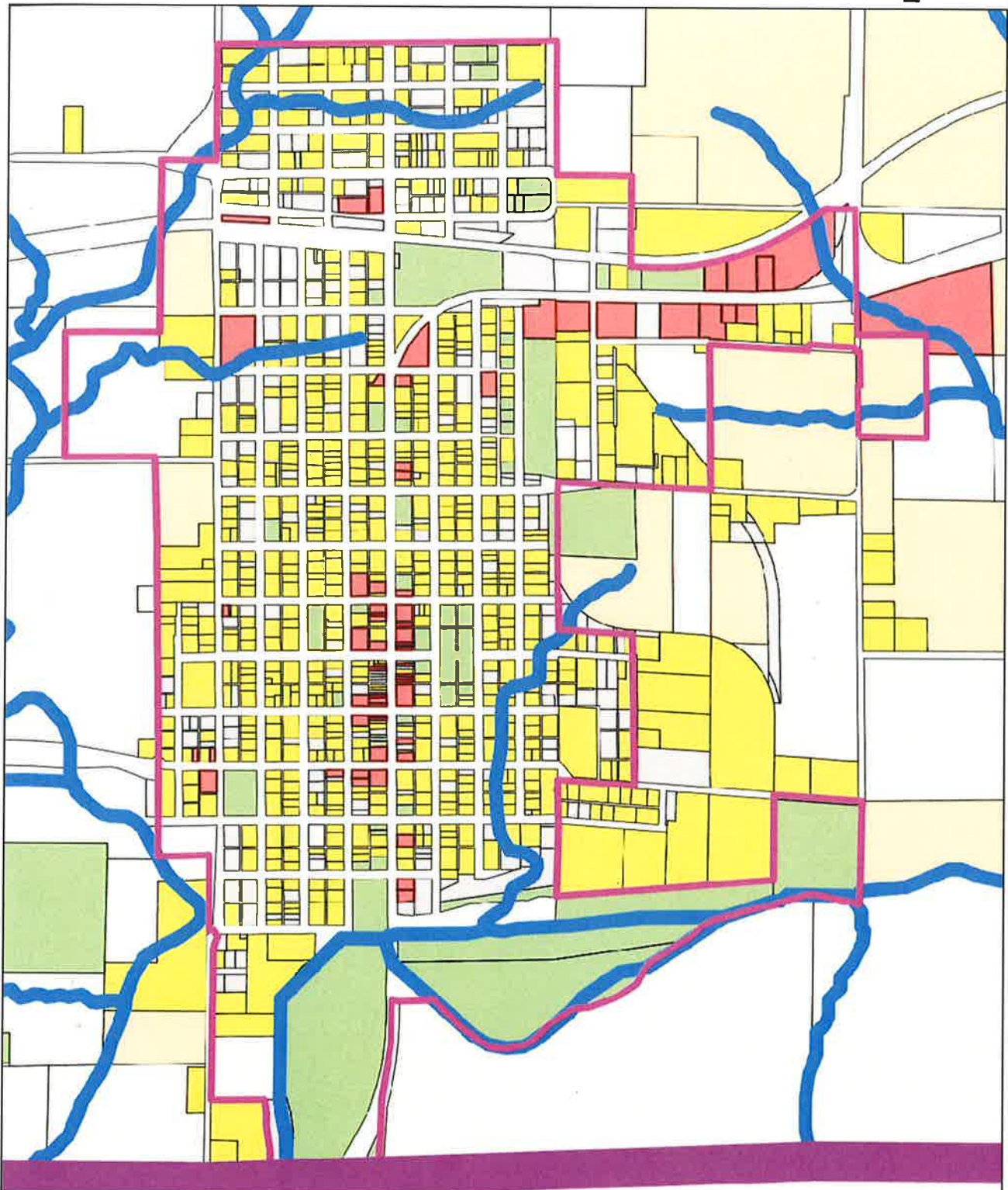


*Land Use Plan 2024-20\_\_ for Labette County, Kansas*

- Chetopa is an incorporated City with a 2020 population of 929 people.

