



City of Leavenworth
100 N. 5th Street
Leavenworth, Kansas 66048

CITY COMMISSION STUDY SESSION
COMMISSION CHAMBERS
TUESDAY, MARCH 17, 2020 7:00 P.M.

Welcome - Please turn off or silence all cell phones during the Study Session.

Meetings are televised everyday on Channel 2 at 7 p.m. and midnight and available for viewing on YouTube

Study Session:

1. Quarterly Update - Leavenworth Unified School District 453 (pg. 2)
2. Semi-Annual Update - Leavenworth Public Library (pg. 3)
3. Development Regulations Amendments Review (pg. 4)
4. Review Land Bank Program Proposal (pg. 20)
5. Review Public Transportation (pg. 28)
6. Comprehensive Plan Update (pg. 29)

**STUDY SESSION POLICY REPORT
PRESENTATION BY
LEAVENWORTH UNIFIED SCHOOL DISTRICT NO. 453**

MARCH 17, 2020

Prepared by:



Carla K. Williamson, CMC
City Clerk

Reviewed by:



Paul Kramer
City Manager


ISSUE:

Superintendent Mike Roth with Leavenworth Unified School District No. 453 will provide a quarterly update to the City Commission.

**STUDY SESSION POLICY REPORT
PRESENTATION BY
LEAVENWORTH PUBLIC LIBRARY**

MARCH 17, 2020

Prepared by:



Carla K. Williamson, CMC
City Clerk

Reviewed by:



Paul Kramer
City Manager

ISSUE:

Library Director Matt Nojonen will provide the semi-annual update to the City Commission.

POLICY REPORT
Text Amendments
Development Regulations

MARCH 17, 2020



Prepared By:
Julie Hurley
Director of Planning and
Community Development



Reviewed By:
Paul Kramer
City Manager

DISCUSSION:

The Development Regulations were adopted by the City Commission in June, 2016 after a year-long comprehensive update process. Through the daily use of the Regulations by staff, several minor items have arisen that may necessitate possible updating. This process is not uncommon, and it is anticipated that an annual review of the Development Regulations will be performed in order to ensure that they remain up to date and comprehensive. On March 2, 2020, the Planning Commission discussed the proposed text amendments which are now presented for review.

- **Section 2.02; Platting**
Language should set forth procedure for “Administrative Plat” process to be used only in applications for simple lot splits or lot combinations. Any other platting activity should follow Minor Subdivision or Major Subdivision procedures.
- **Section 4.03; Property Development Standards**
Commercial and Industrial zoning districts should be allowed higher maximum lot coverage requirement than residential districts, subject to stormwater quality and quantity considerations for each individual project.
- **Section 4.03; Property Development Standards**
Clarify language stipulating that no accessory structures shall be located forward of the main building line or in the required side yard setback.
- **Section 4.04; Use Standards**
Clarify language to specify that accessory structure regulations refer to Amateur Radio Towers, Commercial Radio Towers are addressed in a separate Article of the Development Regulations. Clarify setback requirements for Amateur Radio Towers.
- **Section 4.04; Use Standards**
Update regulations for Agriculture Buildings to allow for larger buildings on lot sizes over 2 acres. Discussion among the Planning Commission included a recommendation to include a maximum allowable size. Proposed amendment allows for accessory buildings up to 2% of the size of the lot, staff recommends a maximum size of 3,000 sqft. At 2% of the size of the lot, a 2 acre lot would allow for a 1,742 sqft Agriculture Building.

- **Section 4.04; Use Standards**
Per direction of the City Commission, add language to allow for keeping of Apiaries in residential districts. Discussion among the Planning Commission involved the question of whether notification should be required to neighboring property owners.
- **Article 4.04; Use Standards**
Clarify language regarding Prohibited Accessory Uses, proposed language to be removed creates confusion for residents and staff.
- **Section 4.04; Use Standards**
Remove requirement that no separate outside entrance is allowed for home occupations. Provide provision for accessory structures to be used for home occupations with issuance of a Special Use Permit.
- **Section 6.08; Fences**
Modify setback requirement for solid fences installed on corner lots to allow for the fence to be placed closer to the property line.
- **Section 8.11; Signs Permitted in Commercial and Industrial Districts**
Correct maximum size allowance for attached signs in the CBD and OBD zoning districts, numbers were inadvertently transposed in last update.
- **Article 12; Definitions**
Add definitions for "Adult Day Center" and "Agriculture Accessory Building".
- **Appendix A; Use Table**
 - "Live/Work Dwellings" allowed use in commercial zoning districts
 - Add use type for "Adult Day Center". Discussion among the Planning Commission involved the suggestion that the use type of "Adult Day Center" should require the approval of a Special Use Permit in residential districts.
 - "Home Day Care, 6 or less children" allowed by-right in all districts
 - "Home Day Care, 7 or more children" allowed with SUP in residential districts
 - Modify use of "Kennel" to be allowed only in GBD, I-1 and I-2 districts
 - "Apiaries" allowed in all residential zoning districts.

A public hearing to formally consider the proposed text amendments is scheduled for the April 6, 2020 Planning Commission meeting. At that time the Planning Commission will make a recommendation to the City Commission regarding adoption of the proposed text amendments, and the item will come back before the City Commission for approval.

ACTION/OPTIONS:

Consensus to move forward with the adoption of proposed text amendments.

DEVELOPMENT REGULATIONS
ARTICLE 2. APPLICATIONS & PROCEDURES

2.01 Text Amendments

- c. **Return:** Return such recommendation to the Planning Commission with a statement specifying the basis for the City Commission's failure to approve or disapprove. If the City Commission returns the Planning Commission's recommendation, the Planning Commission after considering the same may resubmit its original recommendation giving the reasons therefore or submit new and amended recommendations. Upon the receipt of such recommendation, the City Commission by a simple majority thereof may adopt or may revise or amend and adopt such recommendation by ordinance or it need take no further action thereon. If the Planning Commission fails to deliver its recommendation to the City Commission following the Planning Commission's next regular meeting after receipt of the City Commission's report, the City Commission shall consider such course of inaction on the part of the Planning Commission as a resubmission of the original recommendation and proceed accordingly.
6. **Publication.** If the City Commission approves an application, it shall adopt an ordinance to that effect, but the ordinance shall not become effective until its publication in the official newspaper.

