorium, the city's zoning ordinance could include specific authority to adopt moratoria in situations where it desires to allow the city time to adopt code or plan revisions before development is allowed to proceed. See Section Corridor Preservations Strategies—Regulatory Tools—Development Moratoria, Implementation Chapter of the Corridor Management Plan.

Consider establishing density transfers and incentives either in the overlay districts recommended above or at other locations in the code to encourage more dense or intense development at locations indicated on the Plan, which are appropriate for such development, and to protect environmentally sensitive features, agricultural lands or projected lower density locations. See Section Corridor Preservation Strategies—Regulatory Tools—Transfer of Development Rights and Density Transfers and Density Incentives, Implementation Chapter of the Corridor Management Plan.

Specific Recommendations: No change.

ARTICLE 1. TITLE

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 2. PURPOSE AND INTENT

General Recommendations: No change.

Specific Recommendations:

[Section 201. Purpose and Intent](#)

Consider adding a new section E. to implement the goals of the comprehensive plan and any adopted area or corridor plans and intent behind the zoning regulations. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 3. GENERAL PROVISIONS

General Recommendations: No change.

Specific Recommendations:

[Section 301. Jurisdictional Area](#)

Consider entering into an interlocal cooperation agreement with Miami County allowing for the exercise of extra-territorial zoning power inside Committed Growth Areas as established by the governing body and amend this section to so provide. See Section Interlocal Cooperation of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 4. RULES AND DEFINITIONS

General Recommendations: No change.

Specific Recommendations:

[Section 402. Interpretation](#)

Consider a new subsection between existing B. and C. providing that setbacks for each zoning district established in these zoning regulations, when not as deep as necessary to preserve projected right-of-way shown on the K-68 Corridor Management Plan, shall be modified to conform to the number of feet that is necessary to protect that right-of-way. See Sections Corridor Preservation Strategies—Regulatory Tools—Zoning, Site Plans, and Cluster Development of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 404. Definitions](#)

Consider adding a definition between existing K. and L. for the term "building setback line." (See Section 610.)

ARTICLE 5. DISTRICT REGULATIONS

General Recommendations: No change.

Specific Recommendations:

[Section 501 "A-L" Agricultural District](#)

501.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan. See Sections Corridor Preservation Strategies—Regulatory Tools—Zoning, Subdivision Regulations, and Setback Ordinances of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 502 "R-1" Single-Family Dwelling District](#)

502.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 503 "R-2" Two-Family Residential District](#)

503.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 504 "R-3" Multi-Family Residential District](#)

504.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 505 "M-P" Mobile Home Park Residential District](#)

505.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 506 "C-O" Office and Institution District](#)

506.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 507 "C-1" Neighborhood Business District](#)

507.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 508 "C-2" Central Business District](#)

508.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 509 "C-3" General District](#)

509.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 510 "C-4" Special Use Business District](#)

510.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 511 "C-S" Highway Service District](#)

11.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 512 "B-P" Business Park District](#)

512.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 513 "I-1" Light Industrial District](#)

513.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 514 "I-2" Heavy Industrial District](#)

514.F. Consider adding a provision referencing the new subsection C. of Section 402 relating to setbacks and necessary right-of-way, as shown on the K-68 Corridor Management Plan.

[Section 515 "PUD" Planned Unit Development District](#)

Consider amending subsection D.12. to include a reference to K-68 in the second sentence relating to the authority of the Planning Commission to provide additional setback.

Consider amending subsection D.16. to provide that modifications not be inconsistent with the K-68 Corridor Management Plan.

ARTICLE 6. SUPPLEMENTARY DISTRICT REGULATIONS

General Recommendations:

Although not necessary in order to adopt an ordinance establishing a moratorium, the city's zoning ordinance could include specific authority to adopt moratoria in situations where it desires to allow the city time to adopt code or plan revisions before development is allowed to proceed. See Section Corridor Preservation Strategies—Regulatory Tools—Development Moratoria, Implementation Chapter of the Corridor Management Plan.

