

LAND USE PLAN

2024-2044

for

LABETTE COUNTY KANSAS

DRAFT
4/5/24



Land Use Plan 2024-2044 for Labette County, Kansas

adopted by the
Labette County Planning Board

on _____, 2024

approved by the

Labette County Board of County Commissioners

on _____, 2024

Effective on _____, 2024

technical assistance by



and
Labette
County
Staff

OFFICIAL LAND USE PLAN APPROVAL

This document, entitled
Land Use Plan 2024-2044 for Labette County, Kansas
is an official Land Use Plan of Labette County, Kansas, for the Plan Period 2024-2044.

In accordance with K.S.A. 12-747, an officially advertised public hearing was held on _____, 2024,
and this document was adopted by **Resolution Number** _____ of the Labette County Planning Board
on _____, 2024.

A certified copy of the *Land Use Plan 2024-2044 for Labette County, Kansas*,
together with a copy of the adoption Resolution and a summary of the hearing,
were then submitted to the Labette County Governing Body.

ATTEST

/s/ _____
(type name)
Chair, Labette County Planning Board

/s/ _____
(type name)
Secretary, Labette County Planning Board

APPROVED by the Labette County Governing Body on _____, 2024 by **Resolution Number** _____,
which was published on _____, 2024, in the *Parsons Sun*.

ATTEST

/s/ _____
_____, Chair

/s/ _____
Gena Landis, County Clerk

LAND USE PLAN, COMPREHENSIVE PLAN & PLAN AREA

In accordance with Kansas Statute 12-747, this Land Use Plan is prepared as a part of a future Comprehensive Plan, which will be prepared by the Labette County Planning Board.

The plan area encompasses all unincorporated areas of the County. The plan period runs for approximately twenty years, from 2024 through 2044.

The County's "unincorporated area" includes the Great Plains Industrial Park, and unincorporated communities which are designated as Villages in the County Zoning Regulations—Angola, Dennis, Montana, Strauss and Valeda. Land within the city limits of incorporated cities—Altamont, Bartlett, Chetopa, Edna, Labette, Mound Valley, Oswego and Parsons—is not counted as unincorporated land.

In the analysis of existing land use within this Plan, land within the City of Parsons has been excluded, but land in Parson's extraterritorial jurisdiction has been included as part of the County's unincorporated area.

In the analysis of future land use within this Plan, land within the City of Parsons and its extraterritorial zoning and subdivision jurisdiction area has been excluded. Instead, the Parsons Comprehensive Plan is the guide for future land use planning in Parsons.

Existing land use within incorporated cities in Labette County other than Parsons, as well as land use within unincorporated villages, is addressed in this Plan, in order to assess the impact of municipal land use patterns on potential future land use in the unincorporated areas about those cities.

Annual Review Since this Land Use Plan is a part of the County's future Comprehensive Plan, the Planning Board is required by state law to review the Land Use Plan once each year. This is in accordance with Kansas Statute 12-747(d), which states that the Planning Board "shall review or reconsider the plan or any part thereof and may propose amendments, extensions or additions to the same. The procedure for the adoption of any such amendment, extension or addition to any plan or part thereof shall be the same as that required for the adoption of the original plan or part thereof."

LAND USE PLANNING

Analysis of existing land use patterns is a basic component of good planning, affecting planning decisions regarding everything from new community facilities to transportation system improvements. It is the essential first step in order to determine desired *future* land use patterns, a determination which in turn impacts governmental policies and programs.

The use of any given parcel of land may change over time, but it is typically a slow process. Therefore, existing land use patterns are generally accepted as the basis for a realistic projection of future land use patterns.

A Land Use Plan describes future goals for various categories of land uses—such as residential, commercial, and industrial—within the County. Types and amounts of future land use categories must be designed to accommodate the estimated future population of the County by the end of the Plan Period.

A Land Use Plan must coordinate *future* land uses with the patterns of *existing* land use, **minimize incompatible adjacent land uses**, strive for **harmony** between land uses and existing physical conditions such as floodplains, and maintain an appropriate **balance** among the various types of land use within the County.

This Land Use Plan addresses the distribution and interrelationships of existing land uses in the unincorporated areas of Labette County, Kansas. It also evaluates the potential for future development in this area, and will help to guide that development as it occurs.

MAPS

Included within this document are diagrammatic maps showing existing land use patterns for the County, as well as maps showing proposed future land use patterns and potential growth areas.

Although zoning and land use are interrelated, an Existing Land Use Map is not a Zoning Map. An Existing Land Use Map is a snapshot of what types of use a parcel of land was being used for, at the time the map was created—irrespective of that parcel's zoning.

An analysis of how land use patterns intersect with existing zoning districts can help to inform any potential adjustments that may be needed to zoning district boundaries in the County's Zoning Regulations.

A Future Land Use Map is a projection of proposed future land use patterns. A Future Land Use Map in a legally adopted and valid Land Use Plan provides a **legal foundation** for both the judicial review of zoning cases, and for the adoption of Subdivision Regulations.

Court tests of zoning cases are based upon the "reasonableness" of the County's decision. Any zoning amendment (for instance, to change a zoning district classification or boundary), is legally presumed to be **reasonable if it is in accordance with a land use plan** or the land use element of a comprehensive plan. Having a good Land Use Plan is a key component of the County's defense, should one of its zoning decisions ever be challenged in court.