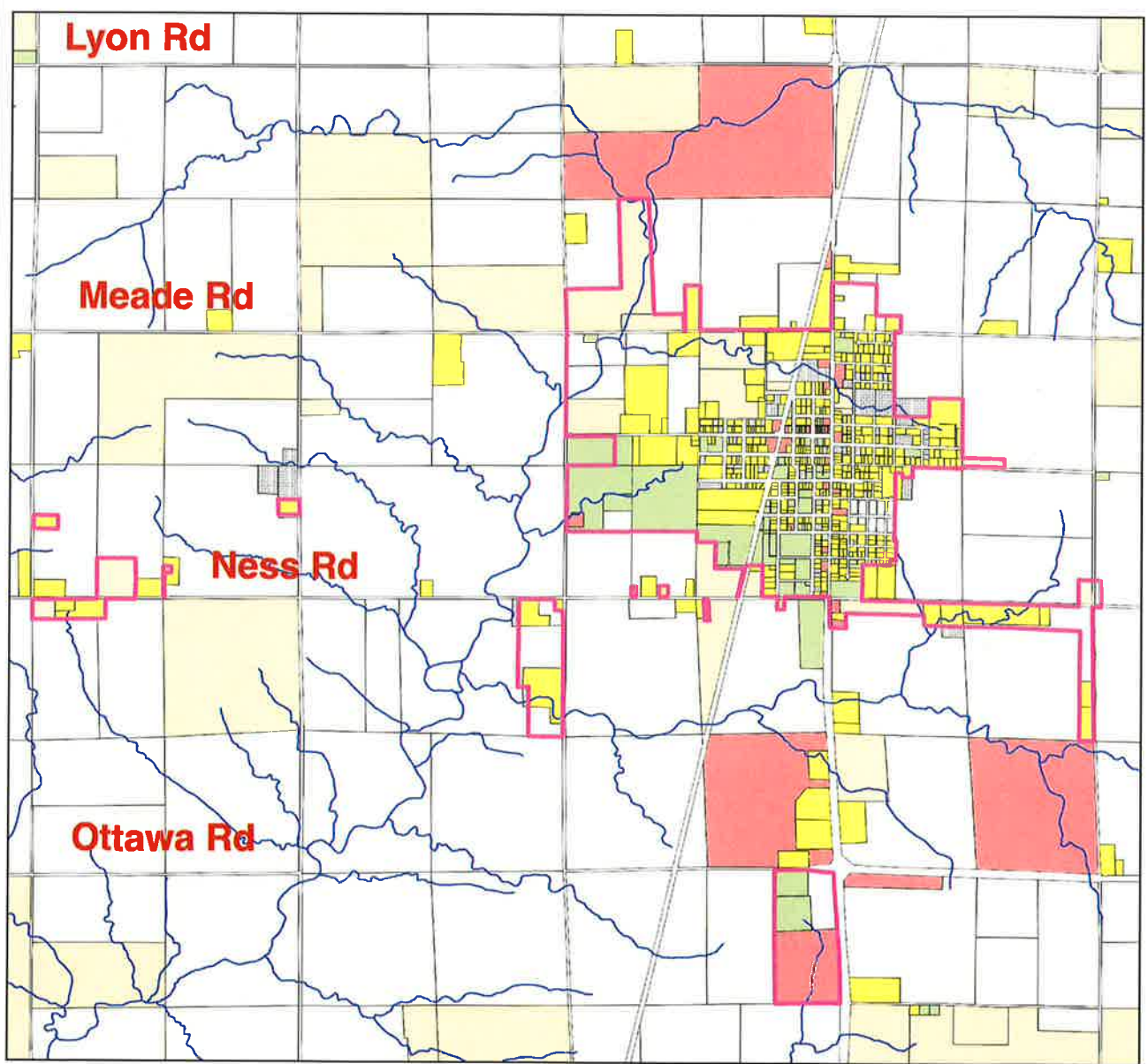


**Chetopa**

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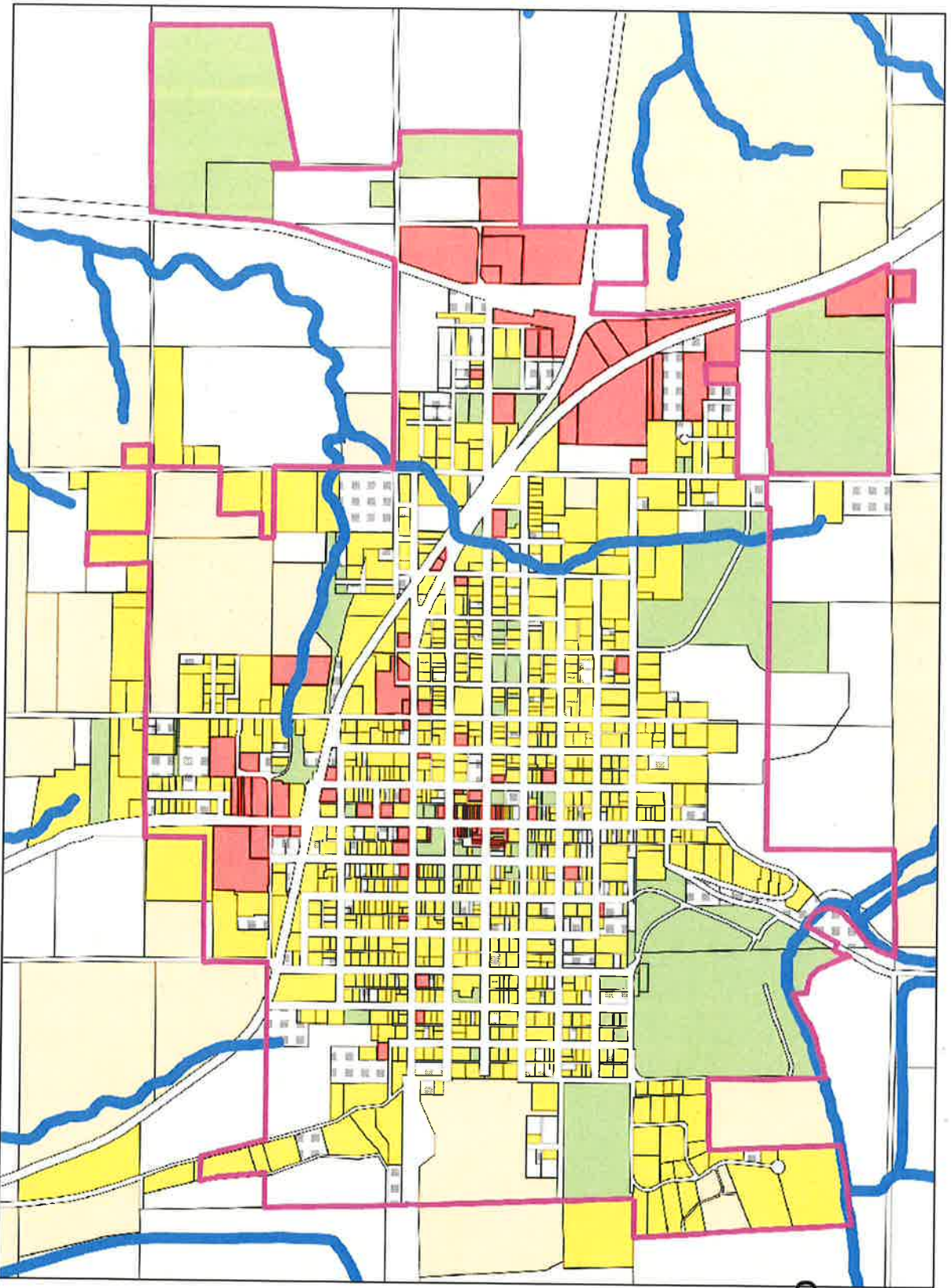
• Altamont is an incorporated City with a 2020 population of 1,061 people.

**Altamont**



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• Oswego is an incorporated City with a 2020 population of 1,668 people. It is the county seat of Labette County.