Consider establishing density transfers and incentives either in the overlay districts recommended above or at other locations in the code to encourage more dense or intense development at locations indicated on the Plan, which are appropriate for such development, and to protect environmentally sensitive features, agricultural lands or projected lower density locations. See section Corridor Preservation Strategies—Regulatory Tools—Transfer of Development Rights and Density Transfers and Density Incentives, Implementation Chapter of the Corridor Management Plan.

Consider adding a provision allowing for cluster development at locations along the Corridor where less intense development on the overall tracts when an overall tract is appropriate to ensure open space, protect critical environmental features, and ensure future development at more dense urban patterns may occur as the demand for that type of development increases. See section Corridor Preservation Strategies—Regulatory Tools—Cluster Development,

Implementation Chapter of the Corridor Management Plan.

The City may want to consider adoption of planned districts, in addition to a PUD District. See Section Corridor Preservation Strategies—Regulatory Tools—Zoning of the Implementation Chapter of the Corridor Management Plan.

Specific Recommendations:

[Section 602 Yard Regulations](#)

Should be amended to add a new A.2. providing that front yards shall be adjusted where the projected necessary right-of-way shown on the K-68 Corridor Management Plan is deeper than the setbacks set forth in individual zoning districts.

[Section 605 Street Access Standards](#)

Consider amending Section 605.A. to provide that in no event shall residential access be inconsistent with points of access as shown on the K-68 Corridor Management Plan. See Section Access Management Strategies of the Implementation Chapter of the K-68 Corridor Management Plan.

Consider amending Section 605.B. Nonresidential Access to Arterials or Collectors to provide that in no event shall residential access be inconsistent with points of access as shown on the K-68 Corridor Management Plan.

Consider amending Section 605.C. relating to access spacing to provide that in no event shall residential access be inconsistent with points of access as shown on the K-68 Corridor Management Plan.

Consider amending Section 605.D. to state that provided no exceptions to the access standards may be granted that are inconsistent with the K-68 Corridor Management Plan.

Consider amending Section 605.E., the first sentence, to include the projected necessary right-of-way shown on the K-68 Corridor Management Plan.

[Section 616 Site Plan Approval](#)

Consider amending 616.D. Standards of Review, to revise subsection 4. to include any other adopted area or corridor plans.

ARTICLE 7. OFF-STREET PARKING AND LOADING REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 8. SIGN REGULATIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 9. NONCONFORMITIES

General Recommendations: No change.

Specific Recommendations:

[Section 902 Nonconforming Lots of Record](#)

Consider amending subsection C. by referencing the need for greater depth when necessary to preserve the necessary projected right-of-way shown on the K-68 Corridor Management Plan.

ARTICLE 10. BOARD OF ZONING APPEALS

General Recommendations: No change.

Specific Recommendations:

[Section 1003 Powers and Jurisdiction](#)

Consider amending subsection B.3.e. to add a reference to or inconsistent with the comprehensive plan or any adopted area or corridor plans.

ARTICLE 11. AMENDMENTS

General Recommendations: No change.

Specific Recommendations:

[Section 1101 General Provisions](#)

1101.H. Consider amending subsection 1.d. by adding a new provision reflecting compliance with the comprehensive plan and any adopted area or corridor plans.

1101.H. Consider amending subsection 1.g. by adding a sentence providing that access roads, entrances and exit drives shall be at points that are consistent with points shown on the K-68 Corridor Management Plan.

1101.H. Consider amending subsection 3. to add, and to carry out the general purpose and intent of the comprehensive plan and any adopted area and corridor plans.

[Section 1102 Planning Commission Public Hearing](#)

Consider amending the first sentence of the second paragraph in subsection B. to include notice to KDOT of amendments for special use permits that have the potential of having an impact on development in the K-68 Corridor. See Section I.C.3. of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 1103 Action by the Planning Commission](#)

Consider amending the first sentence of paragraph 2 of subsection A. to include a recommendation for approval with conditions.