2.02 Platting

- A. **Applicability:** Plat applications are required to establish or alter the legal boundaries of property, and may be the owners or agents of any property affected.
- B. **Platting Procedures:** Applications for platting shall be proposed on forms established by the Director of the Planning Department and filed with the City Clerk. Applications shall be processed according to the following specific procedures:
 - 1. **Types of Plats.** Plat applications are classified and processed as one of the following types:
 - a. **Administrative Plats, which are routine applications such as lot line adjustments, for lot splits or survey plats, lot combinations that do not alter development patterns or impact public services;** or
 - b. Minor Subdivisions, which are platting of five or fewer new lots, including any remainder parcel, that do not alter development patterns or impact public services; or
 - bc. Major Subdivisions, which larger subdivisions are with new ownership and development patterns that impact public services.
 - 2. **Pre-application Conference.** Prior to the filing of any plat, the applicant shall (preferably with 2 copies of a rough sketch plan of the proposed subdivision) contact the City staff to determine:
 - a. Classification of the plat.
 - b. Procedure for filing plats.
 - c. Availability of City sewers and water, and other major utilities, including a letter or similar proof of availability from any utility.

DEVELOPMENT REGULATIONS
ARTICLE 2. APPLICATIONS & PROCEDURES

2.02 Platting

-
- d. Comprehensive Land Use Plan requirements for major streets, land use, parks, schools and public open spaces.
 - e. Zoning requirements for the property in question and adjacent property.
 - f. Special setback requirements for arterial, collector and local streets.
3. *Administrative Plat.* Administrative plats shall be processed according to the following criteria and procedures.
- a. Criteria. An application may be classified as an administrative plat if the Director determines that all of the following are met. Any application not classified as an administrative plat shall be processed as a minor or major subdivision.
 - (1) No new street or alley right-of-way, or other public dedication is needed.
 - (2) No significant increase in service requirements (utilities, schools, traffic control, streets, etc.), or the ability to maintain existing service levels will result.
 - (3) ~~For lot line adjustments, lot splits or lot combinations, the application affects the boundaries of only four or less existing lots, or is finalizing the legal boundaries of previously approved lots which could only be based on a legal survey after construction of improvements~~ a lot split, involves a single split of one lot resulting in two separate lots, or for a lot combination involves the combining of two separate lots into one lot.
 - ~~(4) For minor subdivisions of previously unplatted property, the application results in five or fewer new lots, including any remainder parcel.~~
 - (5) All lots meet the legal standards of the subdivision regulations and applicable zoning districts.
 - (6) The lot patterns are consistent with the surrounding area. In determining consistency, the size and dimension of lots previously developed, the layout and design of existing subdivisions and rights of way, and the degree of deviation from previous development shall be considered.
 - (7) No other significant issues exist with potential development enabled by the plat that could impact planning policies, development regulations or adjacent property owners.
 - b. Filing Requirement. An administrative plat shall include all applicable information required for final plats.
 - c. Review and Approval. Upon review by the Director, Development Review Committee, or any affected departments or agencies, and within 60 days of filing, the Director shall approve any administrative plats that meet all requirements of these regulations, or deny the application and recommend any further processing as a major subdivision.
 - d. Effect of Decision. Approval of an administrative plat requires the applicant to record the plat with the Leavenworth Register of Deeds. Denial or recommendation of major subdivision shall be processed according to major subdivision review requirements.

DEVELOPMENT REGULATIONS
ARTICLE 4. ZONING DISTRICTS & STANDARDS

4.04 Property Development Standards

4.03. Property Development Standards

A. **Dimension Table.** Lot and building dimension standards for zoning districts shall be according to Table 4-01.

Table 4-01: Zoning District Dimension Standards								
	Lot Standards			Minimum Setbacks				Building Height
	Min. Size	Min. Width	Max. Coverage	Front	Interior Side	Corner Side	Rear	
R1-25	25,000 s.f.[1]	160'	50%	25'	10'	25'	25'	35'
R1-9	9,000 s.f.	75'	50%	25'	6'	25'	25'	35'
R1-7.5	7,500 s.f.	75'	50%	25'	6'	15'	10'	35'
R1-6	6,000 s.f.	48'	50%	25'	6'	25'	25'	35'
R-MF	6,000 s.f. [2]	48' (1 to 2 units)	50%	25'	6' (1-story)	25'	25'	40'
		72' (3 units)			10' (2-story)			
		96' (4+ units)			15' (3-story)			
R4-16	6,000 s.f. [3]	48' (1 to 2 units)	50%	25'	6' (1-story)	25'	25'	40'
		96' (3 -4+ units)			10' (2-story)			
					15' (3-story)			
RMX	See table 4-2							
MP	10 acres	300'	50%	25'	6'	25'	25'	35'
NBD	6,000 s.f.	48'	50%	25'	6' (1-story)	25'	25'	45'
					10' (2-story)			
					15' (3-story)			
OBD	6,000 s.f.	48'	50% [8]	25'	6' (1-story)	25'	25'	45'
					10' (2-story)			
					15' (3-story)			
CBD	2,000 s.f.	48'	100%	0' [4]	0' [4]	0' [4]	0' [4]	none
GBD	6,000 s.f.	48'	50% [8]	25'	0' [5]	25'	25'	45'
ROD	See Section 4.05							
I-1	15,000 s.f.	160'	50% [8]	30'	10' [6]	20' [6]	25'	50' or 4 stories
	15,000 s.f.	160'	50% [8]	30'	10' [7]	20' [7]	25'	none

[1] only with public water and sewer. See KDHE 4-2 and Leavenworth County Sanitary Code: minimum lot size is 2 acre without public water or sewer.

[2] lots in the R-MF district shall have 3,000 square feet per dwelling unit.

[3] lots in the R-4-16 district shall have 4,000 square feet per dwelling unit.

[4] There are no yard requirements in the CBD except that a 25' setback shall be provided on any side of a lot which abuts a residential district

[5] There are no interior side yard requirements in the GBD except that a 25' setback shall be provided on any side of a lot which abuts a residential district

[6] In the I-1 district a 25' setback shall be provided abutting any dedicated street or residential district.

[7] In the I-2 district a 100' setback shall be provided abutting residential district, unless the use was located and platted prior to adoption of these regulations in which case a 25' setback shall be provided. Setbacks abutting any dedicated street shall be 25'.

[8] Maximum lot coverage requirements shall be subject to stormwater quality and quantity requirements as determined by the Public Works Department for individual projects.

DEVELOPMENT REGULATIONS
ARTICLE 4. ZONING DISTRICTS & STANDARDS

4.04 Property Development Standards

any case. A porch or stoop under this exception shall be no higher than the first-floor elevation of the front entry feature, may include a single-story roof structure integrated with the materials and style of the building, but shall only include support posts or pillars and railings or two walls up to three feet, but no windows, screens or other enclosures in the front-setback encroachment.