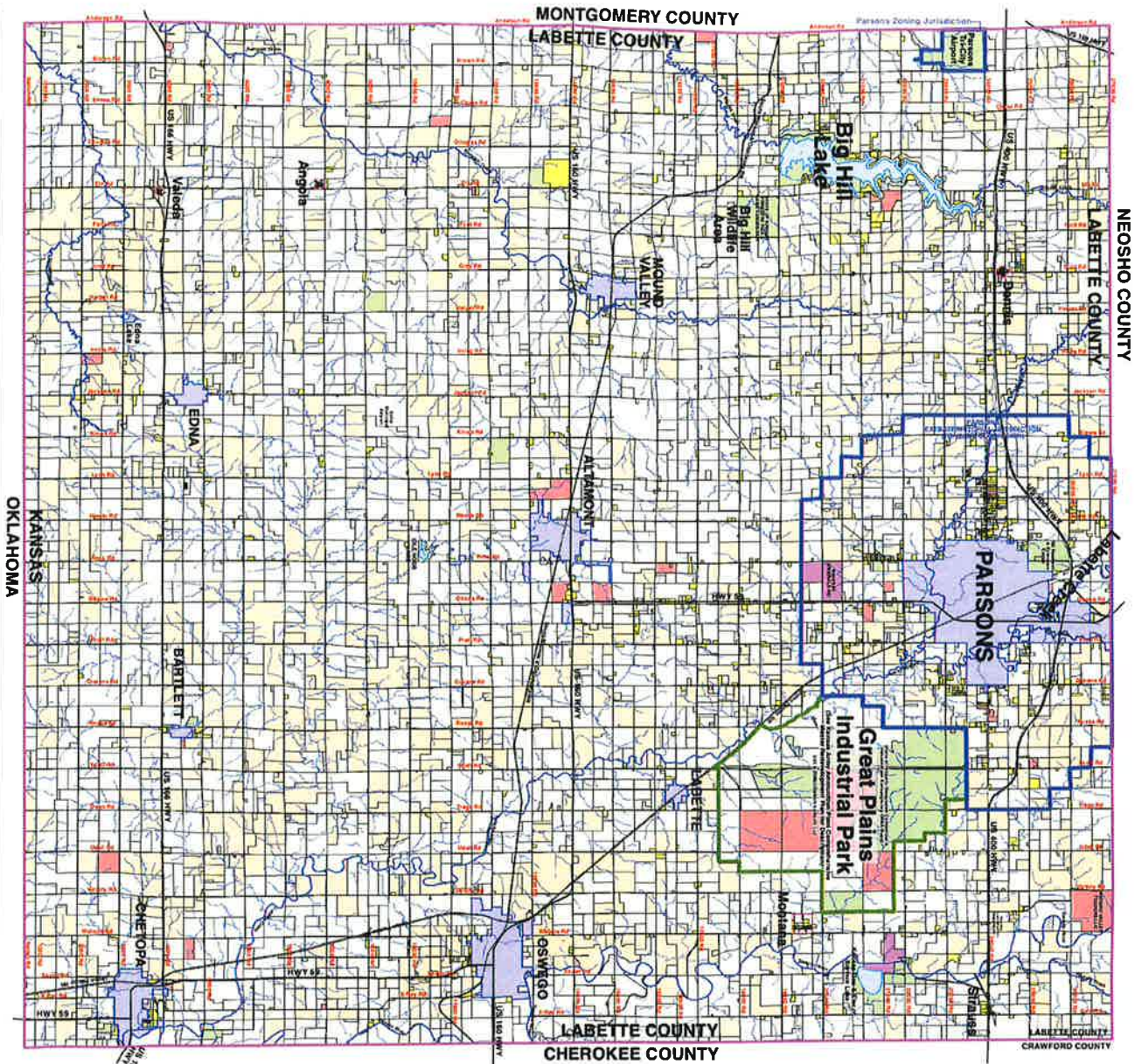
Existing Land Use

Existing land use in Labette County was evaluated in 2023. Land uses were determined using an examination of aerial photos, coordinated with a review of the use designations available from the Labette County Appraiser's records.









Each parcel of land was classified by its current type of use, according to the following land use definitions:

- **Agricultural and Vacant** – Land used for agricultural purposes, such as growing crops or raising livestock, or retained as natural open space and not built upon.
- **Farm Homestead** – Land used for agricultural purposes, which also has at least one single-family home built on the parcel.
- **Single-family Residential** – Land devoted to residences occupied by one household, including land owned by homeowners associations.
- **Multiple-family Residential** – Land devoted to multiple occupancy dwellings containing two or more individual residential units, such as duplexes or apartment buildings.
- **Manufactured Home Park** – Land under single ownership, on which are two or more manufactured or mobile homes in which people reside. (Land used for an individual mobile home or manufactured home was counted as single-household residential land use, not as part of a mobile home park.)
- **Public and Semi-public** – Land devoted to City, County, State or Federal buildings, parks, schools, airports, and other governmental activities, including uses regulated by government, such as utilities, cemeteries and nursing homes. Also includes institutional uses of land for public purposes, such as churches, social or service clubs, lodge halls, and nonprofit organizations.
- **Commercial** – Land and buildings where merchandising, service oriented, or professional activities are conducted.
- **Industrial** – Land and buildings used for manufacturing or heavy construction purposes, or their associated storage. Includes uses such as salvage yards or extraction of raw materials.
- **Transportation** – Public land used for transportation right-of-way or other transportation related purposes. Includes streets, alleys, highways and railroads; does not include parking lots.