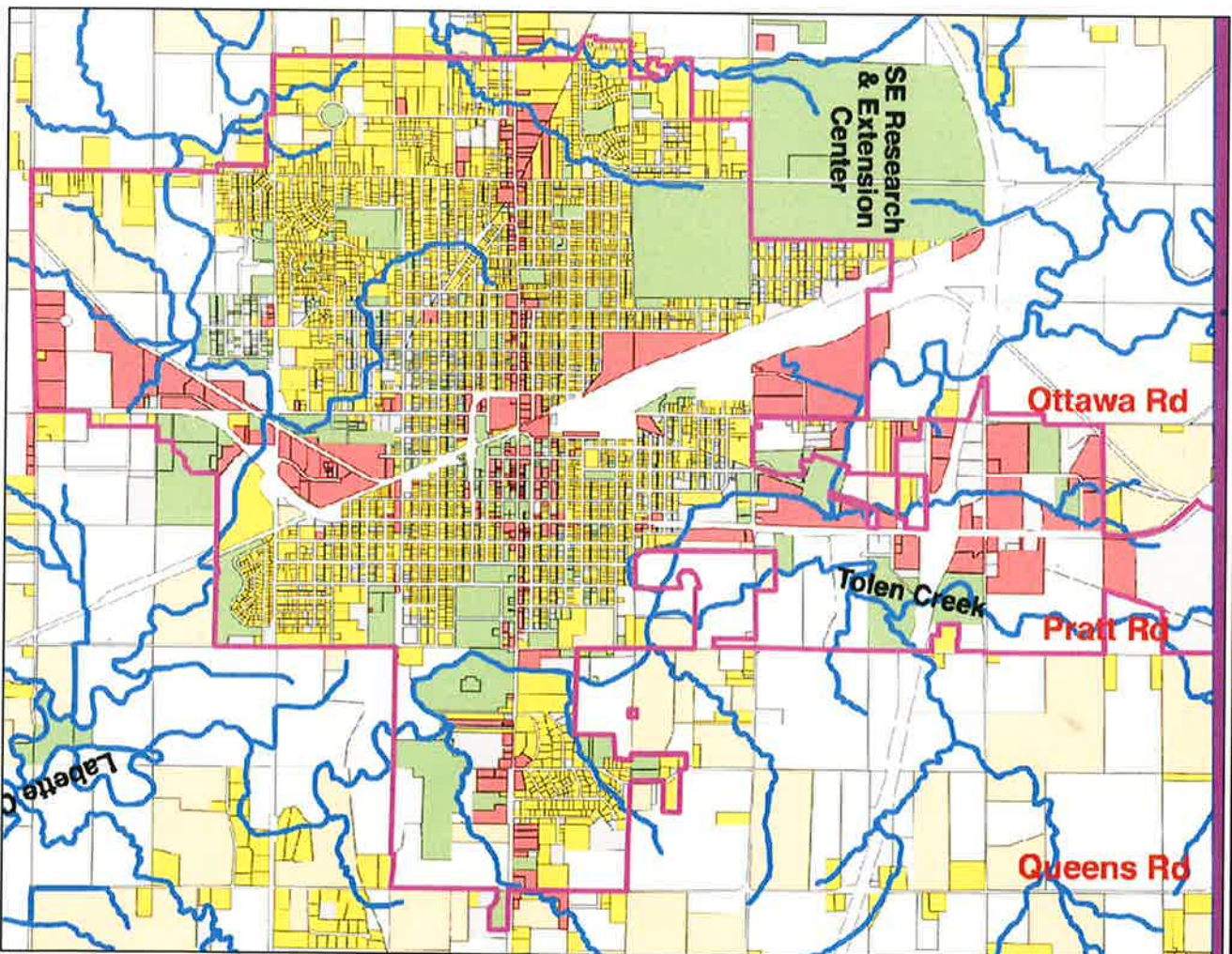


Oswego

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- Parsons is the largest city in Labette County, and had a 2020 population of 9,600 people. See the Parsons Comprehensive Plan for a discussion of future land use patterns within the City of Parsons and its extraterritorial area. Though not shown on the adjacent map, Parsons Tri-City Airport is also within the city limits. The Airport is categorized as a public land use.