[Section 1105 Matters to be Considered for Amendments](#)

Consider amending subsection B. to add consistency with adopted area and corridor management plans.

[Section 1106 Conditional Use Permits](#)

Consider amending the first sentence of subsection B. to add the requirement that KDOT be notified of applications for special use permits that are deemed to have the potential to have an impact on development in the K-68 Corridor. See Section Corridor Preservation Strategies—Administrative Tools—Notice of Opportunity to Provide Input of the Implementation Chapter of the K-68 Corridor Management Plan.

Consider amending subsection E., Consideration of Conditional use Permit Application, by adding a new subsection 3.c., referencing the comprehensive plan and any adopted area and corridor plans.

ARTICLE 12. ADMINISTRATION

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 13. VIOLATIONS AND PENALTIES

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 14. INVALIDITY IN PART

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 15. CONFLICTING ORDINANCES

General Recommendations: No change.

Specific Recommendations: No change.

CITY OF LOUISBURG—SUBDIVISION REGULATIONS

ARTICLE 1. GENERAL PROVISIONS

General Recommendations: No change.

Specific Recommendations:

[Section 101 Jurisdiction](#)

Consider entering into an interlocal cooperation agreement with Miami County to provide for the exercise of extra-territorial subdivision regulation in areas adjacent to the existing city limits and amending this section to reflect jurisdiction of the City with respect to these subdivision regulations shall apply in that area. See Section Interlocal Cooperation of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 102 Purpose and Intent](#)

Consider amending section to establish consistency with the comprehensive plan and any adopted area or corridor plans as an additional the purpose and intent of these subdivision regulations. See Section Corridor Preservation Strategies—Planning Tools—Comprehensive Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

[Section 104 Exemptions](#)

Consider amending subsection E. by adding at the end of the sentence, a statement along the lines of "provided that; no division shall be exempted from these regulations, if the resulting division proposes ingress or egress from either tract onto K-68 Highway, which is not in accordance with the points of access shown on the K-68 Corridor Management Plan." See Section Access Management Strategies of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 2. ADMINISTRATION

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 3. DEFINITIONS

General Recommendations: No change.

Specific Recommendations: No change.

ARTICLE 4. MINIMUM DESIGN STANDARDS

General Recommendations:

Consider adopting a provision before or after Article 5 providing for dedication or reservation of projected necessary right-of-way as shown on the K-68 Corridor Management Plan or a fee in lieu therefore (impact fee) [See Section Access Management Strategies of the Implementation Chapter

of the K-68 Corridor Management Plan.]. See Section Corridor Preservation Strategies—Acquisition Tools—Land Dedication and In-Lieu Fees of the Implementation Chapter of the Corridor Management Plan.

Specific Recommendations: No change.

Section 402 Streets and Alleys

Consider amending subsection G., sentence one, to include, "or other access management technique as may be recommended by the K-68 Corridor Management Plan at that location." See Section Access Management Strategies of the Implementation Chapter of the K-68 Corridor Management Plan.

Section 403 Lots

Consider amending subsection I. to provide that setback lines shall not be less than setbacks required to preserve projected necessary right-of-way as shown on the K-68 Corridor Management Plan.

Consider amending subsection L. to provide that no subdivision or resubdivision of a tract of land shall be permitted where that action places an existing permanent structure or land in an area shown on the K-68 Corridor Management Plan as projected necessary right-of-way for K-68 Highway or any adjacent street. See Section Corridor Preservation Strategies—Regulatory Tools—Subdivision Regulations of the Implementation Chapter of the K-68 Corridor Management Plan.

Section 405 Subdivision Design

Consider amending subsection B., sentence two, to include or any adopted area or corridor plan.