Land Use Plan 2024-20__ for Labette County, Kansas



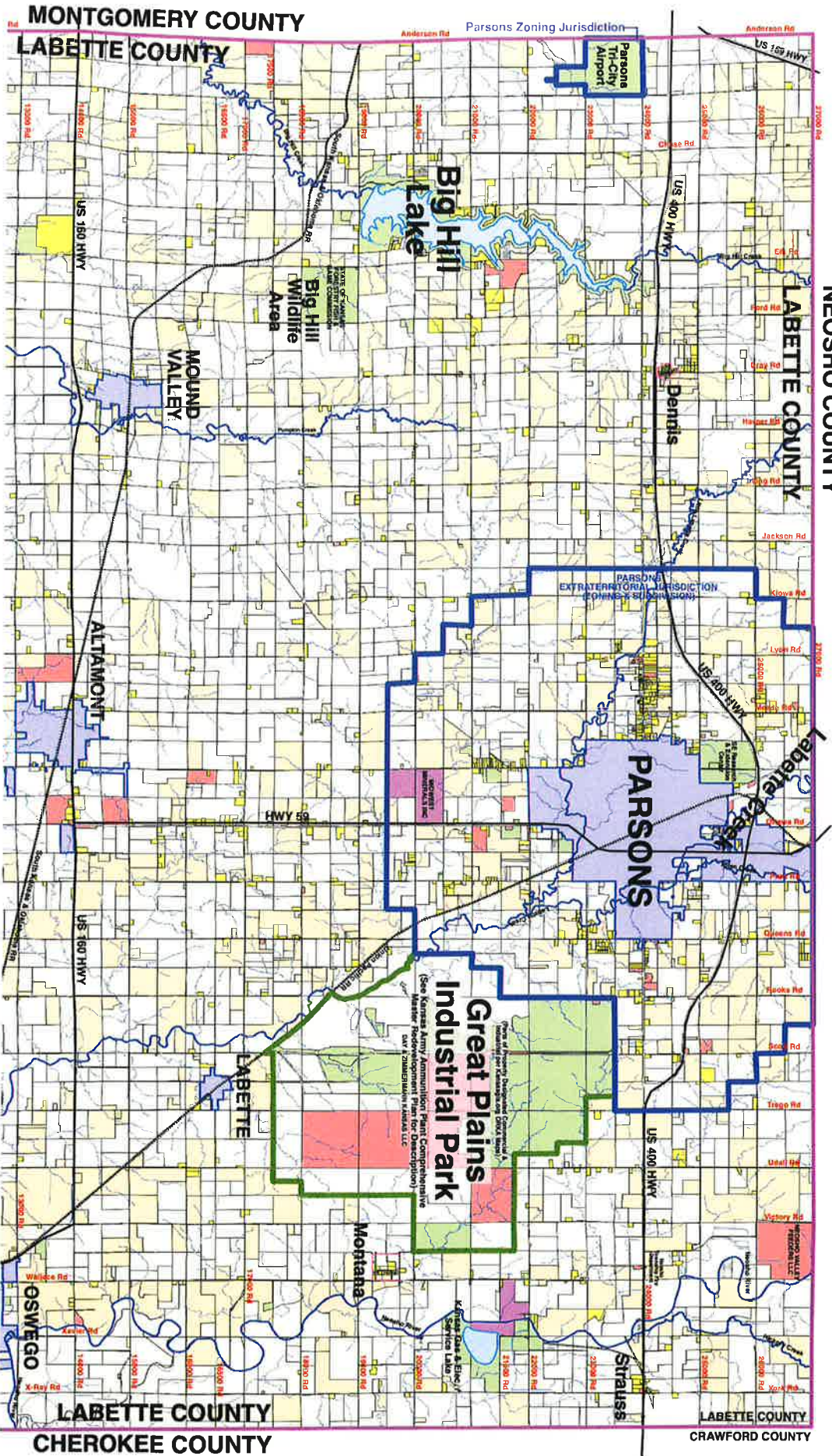
KEY

	Agricultural
	Farm Homesite
	Single Family Residential
	Multi-Family Residential
	Manufactured Home Park
	Public
	Commercial
	Industrial

Labette County
EXISTING LAND USE

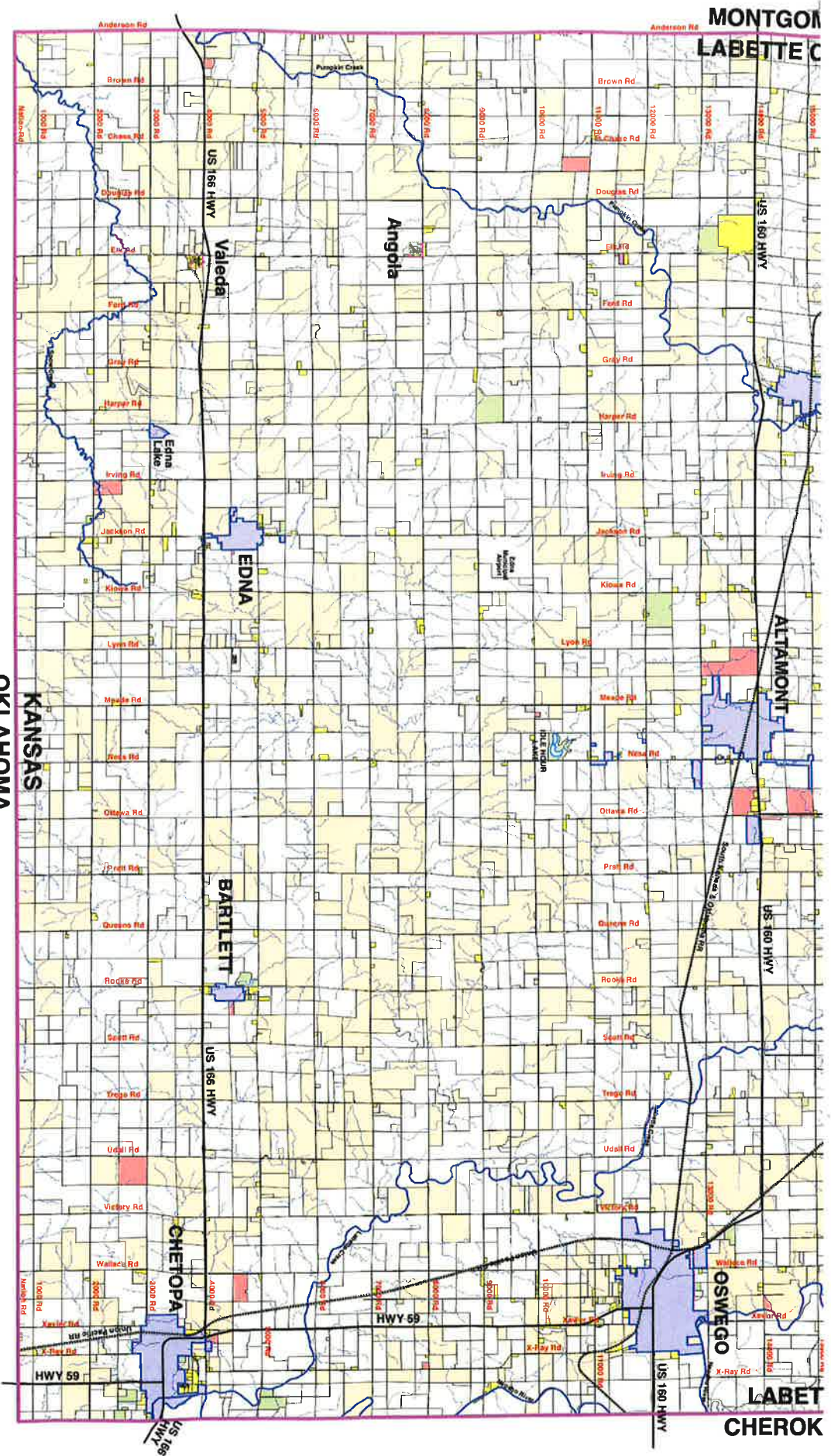
Land Use Plan 2024-20 for Labette County, Kansas