**Parsons**



## Future Land Use

A future land use plan is intended to encourage efficient, balanced, and compatible land use patterns in the unincorporated area of the County. The Future Land Use Maps shown in this document exhibit a desired pattern of land use, and are intended to guide land use planning decisions during the Plan Period.

However, flexibility is also essential in the implementation of a future land use plan, and it is expected that the County Planning Board may occasionally need to make minor adjustments. When a particular area is about to be developed, policy decisions should remain in keeping with the overall future land use concepts expressed in the Future Land Use Maps, but must also respond to current data.

When an area is designated for a particular future land use, that designation should be considered as an indication of preferred land use character and predominant type, rather than an absolute requirement that the area be developed exclusively for the noted land use. For example, a church or school could be considered compatible in an area designated for future residential land use.

A number of factors must be considered when projecting future land use—including community attitudes and goals, existing physical features, existing land use patterns, potential utility service areas, future population goals and housing needs, and proposed development projects.

In general, it is considered desirable for residential land use patterns to be separated from commercial or industrial uses. The exception to this guideline is in mixed-use development.

Some public land uses are compatible with residential areas (such as neighborhood parks or small churches), and some are appropriate to commercial areas (a State owned office, for example).

Commercial land uses are typically located near transportation nodes, and clustered together to create economic synergy.

Industrial land uses, particularly for heavy industry, often require heavy-duty utility services, generate considerable truck traffic, and may produce dust and other air pollutants, as well as considerable noise. Therefore they are often located in a few areas with appropriate utility services, typically near railroads, highways or airports, and away from residential uses.

### GENERAL LAND USE PATTERN & GOALS — FUTURE

The predominance of agricultural uses in the unincorporated area of the County establishes both the character of land use development and visual aesthetic character of the area. Goals of this Plan to protect those characteristics as future development occurs include:

- Conserve agricultural uses for farmland and ranch land.
- Preserve viewsheds and open space to protect the rural character and visual quality of the area.
- Protect Special Habitat areas such as Big Hill Wildlife Area.
- Conserve Water Resources by:
  - Protection of watersheds for municipal water supplies and recreational uses.
  - Recognizing existing studies such as the *Oswego Municipal Water Conservation Plan*.
- Protect the rural character by promoting development of compatible non-agricultural uses about the cities of the County.
- Promote contiguous development patterns about cities for orderly growth and efficiency of infrastructure extensions and city services such as law enforcement.

- Prohibit large scale Renewable Energy Systems, Energy Production facilities, and non-agricultural uses in close proximity to cities and in areas impacting aviation facilities.
- Protect people and property from negative impacts of large scale Renewable Energy Systems, Energy Production facilities, and non-agricultural uses.

## RENEWABLE ENERGY SYSTEMS & ENERGY PRODUCTION

The rural character of the County makes it conducive to the development of large scale commercial renewable energy systems for energy production. This is evidenced by current activities related to leasing and consideration of renewable energy system projects. Large scale systems include community and utility commercial Wind Energy Conversion Systems (WECS), Solar Energy Conversion Systems (SECS), Battery Energy Storage Systems (BESS) along with Transmission Line Corridors. There are other renewable energy sources such as biofuels and infrastructure which may be applicable in the future. Small scale renewable energy systems within the context of this Plan are considered to be those which generate energy used solely by the property Owner installing the system. These would be mainly for farm homesteads and agricultural uses.

Development of large scale renewable energy systems requires a balanced analysis of the goals previously noted with the economic benefits for the County. The location of these systems accompanied by their support facilities, will determine whether the goals are achieved while at the same time providing economic benefit.