ARTICLE 5. DEDICATION OR RESERVATION OF PUBLIC OPEN SPACE

General Recommendations: No change.

Specific Recommendations: No change

ARTICLE 6. LOT SPLITS

General Recommendations: No change.

Specific Recommendations: No change

Section 603 Approval Guidelines

Consider amending subsection A.4. to add in a reference to or adopted area or corridor plans.

ARTICLE 7. SUBMISSION OF PLATS

General Recommendations: No change.

Specific Recommendations: No change

Section 702 Preliminary Plats

Consider adding a new section between subsections B. and C. providing that notice equal to that provided to adjacent property owners should be provided to KDOT of any plat application that is deemed to have the potential to have an impact on development within the K-68 Corridor. See Section Corridor Preservation Strategies—Administrative Tools— Notice of Opportunity to Provide Input of the Implementation Chapter of the K-68 Corridor Management Plan.

Section 703 Final Plat

Consider amending subsection B. to include between 11 and 12, a new section requiring the inclusion of a statement providing notice that the area included within the subdivision is also included within the area covered by the K-68 Corridor Management Plan. See section Corridor Preservation Strategies—Administrative Tools— Notice of Applicability of Plan, of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 8. IMPROVEMENTS

General Recommendations: No change.

Specific Recommendations:

Section 801 Required Improvements

Consider amending subsection D. to provide that no sanitary sewers or other utilities shall be located within the projected necessary right-of-way for K-68 as shown on the K-68 Corridor Management Plan. See Section Corridor Preservation Strategies—Planning Tools—Utility Planning of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 9. IMPROVEMENT PROCEDURES

General Recommendations: No change.

Specific Recommendations: No change

ARTICLE 10. VARIANCES, APPEALS AND WAIVERS

General Recommendations: No change.

Specific Recommendations: No change

Section 1001 Variances

Consider adding to subsection C. that the granting of a variance or exceptions shall not be inconsistent with the comprehensive plan or any adopted area or corridor plan. See Section Corridor Preservation Strategies—Regulatory Tools—Variances of the Implementation Chapter of the K-68 Corridor Management Plan.

ARTICLE 11. MISCELLANEOUS

General Recommendations: No change.

Specific Recommendations: No change

ARTICLE 12. SEVERABILITY

General Recommendations: No change.

Specific Recommendations: No change

ARTICLE 13. PENALTY

General Recommendations: No change.

Specific Recommendations: No change

ARTICLE 14. ADMINISTRATION

General Recommendations: No change.

Specific Recommendations: No change

Appendix A—Future Land Use Projections

MARKET DEMAND MODEL

Assumptions for Population Growth and Net New Development Space

Population forecasts and land use estimates have been developed for Ottawa, Paola, and Louisburg by decade (2010 – 2030). Generalized land use quantities were determined for residential, retail, industrial, and office uses. A detailed listing of the assumptions for population projections and land use quantities is included below.

Population Projections

(Note: Figures in the model have been rounded to the nearest 10)

2000 Population: Population data for 2000 is from the US Census and is certified by the State of Kansas' Division of Budget.

2007 Population: The Division has also certified population estimates for the period of July 1, 2007 to July 1, 2008 as follows:

Louisburg:	3,787 people
Paola:	5,369 people
Ottawa:	12,828 people

Low Growth: The low growth population projections for Louisburg and Paola are based on the Kansas Division of Budget figures. The estimates for Ottawa are based upon Kansas Water Office projections. The Water Office figures are also included in the *2004 Ottawa Comprehensive Plan*.

High Growth: The high growth scenario is based on an analysis of cities that are comparable to those within the K-68 Study Area because of their location on the edge of the development ring that surrounds the Kansas City Metropolitan Area. Comparable communities specifically include Gardner and Spring Hill, Kansas and Raymore and Grain Valley, Missouri. These communities could experience projected population growth rates of the following:

2000 – 2010:	75%
2010 – 2020:	99%
2020 – 2030:	159%

Because Ottawa is located farther from the Metro, it is assumed that the surge of growth will lag 10 years behind that of Paola and Louisburg.