NEOSHO COUNTY



CLOSE-UP VIEW:

Existing Land Use in North Half of Labette County



CLOSE-UP VIEW:
Existing Land Use in South Half of Labette County

Land Use Plan 2024-20__ for Labette County, Kansas

Existing Land Use in Unincorporated Labette County			
Land Use	Total acres	Percentage of Unincorporated Area of Labette County	Percentage of Non-Agricultural Land Uses in Labette County
Single Family Residential	5,897	1.45%	17.26%
Public & Semi-public	11,377	2.79%	33.30%
Commercial	5,482	1.35%	16.04%
Industrial	766	0.19%	2.24%
Transportation ROW	10,646	2.61%	31.16%
Non-Agricultural Land Uses – Subtotal	34,168	8.39%	100.00%
Farm Homestead	104,668	25.69%	–
Agricultural	268,643	65.93%	–
Agricultural Land Uses – Subtotal	373,311	91.62%	–
Total Unincorporated Area	407,478	97.55%	–
Area within Incorporated Cities	10,253	2.45%	–
Total Area of Labette County	417,731	–	–

GENERAL COUNTY PATTERN – EXISTING LAND USE

Labette County has 417,731 acres of land within it, of which 10,253 acres are within the boundaries of incorporated Cities.

In this Plan, land within incorporated cities is not counted in the calculations done for land use in the County.

The 13,935-acre Great Plains Industrial Park, the 255 acres in the unincorporated communities of Angola, Dennis, Montana and Valeda, and land in the community of Strauss (which has no acreage attributed to it in the GIS map) are considered part of the County's "unincorporated land" in the calculations done for this Plan.

Of all the land within Labette County, 97.6% lies outside of incorporated Cities, and is considered "unincorporated".

In the unincorporated area of Labette County, there are no Multi-family Residential properties and no Manufactured Home Parks.

Farm Homesteads are parcels of land which are used for agricultural land uses, and taxed as agricultural property, but which have a house built somewhere on the parcel. For the purposes of this Plan, Farm Homesteads are categorized as an Agricultural rather than a Residential land use.

The majority of the unincorporated area of Labette County is in agricultural use. This includes 373,311 acres, or 91.6% of the unincorporated land in the County. As the dominant use, conservation of farm and ranch land is a priority for land use planning within the County.

There are 34,168 acres of land in unincorporated Labette County in non-agricultural land uses.

- **Public and semi-public land use** in unincorporated Labette County includes Big Hill Lake and the Big Hill Wildlife Area, the Southeast Research and Extension Center, parts of Great Plains Industrial Park, and the KGE Service Lake. Public and semi-public uses utilize **11,377 acres**, comprising **33%** of non-agricultural land use in unincorporated Labette County. It is the County's largest category of non-agricultural land use.
- **Transportation Right-of-way** for roads and railroads utilizes **10,646 acres** of land in unincorporated Labette County, making it, at **31%**, the second-largest category of non-agricultural land use.
- **Single Family Residential** properties, mostly houses on large lots, comprise **17%** of non-agricultural land use in unincorporated Labette County. With **5,897 acres** in residential land use, this is the County's third-largest category of non-agricultural land use.
- **Commercial** uses include parts of Great Plains Industrial Park, Neosho Valley Feeders LLC, and a variety of commercial sites around the County, particularly near Altamont. Commercial land uses comprise **16%** of non-agricultural land use in unincorporated Labette County. With **5,482 acres** in commercial uses, this is the County's fourth-largest category of non-agricultural land use.
- **Industrial** land uses occur on just **766 acres** in unincorporated Labette County, and include Midwest Minerals and the KGE site. This is the smallest category of non-agricultural land use in the County, at just **2%**.

PARSONS EXTRATERRITORIAL JURISDICTION

A city's extraterritorial jurisdiction is the area of land beyond the city limits, in which the city's zoning or subdivision authority is exercised. Parsons is the only city in Labette County which has an extraterritorial jurisdiction.