3. *Yard Requirements for Open Land.* If a lot is, or will be, occupied by a permitted use without structures, then the minimum setback and minimum side and rear yards that would otherwise be required for the lots shall be provided and maintained unless some other provision of these regulations requires or permits a different minimum front or side or rear yard setback. The front, side, and rear yards shall not be required on lots used for garden purposes without structures, or lots used for open public recreation areas. If the permitted use is the display of new or used automobiles or other vehicles for sale that display may be allowed in the front yard setback, except the first five feet thereof.

D. Height Regulations.

1. In all districts, one additional foot of height above the specified height limitations shall be permitted for commercial or industrial buildings for each one foot of additional setback on all sides provided over the minimum requirements, if no such building exceeds one 100 feet in height.
2. Single family, two family, and multiple family dwellings in the residential districts may be increased in height by one foot for each one foot of additional setback on all sides, provided that no residential building may exceed 50 feet in height.
3. Chimneys, cooling towers, elevator hothouses, fire towers, grain elevators, monuments, stacks, stage towers, or scenery lofts, tanks, water towers, ornamental towers, and spires, church steeples, radio and television towers or necessary mechanical appurtenances, usually required to be placed above the roof level and not intended for human occupancy, may be erected to a height not to exceed 25% above the maximum height for the district in which it is located.

E. Accessory Structures.

1. No accessory buildings shall be erected in any place forward of the main building line or in the -required front or side yard setback,- or at any other place forward of the main building line.
2. No accessory use except for permitted signs, fences, and permitted off-street parking shall be permitted in any required front or side yard.
3. All accessory buildings in residential districts shall maintain a three-foot side setback and a three-foot rear setback (to the nearest part of the structure, that is no overhang may encroach on the setback).
4. If the accessory structure has a vehicular alley entrance the sum of the right-of-way width and the setback of the structure shall not be less than 20 feet.
5. Accessory structures located elsewhere on the lot shall maintain setbacks applicable to the principal structure.

DEVELOPMENT REGULATIONS
ARTICLE 4. ZONING DISTRICTS & STANDARDS

4.04 Use Standards

- larger. Detached garages require construction of driveways to provide access in conformance with the parking provisions of the code.
- (2) For multi-family residence: two cars per dwelling unit. Not to exceed 600 square feet per unit.
- (3) Requests for garages in excess of 900 square feet on parcels less than one acre and in excess of 1,200 square feet on parcels one acre or larger may be approved by the Board of Zoning Appeals.
- b. Storage Buildings: A structure for storage incidental to a permitted use provided no such structure that is accessory to a residential building shall exceed 250 square feet in gross floor area.
- c. Play Structures: A child's playhouse, including tree houses.
- d. Pools & Courts: A private swimming pool, bathhouse, or tennis court.
- e. ~~Yardies~~Miscellaneous Yard Decor: Statuary, arbors, trellises, barbecue stoves, flagpoles, fences, walls, hedges, and solar collectors.
- f. Shelters: Fallout and tornado shelters, provided that they shall not be used for any principal or accessory use not permitted in the zoning district.
- g. Signs: Signs, when permitted by Article 8 – Sign Regulations.
- h. Parking: Off-street parking and loading spaces as required by these regulations.
- i. Recreational Vehicles, Campers, Trailers, and Boats: Storage of major recreational equipment, such as boats, boat trailers, camping trailers, converted buses or trucks, house trailers, provided such storage area is in accordance with all other requirements of these Development Regulations.
- j. Commercial Accessories: Restaurants, drug stores, gift shops, swimming pools, tennis courts, clubs and lounges and newsstands when located in a permitted hotel, motel or office building.
- k. Supplemental Employee Services: Employee restaurants and cafeterias when located in a permitted business or manufacturing or industrial building.
- l. Office Space: Offices for permitted business and industrial uses when the office is located on the same site as the business or industry to which it is an accessory.
- m. Retail Sales: Retail sales in conjunction with permitted industrial uses when located on the same site as the industrial use.
- n. Indoor Retail Storage: The storage of retail merchandise when located within the same building as the principal retail business.
- o. Auto Sales: The retail sale of automobile parts and used automobiles on a tract of land not to exceed one acre in area when located on the same site as and in conjunction with an automobile race track.
- p. Amateur Radio Towers: Amateur radio towers and antennae shall not exceed the height of no taller than 50 feet in residential districts and no closer than 50 feet to a property line is permitted as an allowed accessory use. A tower and antennae must maintain a setback of one foot per one foot of height from all property lines and must be located in a side or rear yard of the principal structure and the owner of the tower and property maintains and shows proof of a current federal license as an amateur radio operator. The construction of the tower must follow the manufacturer's installation specifications.

DEVELOPMENT REGULATIONS
ARTICLE 4. ZONING DISTRICTS & STANDARDS

4.04 Use Standards

- q. Agriculture Buildings: In residential districts an agricultural accessory building not to exceed 1,500 square feet may be permitted two percent of the size of the lot on parcels two acres or larger.
- r. Apiaries: No person shall establish or maintain any hive or box where bees are kept, or keep any bees on the premises within 50 feet of any dwelling (except the dwelling of the owner of such bees), or within 15 feet of any lot line, sidewalk, alley, or other right-of-way. Notwithstanding, bees may be kept within 15 feet of a lot line, sidewalk, alley, or other right-of-way when a barrier at least 6 feet high is placed between the bee hives or boxes and the lot line, alley, or right-of-way which adequately impairs bee flight. No more than 3 hives shall be placed or kept in a location which is less than 200 feet from a house or other building used for residential purposes other than the residence of the keeper of such bees.
4. *Prohibited Accessory Uses.* None of the following shall be permitted as an accessory use:
- a. Large Vehicles or Trailers.—Outdoor storage or overnight parking in a residential district of commercial trucks or trailers as defined herein, or other on, or off, road items exceeding 1210,000 GVW (Gross Vehicle Weight).
- b. Dismantled Objects.—Outdoor storage, of dismantled, inoperative and/or unlicensed motor vehicles; parking and/or storage of construction machinery and equipment, tracked or wheeled; farm machinery and/or equipment except as specifically permitted in district regulations in conjunction with a permitted use.
5. *Accessory Uses Permitted by Special Use Permit.* The following accessory uses shall only be permitted upon approval of a special use application by the City Commission:
- a. Commercial Communication Towers and Antennae. Including television and radio towers, transmitting and receiving towers, dishes, and appurtenances, subject to the provision included in Article 10, Supplemental Standards.
- b. Renewable Energy Facilities, including wind or solar energy facilities, subject to the provisions included in Article 10, Supplemental Standards.
- c. Child Care Centers for 7 or more children:
- (1) Shall not be located along an arterial street as designated on the Major Street Plan Map unless indirect vehicular access to that street, such as with a frontage road is available. The City Planner, with the advice of the DRC, shall determine if the drop off and pick up arrangements of a childcare center or business appear safe. Appeal of any negative decision shall be to the City Commission.
- (2) Shall provide at least 100 square feet of open space per child. This open space shall be 100% enclosed by a minimum 4' high fence or wall.
- (3) Shall provide a loading zone capable of accommodating at least 2 automobiles for the easy picking up and discharging of passengers.
- (4) Shall conform to all requirements of the State of Kansas and shall acquire a State of Kansas Child Care Center License.
- (5) All childcare centers operated in residential zoning districts shall be the only legal residence of the operator.
- (6) Childcare centers in residential districts may have one non-illuminated monument sign with no more than 3 square feet per side and a