Intermediate Growth: The intermediate growth scenario is 60% of the difference between the low and high growth scenarios.

Residential Development

(Note: Figures in the model have been rounded to the nearest whole number)

Household Size: The average is 2.5 people per household. The number of dwelling units is based upon population growth and increasing household size.

Occupied Housing: Analysis shows that more dwelling units are being built than occupied. As a

result, the number of dwelling units shown in the model includes the surplus. 81% of housing stock in Ottawa, Paola, and Louisburg is single-family. According to the US Census, an average of 98% of this stock was occupied. Specifically:

Louisburg:	94%
Paola:	98%
Ottawa:	98%

Housing Density: Based on current development patterns, housing is being built at an average of 5 dwelling units is built per acre across the three cities. This is the density used for the model. However, for reference it should be noted that city zoning regulations for single-family development are as follows:

Louisburg:	Requires 8,000 square feet per unit (5.5 units/acre) in District R-1.
Paola:	Requires 12,000 square feet per unit (3.6 units/acre) in Suburban Single-Family Conventional Districts.
Ottawa:	Requires 7,000 square feet per unit (6.2 units/acre) in District R-1.

Retail Development

(Note: Figures in the model have been rounded to the nearest whole number)

Leakage: Residents do some of their shopping outside the home city. This is called to leakage. The amount of leakage is based on information provided by Claritas and from the Urban Land Institute publication, *Dollar and Cents of Shopping Centers/The Score 2006*. If the amount of leakage could be retained in each home city, an additional amount of new retail square footage would be required. The leakage amounts per city are:

Louisburg:	173,200 square feet
Paola:	124,700 square feet
Ottawa:	121,100 square feet

For the purposes of this model, the projected retail square footage shown in the model has been reviewed overall rather than by individual categories of retail types. The amount of new retail square footage needed to address the leakage is assumed to be added by 2010.

Per Capita Retail Square Footage: 20 square feet per industry rule of thumb.

Lot Coverage: Retail buildings will occupy 23% of a lot. The balance of the property is expected to be used for surface parking, landscaping, and/or storage.

Employment: 2.5 employees per 1,000 square feet of built retail space per industry rule of thumb.

Industrial Development

(Note: Figures in the model have been rounded to the nearest 10)

Types of Industry: The most likely types of industry to develop in the corridor include distribution, warehousing, and some light industrial.

Building Size: Typical distribution and warehousing buildings tend to be more than 100,000 square

feet in size. For the purpose of comparison, large distribution centers such as Wal-Mart and American Eagle in Ottawa exceed 1 million square feet. The South Suburban Business Park located at 247th Street and US 69 Highway in Louisburg is anticipated to be 300,000 square feet on 41 acres.

Lot Coverage: Industrial buildings will occupy 23% of the lot. The balance of the property is expected to be used for surface parking, landscaping, and/or storage.

Employment: 1 employment per 1,000 square feet of built warehousing and industrial space per industry rule of thumb.

Office Development

(Note: Figures in the model have been rounded to the nearest whole number)

Office Types and Building Size: Class A office space is generally defined as a new office building of three or more stories and 15,000+ square foot floor plates that are of steel/concrete construction with numerous amenities. Non-Class A space will generally be less than 3 stories with about 8,000 – 10,000 square feet or less. For purposes of comparison, Johnson County records show the City of Edgerton with a total of 818 square feet of office and Overland Park with more than 21 million square feet of office development.

Lot Coverage: Office buildings will occupy 23% of the lot. The balance of the property is expected to be used for surface parking, landscaping, and/or storage.

Employment: 4 employees per 1,000 square feet of built office space per industry rule of thumb.