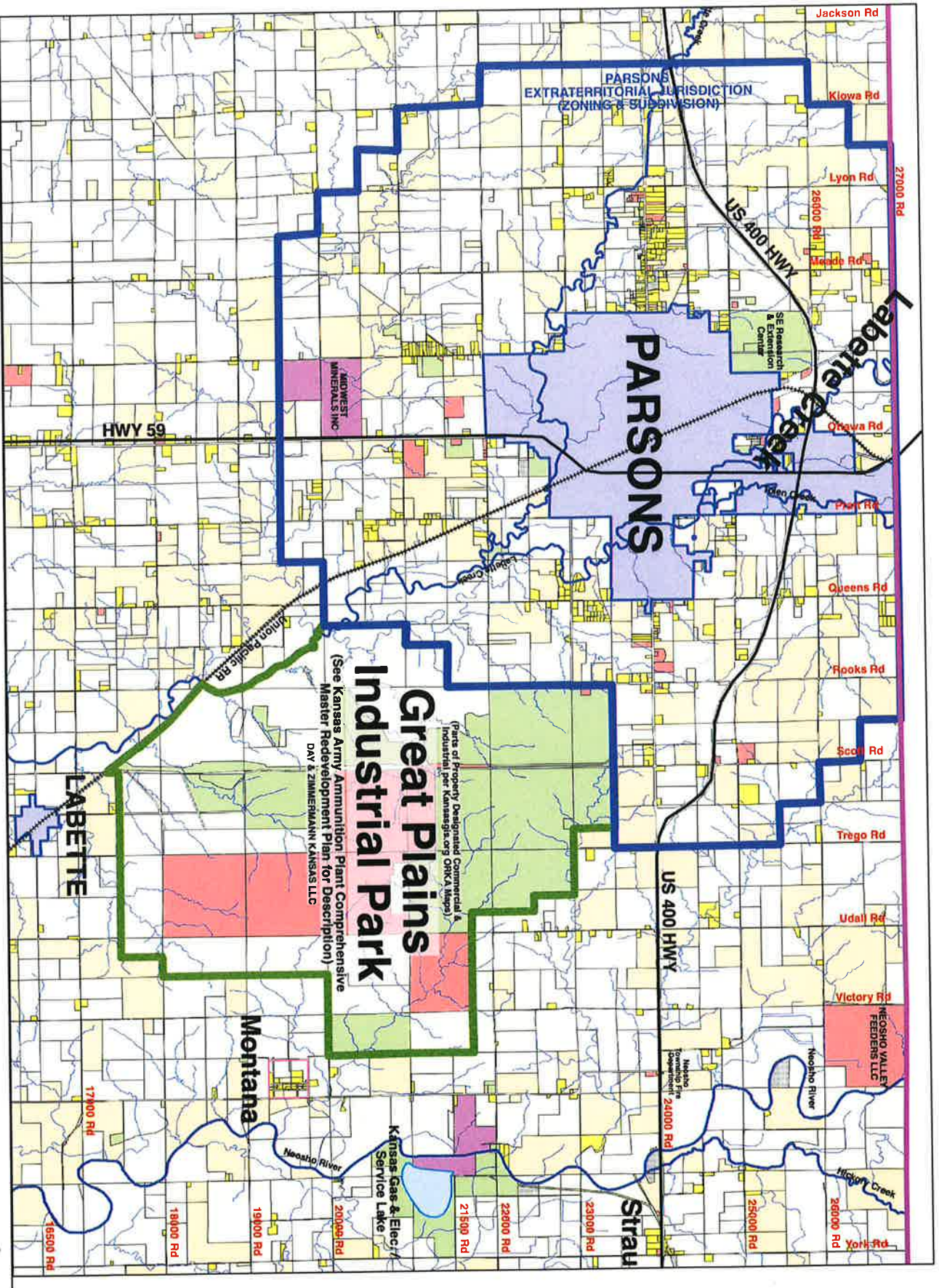
Kansas statutes (K.S.A. 12-715b et seq.) allow a city to extend regulatory control beyond its boundaries, through zoning regulations, subdivision regulations, building codes, and floodplain regulations, within three miles of its city limits—but only if the county does not choose to assume the responsibility.

There is an exemption for agricultural uses and related agricultural structures. Cities are not authorized to adopt regulations outside the city which apply to or affect "...any land in excess of three acres under one ownership which is used only for agricultural purposes". This exception, however, does not apply to floodplain regulations in areas designated by the Federal Emergency Management Agency as floodplain.

If a City administers Zoning or Subdivision Regulations in an extraterritorial jurisdiction, at least two members of the City's planning commission must reside outside of the city but within three miles of the city limits. (See K.S.A. 12-744.)

In general, a city's extraterritorial jurisdiction may extend for a maximum of three miles outside the city limits, but not more than one-half the distance to another city, nor into another county, nor beyond the City's Planning Area as designated in its approved Comprehensive Plan.

The close-up map on the following page shows existing land uses in Parson's extraterritorial jurisdiction, and also in the Great Plains Industrial Park. The line labeled "Parsons Extraterritorial Jurisdiction (Zoning & Subdivision)" indicates the extent of the City's extraterritorial jurisdiction, in which Parson's Zoning and Subdivision Regulations both apply.