Guidelines for location of large scale renewable energy systems include:

- Meeting County, State, and Federal laws.
- Analysis of impacts on the Osage Cuestas and Cherokee Lowlands physiographic regions within the County. Analysis includes topography, geology, soils, vegetation, wildlife, and water resources.
- Siting to protect desired viewsheds across the rural landscape.
- Siting in appropriate areas to meet needs for nameplate capacity of energy production.
- Siting to protect surrounding land uses from negative environmental impacts and loss of property value.
- Consideration of County's ability to provide infrastructure and support services including emergency response services.
- **Great Plains Industrial Park** The former Kansas Army Ammunition Plant's *Comprehensive Master Redevelopment Plan* and the *Labette County Zoning Code for the Great Plains Industrial Park* provide standards and guidelines for development within the Park, including energy production. This 13,935 acre site is the **preferred location** for siting of large scale renewable energy systems in the County.

The U.S. Energy Information Administration projects, "The share of renewable energy in the U.S. electricity generation mix is projected to double from 21% in 2020 to 42% by 2050, primarily due to increases in wind and solar energy. As more companies, municipalities, states, and utilities set clean energy goals, the demand for renewable energy will continue to increase, especially as more utility-scale projects are developed. We forecast that wind and solar energy will lead growth in U.S. power generation for the next two years.... Annual renewable power generation surpassed nuclear generation for the first time in 2021 and coal generation for the first time in 2022."

With rising demand for energy production from renewable resources, the extent of such development in the County will be an ongoing question for the Planning Board and Governing Body as projects are processed and developed. Through implementation of the County's Zoning Regulations for its jurisdiction in the unincorporated area, the Zoning Administrator will provide the Planning Board an assessment of the impact of each project in relation to the overall impact of renewable energy system projects upon the County. A conservative approach in approval of renewable energy system projects is recommended to meet the goals of this Land Use Plan.

#### **FUTURE LAND USE & ZONING REGULATIONS**

The goal of zoning should be to ensure high standards for development, without unduly restricting private initiative or causing excessive development costs.

Zoning Regulations protect property values by ensuring that residential, commercial and industrial land uses are located in compatible arrangements which prevent conflicts. Zoning seeks to **prevent conflicts between adjacent land uses, and is the major tool for resolving conflicts which do occur.**

Zoning can help maintain the rate of development at a pace which can be sustained by the County's infrastructure of public and private facilities and utilities.

Zoning regulations in Kansas are not retroactive and, therefore, they are not effective in cleaning up past mistakes—except over very long periods of time, by the gradual demise of lawful nonconforming uses (grandfathered-in land uses). This is why it is important to adopt and enforce appropriate zoning **before problems occur.**