Paola: Net New Development within the City's 1-3-5-Mile Market Area															
Low Growth Scenario															
Paola															
Year	Population			Residential			Retail			Industrial			Office		
	Projected	Gross Acres	Dwelling Units	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees			
2000	5,011														
2010	5,500	38	190	1	13,024	33	5	50,094	50	2	20,038	80			
2020	6,300	56	280	10	98,184	245	5	50,094	50	1	10,019	40			
2030	7,100	59	295	6	59,111	148	5	50,094	50	1	10,019	40			
Subtotal		153	765	17	170,320	426	15	150,282	150	4	40,075	160			

Intermediate Growth Scenario															
Paola															
Year	Population			Residential			Retail			Industrial			Office		
	Projected	Gross Acres	Dwelling Units	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees			
2000	5,011														
2010	7,500	177	885	2	17,032	43	5	50,094	50	2	20,038	80			
2020	13,000	396	1,980	22	222,417	556	5	50,094	50	2	20,038	80			
2030	30,000	1,217	6,085	40	401,754	1,004	8	80,150	80	2	20,038	80			
Subtotal		1,790	8,950	64	641,203	1,603	18	180,338	180	6	60,113	240			

High Growth Scenario															
Paola															
Year	Population			Residential			Retail			Industrial			Office		
	Projected	Gross Acres	Dwelling Units	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees			
2000	5,011														
2010	8,800	269	1,345	2	20,038	50	5	50,094	50	2	20,038	80			
2020	17,500	624	3,120	30	300,564	751	5	50,094	50	2	20,038	80			
2030	45,300	1,990	9,950	62	621,166	1,553	10	100,188	100	2	20,038	80			
Subtotal		2,883	14,415	94	941,767	2,354	20	200,376	200	6	60,113	240			

Ottawa: Net New Development within the City's 1-3-5-Mile Market Area															
Low Growth Scenario															
Ottawa															
Year	Population			Residential			Retail			Industrial			Office		
	Projected	Gross Acres	Dwelling Units	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees			
2000	11,921														
2010	13,200	92	460	2	15,028	38	15	150,282	150	0	0	0			
2020	14,800	115	575	13	130,244	326	140	1,402,632	1,403	1	10,019	40			
2030	16,500	120	600	9	85,160	213	145	1,452,726	1,453	1	10,019	40			
Subtotal		327	1,635	23	230,432	576	300	3,005,640	3,006	2	20,038	80			

Intermediate Growth Scenario															
Ottawa															
Year	Population			Residential			Retail			Industrial			Office		
	Projected	Gross Acres	Dwelling Units	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees			
2000	11,921														
2010	13,200	92	460	2	15,028	38	18	180,338	180	1	10,019	40			
2020	19,800	473	2,365	23	230,432	576	248	2,484,662	2,485	2	20,038	80			
2030	34,300	908	4,540	35	345,649	864	214	2,144,023	2,144	2	20,038	80			
Subtotal		1,473	7,365	59	591,109	1,478	480	4,809,024	4,809	5	50,094	200			

High Growth Scenario															
Ottawa															
Year	Population			Residential			Retail			Industrial			Office		
	Projected	Gross Acres	Dwelling Units	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees			
2000	11,921														
2010	13,200	120	600	2	15,028	38	20	200,376	200	1	10,019	40			
2020	23,100	711	3,555	30	300,564	751	270	2,705,076	2,705	2	20,038	80			
2030	46,100	1,433	7,165	52	515,968	1,290	310	3,105,828	3,106	2	20,038	80			
Subtotal		2,264	11,320	83	831,560	2,079	600	6,011,280	6,011	5	50,094	200			