DEVELOPMENT REGULATIONS
ARTICLE 4. ZONING DISTRICTS & STANDARDS

4.04 Use Standards

- (3) Shall not have a separate driveway entrance from the street(s) to which the property is adjacent.
 - (4) Shall be 900 square feet or smaller in size, not to exceed 33% of the floor area of the principal dwelling unit.
 - (5) Either the principal dwelling unit or the accessory dwelling unit must be occupied by the owner of the premises.
 - (6) Shall meet all building code requirements for a single family dwelling unit.
 - (7) Lots containing accessory dwelling units shall contain a minimum of two off-street parking spaces, exclusive of garage space.
 - e. Massage Therapy establishments as a home occupation may be allowed with issuance of a Special Use Permit. Such establishments are subject to all requirements of Home Occupations as provided in these regulations, as well as all requirements for Massage Establishments as provided in the City of Leavenworth Code of Ordinances, Chapter 26, Article III.
6. *Home Occupations.* A home occupation may be established provided:
- a. ~~That no separate outside entrance is provided for the home occupation;~~
 - b. That no one, other than members of the immediate family residing on the premises, be employed;
 - c. That no use will occupy more than 25% of the gross floor area on one floor nor more than 400 square feet of gross floor area;
 - d. ~~That a carport, garage, or any accessory structure may not only be used for home occupations with issuance of a Special Use Permit;~~
 - e. That there shall be no use of material or mechanical equipment not recognized as being part of normal household or hobby use;
 - f. Home occupations are allowed to display a single non-illuminated sign affixed to the main structure no larger than ½ square foot on a vertical wall below the roof soffit.
 - g. That no offensive noise, vibration, smoke, dust, odors, heat, or glare shall be produced;
 - h. ~~That the home occupation shall be conducted entirely within the principal residential building except with issuance of a Special Use Permit;~~
 - i. That no machinery or equipment shall be installed which interferes with radio or television reception, and which is not customarily incidental to the practice of such occupation or profession, but in no case shall any machine exceed one rated horsepower;
 - j. That only one type of profession or occupation shall be permitted within the occupied dwelling or building;
 - k. That two off-street parking spaces are provided; and
 - l. That there is no keeping of stock in trade for on-site retail or wholesale trade or sales.
 - m. Permitted home occupations shall not in any event be deemed to include:
 - (1) Automobile and vehicular repair on any other than the property owner's personally owned and currently registered vehicle(s)
 - (2) Antique sales.

DEVELOPMENT REGULATIONS
ARTICLE 6. LANDSCAPE & SITE DESIGN

6.08 Fences

Leavenworth, Kansas. These installations will then only be permitted when the electric fence is installed behind an open fence separated by three feet.

2. *Residential Front Yard.*
 - (a) Open fences and hedges may be installed in all front yards on the property lines but may not exceed 48 inches above the natural contour of the ground.
 - (b) No solid fences shall be constructed or reconstructed closer to the street line than the front wall of the residential structure. The front wall of the residential structure shall be determined by excluding porches, roof overhangs, dormers, or other extensions.
 - (c) Where a residential property abuts a commercial or industrial property or use and where screening has not been installed or is not required, the residential property owner may install a solid or open screening fence on the property line not to exceed 72 inches in height above the natural contour of the ground along the property line that abuts the commercial or industrial property or use.

3. *Residential Side or Rear Yards.*
 - (a) Open fences and hedges may be installed in all side and rear yards on the property line but may not exceed 72 inches above the natural contour of the ground.
 - (b) Solid fences may be installed on the rear property line and on the side property line to a point aligning with the front wall of the residential structure as defined in subsection 2. of this section not exceeding 72 inches in height above the natural contour of the ground; provided that no solid fence greater than 48 inches above the natural contour of the ground shall be built within six feet of a residential structure on adjoining property; provided further, that if any portion of the adjoining structure is closer than six feet, then such solid fence shall not exceed four feet in height for the entire length of the side or rear yard property line.
 - (1) On corner lots, both yards adjacent to streets are considered front yards. In this instance, the fence on the addressed side must be erected in accordance with subsection 2.; **on the other side a solid fence not exceeding 72 inches in height above the natural contour of the ground may be built with a setback of 15 feet from the curb or edge of pavement. 15 feet from the property line, or 50 percent of the existing setback if the distance from the house to the property line is less than 15 feet.**
 - (2) For the purpose of determining yard requirements on corner lots, the street the property is addressed from shall be considered the frontage and yards shall be provided, as set forth in this section.
 - (c) Where a residential property abuts a commercial or industrial property or use, and where screening has not been installed or is not required, the residential property owner may install a solid-type screening fence on the property line no less than six feet nor more than eight feet above the contour of the natural ground along the property line that abuts the commercial or industrial property or use.
 - (d) A solid fence may be installed around a private swimming pool or patio not to exceed 96 inches above the natural contour of the ground and not more than ten feet from the edge of the pool or patio, provided all other requirements of this section are met.

**DEVELOPMENT REGULATIONS
ARTICLE 8. SIGNS**

8.10 Neighborhood Business District

5. No message or identification (i.e., the name of establishment or the services offered) may be displayed more than once within the permitted total sign surface area per each front, side or rear wall.
6. The listing of an establishment's hours of operation shall be exempt from these regulations, provided that the area of the sign containing hours of operation shall be no greater than two square feet.
7. The listing of directional information (i.e., "parking in rear" or "use other door") shall be exempt from these regulations; provided that the area of the sign containing directional information is no greater than three square feet.
8. The use of window framing (i.e., a continuous light source illuminating the perimeter of an individual windowpane or a group of windowpanes) is prohibited.
9. Accessible doors to a business establishment shall be limited to the following types of window signage:
 - (a) Business name;
 - (b) Hours of operation;
 - (c) Phone number;
 - (d) Building or tenant address;
 - (e) Website; and
 - (f) The use of dark, opaque background panels for internally illuminated signs or letter faces is required to reduce the glare or glow of such signs.