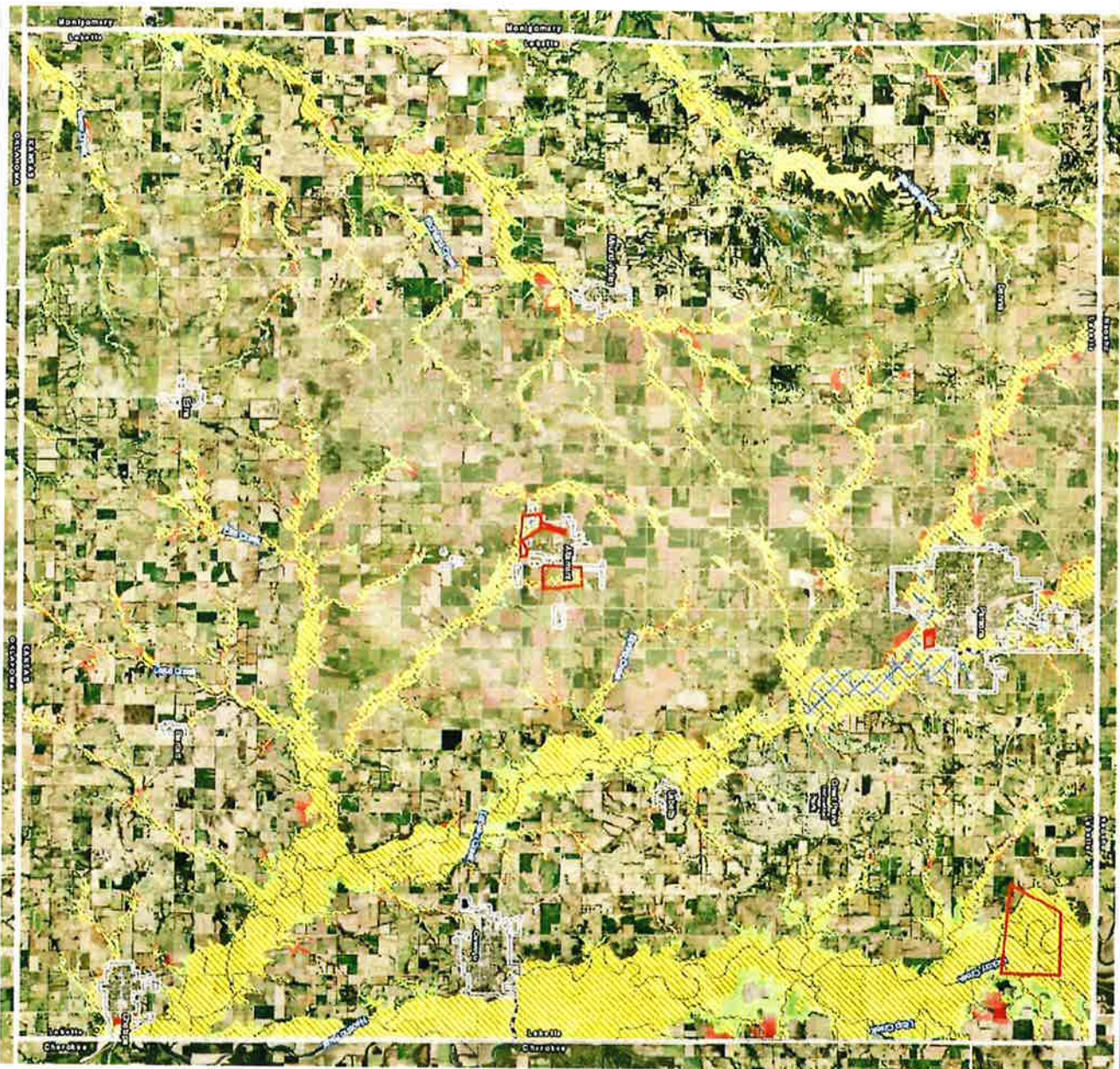
FLOODPLAINS IN LABETTE COUNTY

Floodplains profoundly affect land use. Any land use proposed for a floodplain must be able to withstand periodic flooding without severe economic loss. Typically, this means that agriculture, and certain public uses such as parks, are the best use for land in floodplains.

The Kansas Department of Agriculture is currently in the process of updating floodplain maps for Labette County. New FEMA Flood Insurance Rate Maps, which are expected to be finalized by the fall of 2025, will incorporate the revised floodplains.

The adjacent map shows proposed revisions to the floodplain map for Labette County.

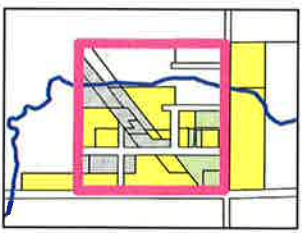
Areas shown on the map in yellow are currently in the floodplain and will remain so. Areas shown in light green are currently in the floodplain but will likely be removed on the new map. Areas shown in red will likely be added to the floodplain on the new map.



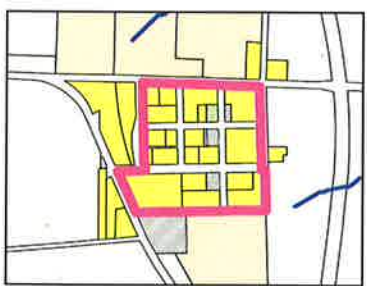
EXISTING LAND USE IN UNINCORPORATED COMMUNITIES OF LABETTE COUNTY

These close-up maps show existing land use patterns in five unincorporated communities located in Labette County.

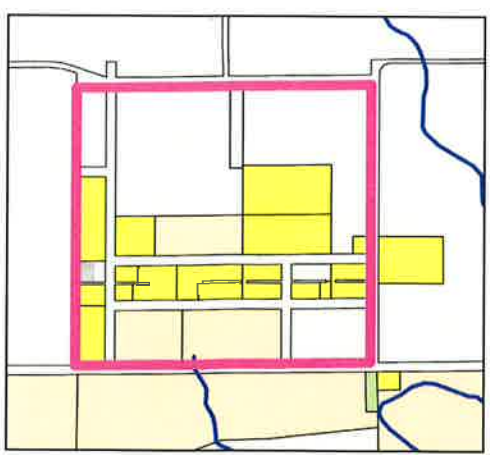
- Angola, Dennis, Montana, and Valeda are unincorporated, yet are shown with boundaries on the County's GIS maps. They are considered to be "Villages" within the context of the County Zoning Regulations.
- Strauss is unincorporated, and its boundaries are not shown on Labette County's GIS maps. It is also categorized as a "Village" within the context of the Labette County Zoning Regulations.