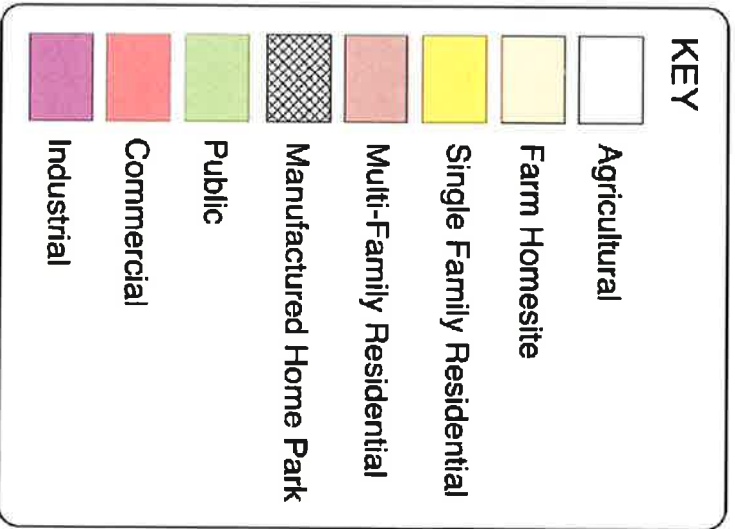
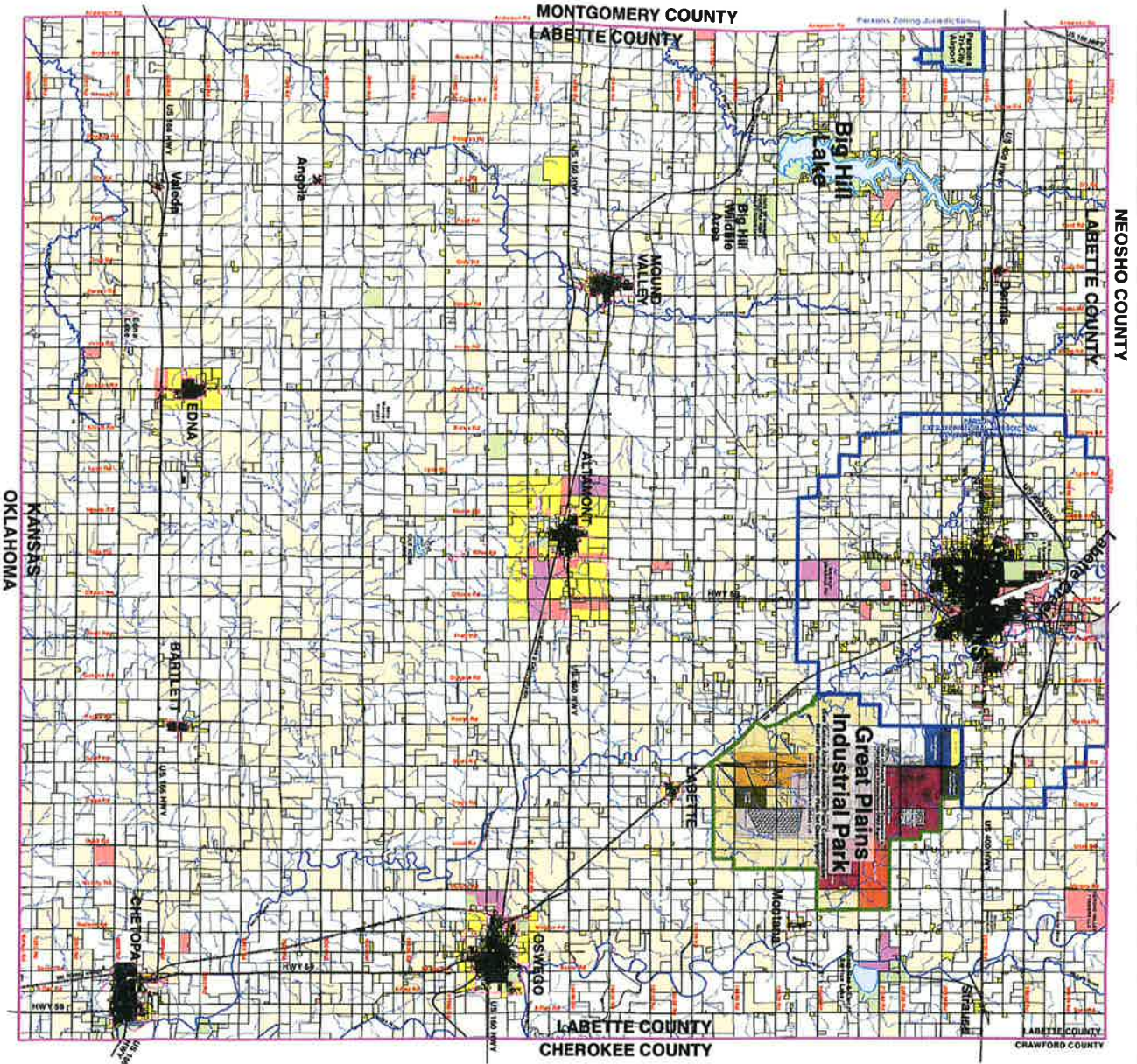
**Legislative Capacity and Quasi-judicial Actions:** When a county adopts new zoning regulations or makes revisions to existing regulations, it is acting in a *legislative* capacity. It is therefore required to act in a *quasi-judicial* manner when holding a hearing and deliberating on an application for rezoning of a specific parcel of land.