8.11. Signs Permitted in Commercial and Industrial Districts (OBD, CBD, GBD, I-1 & I-2)

Table 8-03: OBD, CBD, GBD, I-1 & I-2 Signage Standards									
	Maximum Number			Maximum Size			Maximum Height		
	CBD	OBD	GBD, I-1 & I-2	CBD	OBD	GBD, I-1 & I-2	CBD	OBD	GBD, I-1 & I-2
Attached Signs [1] [2]	1 per side	1 per side	1 per side	15006 s.f.	96-150 s.f.	500 s.f.	N/A	N/A	N/A
Freestanding Signs [3] [4]	1	1	1	50 s.f.	50 s.f.	100 s.f.	15	15	15
Window Signs	N/A	N/A	N/A	150 s.f. or 33% of window area	150 s.f. or 33% of window area	150 s.f. or 33% of window area	N/A	N/A	N/A

[1] Maximum 10% of wall surface to which signs are attached

[2] Projecting signs are allowed as regulated by section 8.11.C.5

[3] When located across street from commercial or industrial use, height may be increased per section 8.11.D.1

DEVELOPMENT REGULATIONS
ARTICLE 12. DEFINITIONS

Adult Day Center: Any place or facility operating less than 24 hours a day providing activities and social engagement opportunities for not more than 15 unrelated adult individuals who, due to functional impairment, require some degree of supervision or assistance with the activities of daily living, with no on-site medical services provided.

Agency: means the Federal Emergency Management Agency (FEMA).

Agent: The legally authorized representative of a landowner

Agriculture Accessory Building: A detached accessory structure used for the shelter of livestock, the storage of agricultural products, or the storage and maintenance of equipment or supplies used for agricultural or property maintenance activities.

Agriculture Uses: The use of a tract of land for growing crops in the open, dairying, pasturage, horticulture, floriculture, and necessary accessory uses, including the structures necessary for carrying out farming operations; provided, however, such agricultural use shall not include the following uses: (1) the maintenance and operation of commercial greenhouses or hydroponic farms, except in zoning districts in which such uses are expressly permitted; (2) wholesale or retail sales as an accessory use unless the same are specifically permitted in this ordinance; (3) the feeding, grazing, or sheltering of animals or poultry in either penned enclosures or in open pasture within one hundred (100) feet of any lot line. Agriculture does not include the feeding of garbage to animals, the raising of poultry or fur-bearing animals as a principal use, or the operation or maintenance of a commercial stockyard, or feed yard.

Airport: Any location where one or more craft capable of containing a human, takes off or lands, and for which ground facilities necessary to these operations are constructed.

Alley: A public thoroughfare, which affords only a secondary means of vehicular access to abutting property, and is not intended for general traffic circulation. An alley line shall mean the centerline of an alley right-of-way.

Alteration: Any change or rearrangement to the structural parts of an existing building or property. Any enlargement, whether by height or dimension, shall be considered an alteration. Any act or process that changes the exterior architectural appearance of a building.

Amendment: A change in the wording, context, or substance of this ordinance, an addition, deletion, or change in the district boundaries or classifications upon the district map, which imposes any regulation not heretofore imposed or removes or modifies any such regulation heretofore imposed.

Amphitheater: Any open-air venue used for entertainment and performances.

Amusement Park: A commercial amusement activity such as a carnival, circus, miniature golf course, or similar establishment, which is not entirely within an enclosed building.

Animal Clinic or Animal Hospital: A place where animals or pets are given medical or surgical treatment in emergency cases and are cared for during the time of such treatment. Use as kennel shall be limited to short-time boarding and shall only be incidental to such hospital use and shall be enclosed in a soundproof structure

Animal Day Care: See Kennel

DEVELOPMENT REGULATIONS
APPENDIX A. USE TABLE

Table A1-1, TABLE OF PERMITTED USES P = Permitted, S = Special Use Permit Required																			
Use Category		Residential								Non-Residential							Overlay		
Subcategory		R1-25	R1-9	R1-7.5	R1-6	R-MF	R4-16	MP	RMX	NBD	OBD	CBD	GBD	I-1	I-2	FP	NN	DT	NG
Specific Use Type																			
RESIDENTIAL USES																			
Household Living																			
Dwelling, Single-Family Detached		P	P	P	P		P	S	P	P		S							
Dwelling, Two-Family		S	S	S	S	S			P	P		S					P	S	
Dwelling, Townhouse					P	P			P	P							P	S	
Dwelling, Multi-Family						P			P								P	P	
Dwelling in Mixed-Use Structure Note [1]									P	P	P	P	P				P	P	
Dwelling, Live/Work									P	P	P	P	P				P	P	P
Dwelling, IBC/IRC Modular Home								P		P	P	P	P				P	P	P
Manufactured/ Mobile Home Community								P											
Group Living																			
Assisted Living Facility		S	S	S	S				S			P	P						
Convent/Monastery		P	P	P	P	P	P	P	P			P	P				S	S	S
Dormitory		S	S	S	S														
Fraternity/Sorority Home		S	S	S	S	S													
Group Home: Disabled (K.S.A. 12-736)		P	P	P	P	P	P	P	P										
Nursing Home/Hospice		S	S	S	S												S	S	S
Senior Housing		S	S	S	S				S			P	P				S	S	S
Shelter, Domestic Violence		P	P	P	P							P	P				S	S	S
Student Housing						P		P	P		P	P	P				P	P	P
PUBLIC AND INSTITUTIONAL USES																			
Community Services																			
Adult Day Center		P	P	P	P					P	P	P	P						
Cemetery		S	S	S	S												P	P	P
Mausoleum		P	P	P	P														
Civic, Social, and Fraternal Organizations		S	S	S	S				S		P	P	P				P	S	P

DEVELOPMENT REGULATIONS
APPENDIX A. USE TABLE

Table A1-1, TABLE OF PERMITTED USES P = Permitted, S = Special Use Permit Required																		
Use Category	Residential								Non-Residential							Overlay		
Subcategory	R1-25	R1-9	R1-7.5	R1-6	R-MF	R4-16	MP	RMX	NBD	OBD	CBD	GBD	I-1	I-2	FP	NN	DT	NG
Specific Use Type																		
Community Centers											P	P				P		P
Government Offices and Facilities	S	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	P	P
Historic and Monument Sites	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P
Jails and Prisons																P	P	P
Library	S	S	S	S				S	P		P	P	S	S				
Post Office Branches								P	P	P	P	P				P	P	P
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	P				P	P	P
Safety Services	P	P	P	P				P	P	P	P	P				P	P	P
Day Care																		
Day Care Center/Preschool	S	S	S	S	S	S	S	S	P	P	P	P				P	P	P
Day Care, Home (6 or less children)	S	S	S	S	S	S	S	S	P	P	P	P				P	P	P
Day Care, Home (7 or more children)	S	S	S	S	S	S	S	S	P	P	P	P				P	P	P
Educational Facilities																		
College or University	S	S	S	S							P	P				S	S	S
School, Elementary and Middle (Public and Private)	S	S	S	S	S	S	S	S	S	S	S	S				S	S	S
School, Senior High	S	S	S	S	S	S	S	S	S	S	S	S				S	S	S
School, Vocational-Technical and Trade									S	P	P	P						S
Health Care Facilities																		
Hospitals																		
Medical and dental clinics and offices									S	S	P	P						S
Parks and Open Space																		
Arboretum or botanical garden	S											P						
Campground	S											P				P	P	P
Community playfields, playgrounds, and parks	P	P	P	P				P	P	P	P	P						
Golf course, public	S	S	S	S											S		P	P