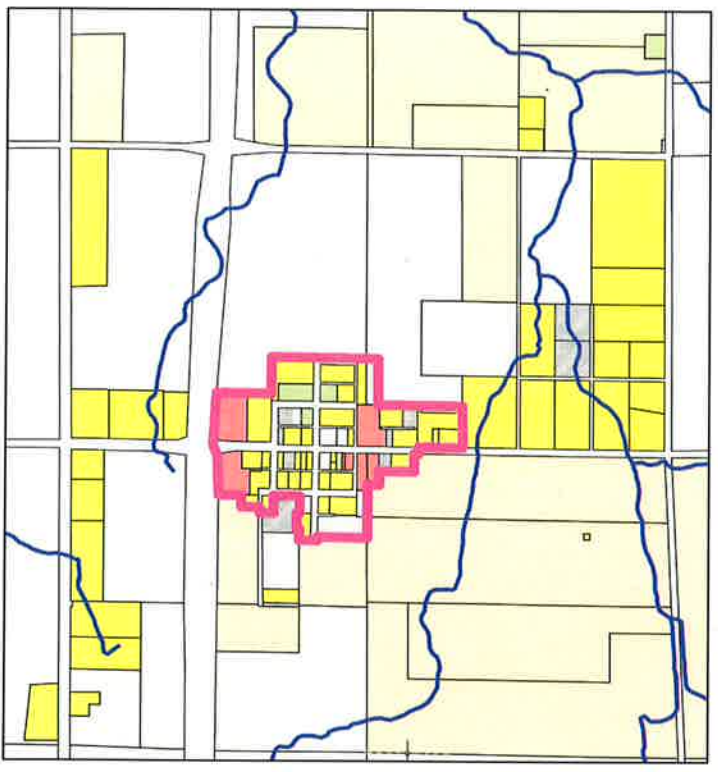
Angola



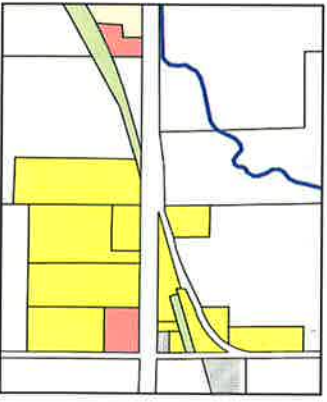
Valeda



Montana



Dennis



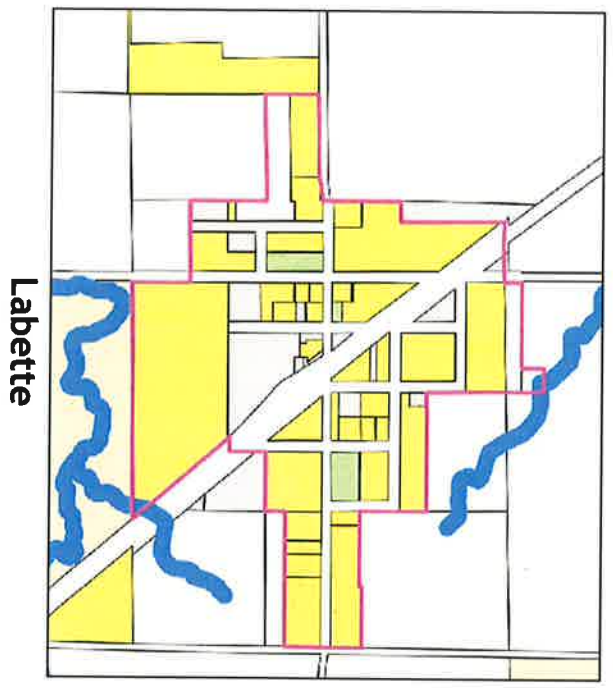
Strauss

KEY	
	Agricultural
	Farm Homesite
	Single Family Residential
	Multi-Family Residential
	Manufactured Home Park
	Public
	Commercial
	Industrial

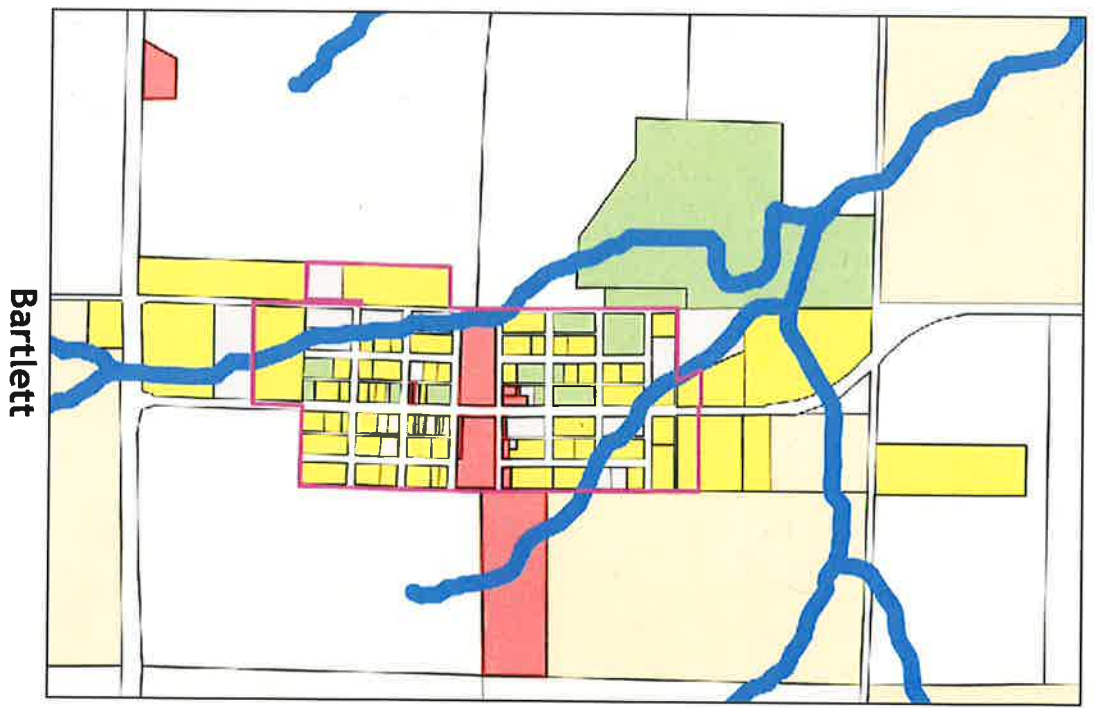
EXISTING LAND USE IN INCORPORATED CITIES OF LABETTE COUNTY

The following close-up maps show existing land use patterns in the incorporated Cities of Labette County. Shown in order from smallest in population to largest, these Cities are Labette, Bartlett, Mound Valley, Edna, Chetopa, Altamont, Oswego (which is the county seat), and Parsons.