Louisburg: Net New Development within the City's 1-3-5-Mile Market Area															
Low Growth Scenario															
Louisburg															
Year	Population			Residential			Retail			Industrial			Office		
	Projected	Gross Acres	Dwelling Units	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees			
2000	2,576														
2010	3,800	89	445	2	20,038	50	5	50,094	50	0	0	0			
2020	4,200	26	130	14	140,263	351	15	150,282	150	1	10,019	40			
2030	4,500	26	130	8	80,150	200	25	250,470	250	4	40,075	160			
Subtotal		141	705	24	240,451	601	45	450,846	451	5	50,094	200			

Intermediate Growth Scenario															
Louisburg															
Year	Population			Residential			Retail			Industrial			Office		
	Projected	Gross Acres	Dwelling Units	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees			
2000	2,576														
2010	4,200	118	590	2	21,039	53	5	50,094	50	1	10,019	40			
2020	7,100	203	1,015	20	196,368	491	24	240,451	240	3	30,056	120			
2030	15,800	624	3,120	24	243,457	609	140	1,402,632	1,403	7	70,132	281			
Subtotal		945	4,725	46	460,865	1,152	169	1,693,177	1,693	11	110,207	441			

High Growth Scenario															
Louisburg															
Year	Population			Residential			Retail			Industrial			Office		
	Projected	Gross Acres	Dwelling Units	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees	Gross Acres	Sq. Ft. of Building	Employees			
2000	2,576														
2010	4,500	138	690	2	21,039	53	5	50,094	50	1	10,019	40			
2020	9,000	321	1,605	23	226,425	566	30	300,564	301	4	40,075	160			
2030	23,300	1,023	5,115	36	363,682	909	270	2,705,076	2,705	9	90,169	361			
Subtotal		1,482	7,410	61	611,147	1,528	305	3,055,734	3,056	14	140,263	561			

INTERMEDIATE GROWTH PROJECTION

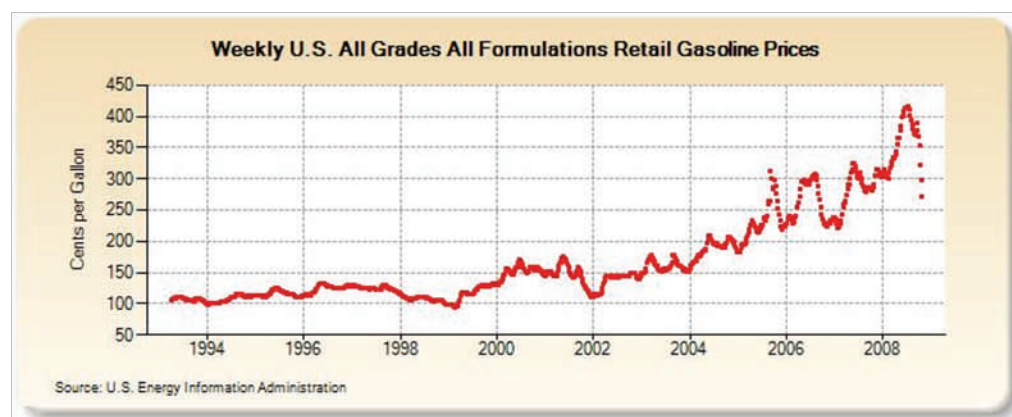
Considerations related to Economic and Market Factors

Since the early 1990's economies have been booming nationally and locally. Earnings, per capita income, population, and employment, particularly in the service and construction sectors, have increased at a robust rate. Then beginning in late 2006/early 2007 the economy started showing signs of slowing. Gas and other energy prices have increased significantly; construction costs have gone up; the housing market is in decline; and unemployment has increased. Underlying issues face the nation and the world, including an ever increasing demand for energy and goods, an uncertain financial system, climate and environmental issues, and aging infrastructure. It is possible that the surging growth that is coming outward from the Kansas City metropolitan area may continue. It is also possible that the underlying issues and current economic and market trends will continue into the future, slowing down economic development in the outlying portions of the metropolitan area. The intermediate scenario assumes that the future lies somewhere in between.