DEVELOPMENT REGULATIONS
APPENDIX A. USE TABLE

Table A1-1, TABLE OF PERMITTED USES																			
P = Permitted, S = Special Use Permit Required																			
Use Category	Residential								Non-Residential								Overlay		
Subcategory	R1-25	R1-9	R1-7.5	R1-6	R-MF	R4-16	MP	RMX	NBD	OBD	CBD	GBD	I-1	I-2	FP	NN	DT	NG	
Golf course, private	S	S																	
Zoo															S				S
Transportation																			
Airport																			
Bus Garage and Equipment Maintenance																			S
Bus Terminal												P	P	P					
Heliport											P	P	P	P	P				
Railroad Terminal											S	S							
Taxi Dispatch												P							
Truck Terminal, Freight, Air Courier Services									S	S	P	P							
Utility																			
Private Wind Energy Systems	P	P	P	P	P	P	P	P	P	P		P	P	P		P	P	P	
Private Solar Collection Systems	P	P	P	P	P	P	P	S	P	P	P	P	P	P					
Commercial Wind Energy Systems	S	S	S	S	S	S	S	S	S	S		S	S	S	S	P	P	P	
Commercial Solar Collection Systems	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	
Communication Tower	S	S	S	S	S	S	S	S	S	S		S	S	S	S	S	S	S	
Communication Tower – Alternative Structure	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Communication Facility on Existing Structure	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Water Storage	P	P	P	P				S	S	S	P	P				S	S	S	
COMMERCIAL USES																			
Animal Sales and Service																			
Animal Day Care	S	S	S	S	S	S	S	S	P	P	S	P				S	S	S	
Animal Confinement and Feed Operations	S																		
Kennel	S	S																	
Pet Shops												P	P	P					S
Pet Grooming	S	S	S	S					P		P	P				P	P		
Veterinary Clinic with Boarding									S	S	P	P	P	P		S	S	S	

DEVELOPMENT REGULATIONS
APPENDIX A. USE TABLE

Table A1-1, TABLE OF PERMITTED USES P = Permitted, S = Special Use Permit Required																			
Use Category		Residential								Non-Residential							Overlay		
Subcategory		R1-25	R1-9	R1-7.5	R1-6	R-MF	R4-16	MP	RMX	NBD	OBD	CBD	GBD	I-1	I-2	FP	NN	DT	NG
Specific Use Type																			
Wholesale Trade or Storage, Light																			
Waste and Salvage																			
Automobile Parts Recycling Business													S	P	P				
Junkyard, Salvage Yard													S	P	P				
Neighborhood Recycling Center		S	S	S	S	S	S	S	S	S	S	S	S	P	P		P	P	P
Recycling Collection Station														S	S				
Solid Waste Facility														S	S				
AGRICULTURE																			
Agriculture/Aquaculture																			
Animal Husbandry (other than dairy)		P																	
Apiary		P	P	P	P	P	P	P	P										
Farming		P																	
Fish Farm/Hatchery		S																	
Ranching		S																	
Greenhouse/Nursery		S	S							S	S	P	P	S	S				P
Urban Agriculture/Community Garden		S	S	S	S	P	P	S	P								P	S	P
NOTE 1: In the CBD, Residential is not permitted within the front half or front 30' of space, whichever is greater, on the 1 st floor (Sec 1.17 A,B)																			

POLICY REPORT
Review of Land Bank Program Proposal

MARCH 17, 2020



Prepared By:
Julie Hurley
Director of Planning and
Community Development



Reviewed By:
Paul Kramer
City Manager

DISCUSSION:

At the direction of the Commission, staff has been working towards developing policies and procedures for implementing a Land Bank. A land bank is a public authority created to efficiently hold, manage and develop tax-foreclosed or vacant property. Land banks act as a legal and financial mechanism to transform vacant, abandoned and tax foreclosed property back to productive use. The purpose of a land bank for the City of Leavenworth would be to take possession of vacant properties that are beginning to have a blighting influence on the surrounding neighborhood, and to get them back into productive use as a residence before they have a chance to become eligible for demolition.

Establishment of a Land Bank would involve creation of a Land Bank Board of Trustees to oversee the administration of the Land Bank. Once the Board of Trustees is established, staff will work with the Board to identify eligible properties, and with the County to clear the titles to ready the properties for sale. Once titles are cleared, staff and the Board of Trustees will work to facilitate the sale of the properties to private individuals who will be contractually obligated to rehabilitate the property and return it to use as a viable residence.

It is anticipated that the first year of operation for the Land Bank will require a minimal financial obligation by the City in order to fund initial title work and other actions required to make properties ready for sale. Initial expenses are anticipated to be less than \$5,000. Once the Land Bank is fully functioning, revenue generated from the sale of acquired properties will fund the continued operation.

Legislation for land banks is in place for Kansas communities through the Kansas Statutes. To date there are land banks in Pittsburg, Junction City, Hutchinson and Kansas City, KS. Topeka is also currently considering a land bank.

Next steps include a legal review of the policies and procedures as drafted by staff, secure a commitment of funds for the start up costs of establishing the Land Bank, and approval of an ordinance formally establishing the Land Bank Board of Trustees.

Land Bank Process

A land bank is a public authority created to efficiently hold, manage and develop tax-foreclosed or vacant property. Land banks act as a legal and financial mechanism to transform vacant, abandoned and tax foreclosed property back to productive use

At this time we are suggesting starting with a limited land bank of properties identified by the Planning and Community Development Department. This will limit management to two or three properties a year and be only residential properties with structures (houses).