- Labette is an incorporated City. It had a 2020 population of just 50 people.

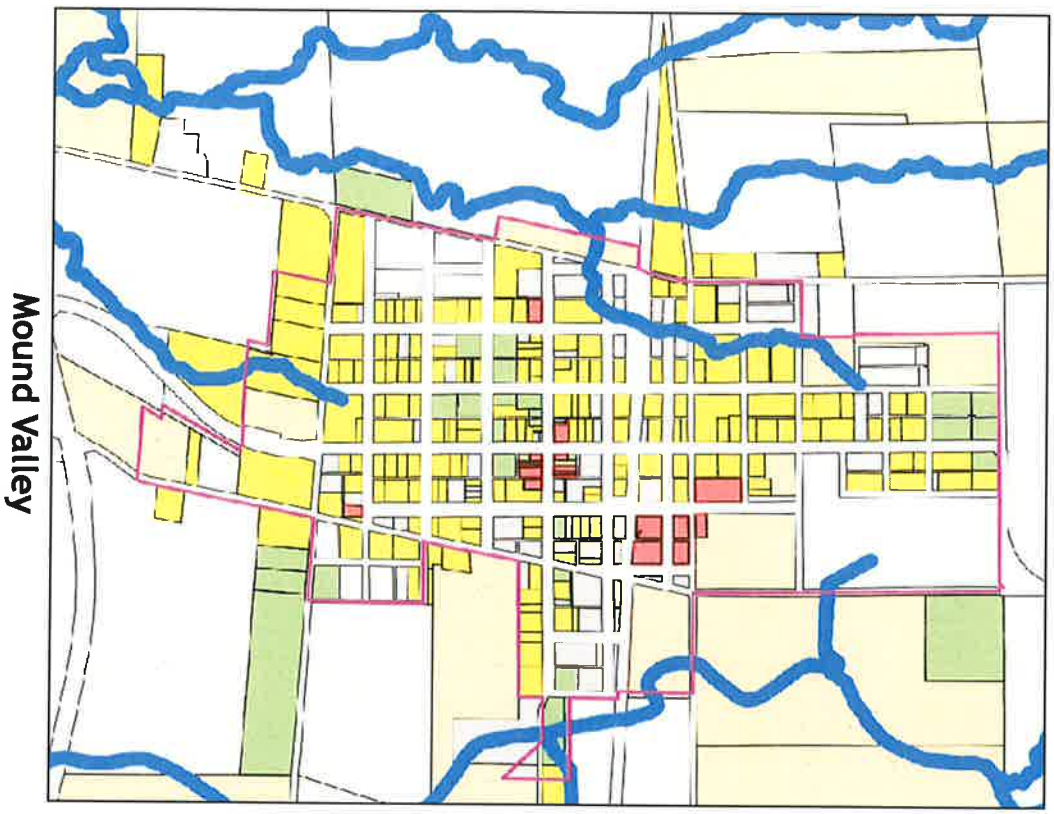


- Bartlett is an incorporated City. It had a 2020 population of 69 people.



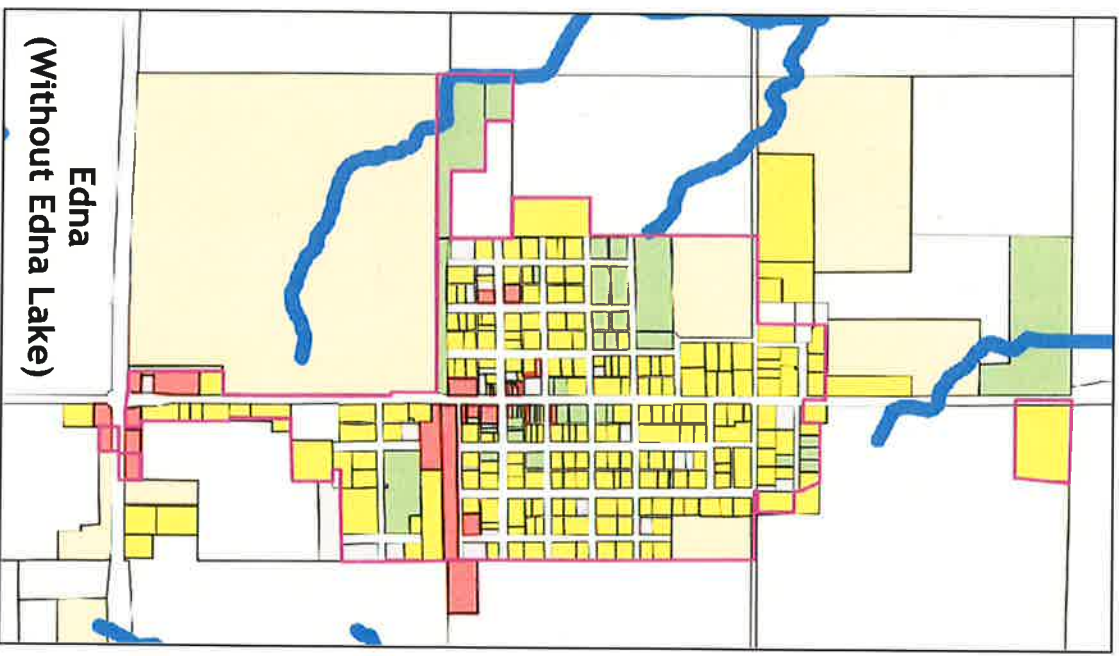
Land Use Plan 2024-20__ for Labette County, Kansas

- **Mound Valley** is an incorporated City with a 2020 population of 348 people.



Mound Valley

- **Edna** is an incorporated City with a 2020 population of 388 people. Though not shown on the map below, Edna Lake is also part of the City, and is categorized as a public land use.



**Edna
(Without Edna Lake)**