Current conditions:

Gasoline

- Retail gas prices have more than doubled since 2004.
- Gas prices peaked at over \$4.00 per gallon in early part of June 2008 and have declined significantly since then.
- Energy Information Administration (EIA) projects that the gasoline market will remain tight because of sluggish production.
- Global demand for oil/gasoline is expected to continue to increase.
- Fossil fuel burning vehicles contribute to environmental issues of air pollution and climate change.



Transit

- Transit is minimal in Miami and Franklin Counties.
- Transit is available for limited groups, such as senior adults and disabled individuals.

Home heating

- EIA projects a 15% in home heating costs over last year (2007-2008). The increase is attributable to higher prices for energy across the board and predictions of a colder winter.

Construction costs

- Producer prices for construction have grown 45% since 2003 compared to consumer prices which have increased 19% over the same time period.
- Cost of construction for highways and streets have increased by about 76% since December 2003, 60% for other heavy construction, 33% for single unit residential and 43% for non-residential buildings.

Financing

- Residential financing has fallen off significantly since 2007.
- The rates of home loan default, foreclosure and property abandonment has increased since 2007.
- There is a significant surplus of single-family houses on the market.
- Commercial finance markets are tightening and financing becoming more difficult to obtain.

Employment

- The number of service firms comprises the largest sector in Miami County and continues to grow.
- 91% of the firms' in Miami County had fewer than 20 employees.
- Unemployment is up nationally.
- On the Kansas side, the bright spot was an unemployment rate of 4.8 percent, significantly lower than the national average of 6.1 percent.

Economic Development Incentives Policies

- Competition may be fierce between metropolitan communities. The variety, ease and amount of economic incentive offered by a city will affect that city's ability to attract development. Economic incentives include financial assistance with construction of both public infrastructure and private development.

- **Ottawa:** Ottawa is southwest of and further out from the metro area than any of the fourteen cities. The City of Ottawa is closest in population and area to Gardner, Grain Valley and Harrisonville. Harrisonville is the closest comparable city to Ottawa as both Harrisonville and Ottawa have an average annual population growth since 2000 of about 1%. Harrisonville and Ottawa also are similar given their proximity to the two intermodal facilities under development at the former Richards Gebaur site in Missouri and at the Gardner, Kansas site, and their locations along major U.S. highways. Depending on the rate of development of the two intermodal facilities, either city may serve as a role model for the other.

Gardner will be the model for the future growth in Ottawa. Gardner is currently on the edge of the metropolitan growth wave and is located north just up I-35 and the railroad tracks from Ottawa. The U.S. Bureau of Labor Statistics indicates that the area has a strong pull for development of distribution centers. Gardner is the future site of a new intermodal logistics center. Assuming growth from the metropolitan area and particularly the growth in distribution centers stays strong and continues to proceed down I-35 and the railroad tracks, Gardner may be the best example of what can happen for Ottawa in the future.

Potential Growth: It is assumed that growth is radiating outward from the center of the metropolitan area. For the purposes of determining the rate and the volume of growth that might be expected if the surge of growth continued, population data was analyzed for each of the fourteen cities. Growth rates were derived from U.S. Census population data for the decades 1900 through 2000, annual certified population from 2000 through 2007 for the cities in Kansas, and from Mid-America Research Council (MARC) estimates of population for the cities in Missouri for the same time period. Population growth was estimated for each of the remaining years through 2010 for each city, and then population growth rates were derived. The two decades with the greatest growth rate for each city were identified; of particular interest were those cities where population growth rates were approximately 80% to as high as 300%. The cities with the greatest growth rates were plotted on a map, and these cities were: Gardner, Spring Hill, Raymore and Grain Valley. These cities are about equidistant from the center of the metro and identified as the edge of the growth wave. It was then assumed that Louisburg would be the next city to experience the growth wave followed by Paola and Ottawa in the next wave a decade later.

Appendix B—Recommended Improvement Plates