Land Bank Steps:

1. Identify the potential properties through the demolition process, code enforcement or staff identification. These will be abandoned properties at the beginning.
2. Have a title company complete a title search. Attempt to contact owner and send letters of remediation with deadlines. If no contact from listed owner, move to next step.
3. Staff forwards property to Land Bank Board to determine whether the property will be accepted into the land bank. If accepted move to next step.
4. Property is advertised in legal section of the paper to locate owner.
5. Letters are sent to last known owner or relatives of owner.
6. Property owner donates property to the city or if no owner is found, land bank has attorney clear title.
7. The Land Bank sells the property with competitive bid and purchaser vetting.
 - To purchase a property, interested parties must complete an Offer to Purchase form spelling out use, timeframe and capital committed.
 - The City's Director of Planning and Community Development will review the Development Agreement to ensure the proposed work will bring the property into compliance with the City codes and building and zoning permits.
 - The applicant must not be delinquent on any licenses or taxes in City of Leavenworth or Leavenworth County. The applicant must not habitually violate city codes and/or fair housing laws. The applicant must not have previously owned a property and incurred tax delinquencies.
 - The applicant must demonstrate financial ability to complete the project proposed in the Development Agreement; this can be a letter of credit, pre-approval letter, or other documentation of financial ability.
8. The applicant should be able to complete the project set forth in the Development Agreement no longer than 12 months of receiving the property or the Board will remain able to enforce their right to recapture interest in the property.
9. When all steps are followed, the property returns to the community as a home for a family and produces tax funds for the community. No vacant lots are created by demolition that need to be maintained by the City.

City of Leavenworth Land Bank

Goal of the City of Leavenworth's Land Bank:

The Leavenworth Land Bank is an independent agency with the primary responsibility and authority to efficiently acquire, hold, manage, transform, and convey surplus City properties and other abandoned, tax-foreclosed, or otherwise underutilized or distressed properties in order to convey these properties into productive use.

Code of Ethics and Conflict of Interest

This Code of Ethics and Conflict of Interest Policy shall apply to all members of the Board of Trustees of the City of Leavenworth Land Bank ("Land Bank") and employees of the City of Leavenworth who operate the Land Bank. These policies shall serve as a guide for official conduct and are intended to enhance the ethical and professional performance of the board members and employees and to preserve public confidence in the Land Bank's purpose.

Definitions

"Board member" shall mean any member of the Board of Trustees of the City of Leavenworth Land Bank.

"Employee" shall mean a non-volunteer employee of the City of Leavenworth.

General Expectations

By the terms of the Ordinance creating the City of Leavenworth's Land Bank, board members are considered public servants, subject to the applicable state laws on ethics and conflicts of interest. As such, the City of Leavenworth Land Bank adopts the following Code of Ethics:

The ethical Land Bank Board member and employee will:

- Properly administer the affairs of the Land Bank.
- Promote decisions which benefit the public interest.
- Actively promote public confidence in the Land Bank.
- Keep safe all funds and other properties of the Land Bank.
- Conduct and perform the duties of the office diligently and promptly dispose of the business of the Land Bank.
- Evaluate all decisions so that the best service or product is obtained at a minimal cost without sacrificing quality fiscal responsibility.
- Effectively and efficiently work with governmental agencies, political subdivisions, and other organizations in order to further the interest of the Land Bank.
- Faithfully comply with all laws, regulations, and policies applicable to the Land bank and impartially apply them to everyone.

City of Leavenworth Land Bank

An ethical Land Bank Board member and employee will NOT:

- Engage in outside interests that are not compatible with the impartial and objective performance of his or her duties.
- Improperly influence or attempt to influence others to act on his or her own benefit.
- Solicit or accept anything of value from any source which is offered to influence his or her actions as a public official.
- Seek or accept personal gain or profit, directly or indirectly, which would influence or appear to influence, the conduct of his or her official duties.
- Engage in a business transaction in which he or she may profit from his or her official position, or benefit financially from confidential information obtained because of his or her official position.
- Use public property or resources for personal or political gain.

Policies on Conflicts of Interest

Land Bank Board members and employees will actively avoid the appearance or fact of conflicting interests.

Disclosure of Potential Conflicts

Each member, employee, or consultant is under an obligation to the Land Bank, and to the community, to inform the Land Bank of any position he or she holds or of any activity that may result in a possible conflict of interest or bias for or against an action or policy, at the time such action or policy is under consideration by the Land Bank. Any possible conflict of interest shall be disclosed to the Director of Planning and Community Development and made a matter of record as soon as the issue in question is raised and a possible conflict is known.

When the board member, employee, or consultant is to decide on an issue about which the member has an unavoidable conflict, that member shall physically absent himself or herself without comment from not only the vote, but also from the deliberation, unless directly requested by the Board President to provide factual information or answer factual questions that may assist the remaining board members in making a wise decision. In no case shall the member vote on such a matter or attempt to exert personal influence on the vote.

Signature of Board of Trustee Member

Date Signed

City of Leavenworth Land Bank

Definitions:

Property Costs:

Property costs are costs associated with the acquisition of property.

Project Costs:

Project costs include costs associated with rehabilitation, demolition, and/or redevelopment of the property for completion of the proposed project as outlined in the Development Agreement.

Offer to Donate:

Any person or entity interested in donating a property to the Land Bank must complete the Offer to Donate form. Currently this option is not available in Leavenworth.

Offer to Purchase:

Any person or entity interested in acquiring a property from the land bank must complete the Offer to Purchase form, available on the City of Leavenworth's Land Bank webpage. Furthermore, they must be willing to enter into a Development Agreement.

Development Agreement

A purchaser must enter into a Development Agreement with the Land Bank; this agreement will outline the intended use of the property, the Project Costs, responsibilities of parties, the financial resources available for the project, a timeline for completion of the project, and a recapture clause. Additionally, the Land Bank Board of Trustees may include additional conditions, based on the location and intended use of the property.

Unusable Property:

Properties with adverse environmental conditions will not be accepted without a satisfactorily funded plan for remediation approved by the Land Bank. Properties with immediate maintenance requirements will not be accepted without a funding source secured for such maintenance.

City of Leavenworth Land Bank

Policies Governing the Acquisition of Properties

Properties may be acquired by the Land Bank through the Leavenworth County tax sales, through a donation, foreclosure, or internal City transfer.

If a person or entity desires to donate property, they must fill out an Offer to Donate form and submit it to the Director of Planning and Community Development. The Land Bank staff will review the Offer to Donate, collect additional information if necessary, and present the Offer to Donate to the Board of Trustees with a recommendation to either accept or deny; the Board of trustees will vote to accept or deny the offer, considering the following factors:

1. Acquisition of the property supports the mission and goals of the Land Bank.
2. The property is, or could be, part of a plan for re-use, rehabilitation, or redevelopment.
3. The property has title issues which have prevented development or redevelopment.
4. The property could generate operating support for the Land Bank.
5. The underlying value of the property.
6. The operational capacity of the Land Bank.
7. The projected length of time the property will remain in the Land Bank.
8. The potential need for demolition or environmental remediation as conditions for transfer.

The above considerations shall be used to determine appropriateness of acquisition. Properties donated to the Land Bank will be unoccupied at the time of transfer. Any items inside of the property at the time of donation become the property of the Land bank.

The Land Bank will not determine the value of donated property for the purpose of tax benefits, but will provide a letter describing the property along with a governmental information letter documenting The City of Leavenworth's exemption from Federal income tax.

City of Leavenworth Land Bank

Property Classification

Properties accepted by the Land Bank will be classified as follows:

Class A = Properties with Structures

- A1 = Properties that can be sold 'as is' for fair market value.
- A2 = Properties needing major or minor rehabilitation.
- A3 = Properties with dilapidated structures requiring demolition.

Policies Governing the Disposition of Properties

The Land Bank, without competitive bidding, may sell property and set terms and conditions deemed necessary or appropriate to assure the property's effective reutilization. Any revenue derived from the sale of a property will be retained by the Land Bank for purposes of operation, although part of the proceeds may be used to reimburse the City for delinquent or suspended special assessments used to finance public improvements (unless such assessments are abated by the City.)

To purchase a property, interested parties must complete an Offer to Purchase form, found on the City of Leavenworth's Land Bank web page. Depending upon the property and intended use, additional information may be requested for the application to be complete.

Any transfer of property shall be accompanied by a Development Agreement, outlining plan for moving the property into productive use. A sample Development Agreement can be found on the Land Bank's webpage.

Properties will be conveyed with no guarantee as to quality or content, and will be subject to covenants stated in the Deed.

The applicant is responsible for complying with all applicable City Codes and development requirements, including zoning, and building permits. Transfer of property by the Land Bank does not guarantee the applicant will be able to meet these requirements.

The disposition of properties will be based upon a combination of two different factors. The first factor involves the intended or planned use of the property. The second factor considers the nature and identity of the transferee, specifically considering the following factors:

- The applicant must not be delinquent on any licenses or taxes in City of Leavenworth.
 - The applicant must not habitually violate city codes and/or fair housing laws.
 - The applicant must not have previously owned the property and incurred tax delinquencies.
- The applicant must be able to provide a valid social security card and photo identification.

City of Leavenworth Land Bank

Policies Governing Property Inventory

The Land Bank will compile and maintain an inventory of all Land Bank owned property. The inventory will be made available to the public through the City of Leavenworth's website, on a dedicated Land Bank page. Offers to Purchase will be accepted at any time for eligible properties in the inventory.

Details about each classification of property, included what documentation must accompany the Offer to Purchase, and are as follows:

Class A -- Properties With Structures

- The applicant must demonstrate financial ability to complete the project proposed in the Development Agreement; this can be a letter of credit, pre-approval letter, or other documentation of financial ability.
- The City's Building Official will review the Development Agreement to ensure the proposed work will bring the property into compliance with the City codes.
- The rehabilitated structure should be compatible with the existing neighborhood, as demonstrated in the Development Agreement.
- The applicant should be able to complete the project set forth in the Development Agreement within 12 months of receiving the property. If an extension of time is needed, it must be requested in writing prior to the expiration of the 12 month period. The Board of Trustees will review the request and may grant the extension; however, the Board will remain able to enforce their right to recapture interest in the property.
- The applicant must comply with all building and zoning permits and codes.


Following receipt of completed applications, Land Bank staff will complete basic analysis and present a recommended action to the Board of Trustees for final approval.

POLICY REPORT


Public Transportation in the City of Leavenworth March 17, 2020



Prepared By:
Mary Dwyer
Community Development
Coordinator



Reviewed By:
Julie Hurley
Director, Planning and
Community Development



Reviewed By:
Paul Kramer
City Manager

DISCUSSION

Currently there are few limited means for public transportation: the Council on Aging offers service to those 65 yrs. and older, rides for clients are provided by the Guidance Center and rides for those requesting are provided by Welcome Central. These services, while very helpful, do not provide a consistent reliable public transportation for citizens and visitors.

In 2017 the City applied for and received a Planning Sustainable Places grant from MARC to study transportation in Leavenworth County. The resulting study offered several avenues to provide countywide transportation to assist the City's population. One plan ran a bus directly to the Legends every half hour. The other did a loop around the City of Leavenworth before driving to the Legends. The report was presented to the both at the City Commission (2/27/18) and the Leavenworth County Commission (5/1/18). Though the City was willing to fund half of the proposed cost, the County was unable to make a commitment for funds at that time.

After the initial reviews of the study, two meetings were held to discuss options that would scale back the proposed alternatives while still offering transportation within the County. The first meeting, coordinated by City Commissioner Bauder, was attended by public service agencies, county commissioners, representatives of cities in the county, KDOT staff, KCATA staff and MARC staff. During the course of the first meeting it was suggested that the plan start with service only in the City of Leavenworth. The possibility for expanding service to other areas in the county would be explored in the future.

KCATA and KDOT are committed to assisting public transportation for Leavenworth. KDOT offers two yearly grants, one with an 80% grant/20% match for operations and the capital grant offers a 70% grant/30% match. Last year's preliminary projections show local costs at \$36,883 for operating and \$15,600 for local share for vehicles with added costs for radios, security, etc. for the two vans. These projections could increase as numbers are updated and refined. The preliminary numbers projected a local rider cost of \$3.20 per ride. The Guidance Center has agreed to manage ride scheduling, incorporating it into their current ride system.

Applications for the KDOT grants are due in November for the following year and KCATA is willing to help the City do cost estimates and grant applications with assistance from City staff.

RECOMMENDED ACTION

Consensus to include transportation in goal setting and budget process for 2021.

POLICY REPORT
Comprehensive Plan Update

MARCH 17, 2020



Prepared By:
Julie Hurley
Director of Planning and
Community Development



Reviewed By:
Paul Kramer
City Manager

DISCUSSION:

In December, 2019, the City entered into a contract with Shockey Consulting to provide services for a Comprehensive Plan update. As of this date, we are in the Phase 2: Discovery, portion of the project. The Phase 1: Project Launch, portion of the project was completed in February and included a kickoff meeting with staff, approval of a Project Management Plan, approval of a logo and branding scheme, and establishment of a Work Plan and project management tool.

The Discovery phase involves a review and analysis of existing plans and data and development of mapping protocol by the consultant, which is currently underway. The next portions of this phase will involve the creation of a current "snapshot" and "trend cards" by the consultant upon completion of their review of existing plans and data.

Upcoming steps will include the opportunity for the consultant to conduct one-on-one interviews with Commissioners and the establishment of a Stakeholder Committee before moving into the bulk of the public engagement portion of the project, which will include two City Commission/Planning Commission workshops.

Staff is holding bi-weekly update calls with the consultant, and will continue to keep the Commission advised as the project moves forward and there become more opportunities for engagement.