To act in a quasi-judicial manner, the Planning Board is required to make its recommendations based on findings of evidence and an issue oriented analysis, in order to prevent arbitrary and capricious zoning decisions. The Governing Body is held to the same standards.

If the Governing Body chooses to differ with or amend the recommendation of the Planning Board, it may not do so arbitrarily. It must support its decision by determining its own findings and analysis, and either override the Planning Board's recommendation by a two-thirds majority vote, or by a simple majority vote return the recommendation to the Planning Board to be reconsidered.

**Reasonableness:** 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 the goals and Future Land Use Map of an adopted land use plan. Having a valid land use plan is a key component of the County's defense, should one of its zoning decisions ever be challenged in court.

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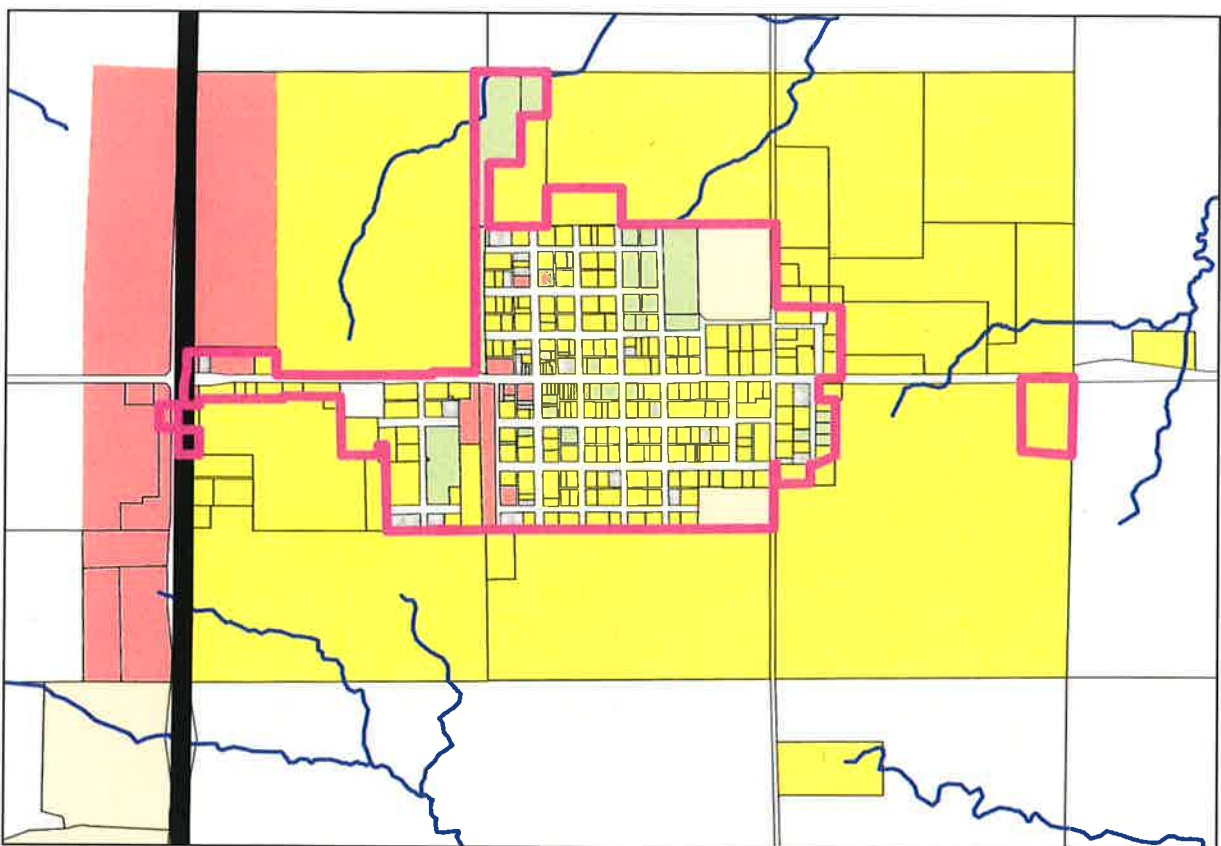













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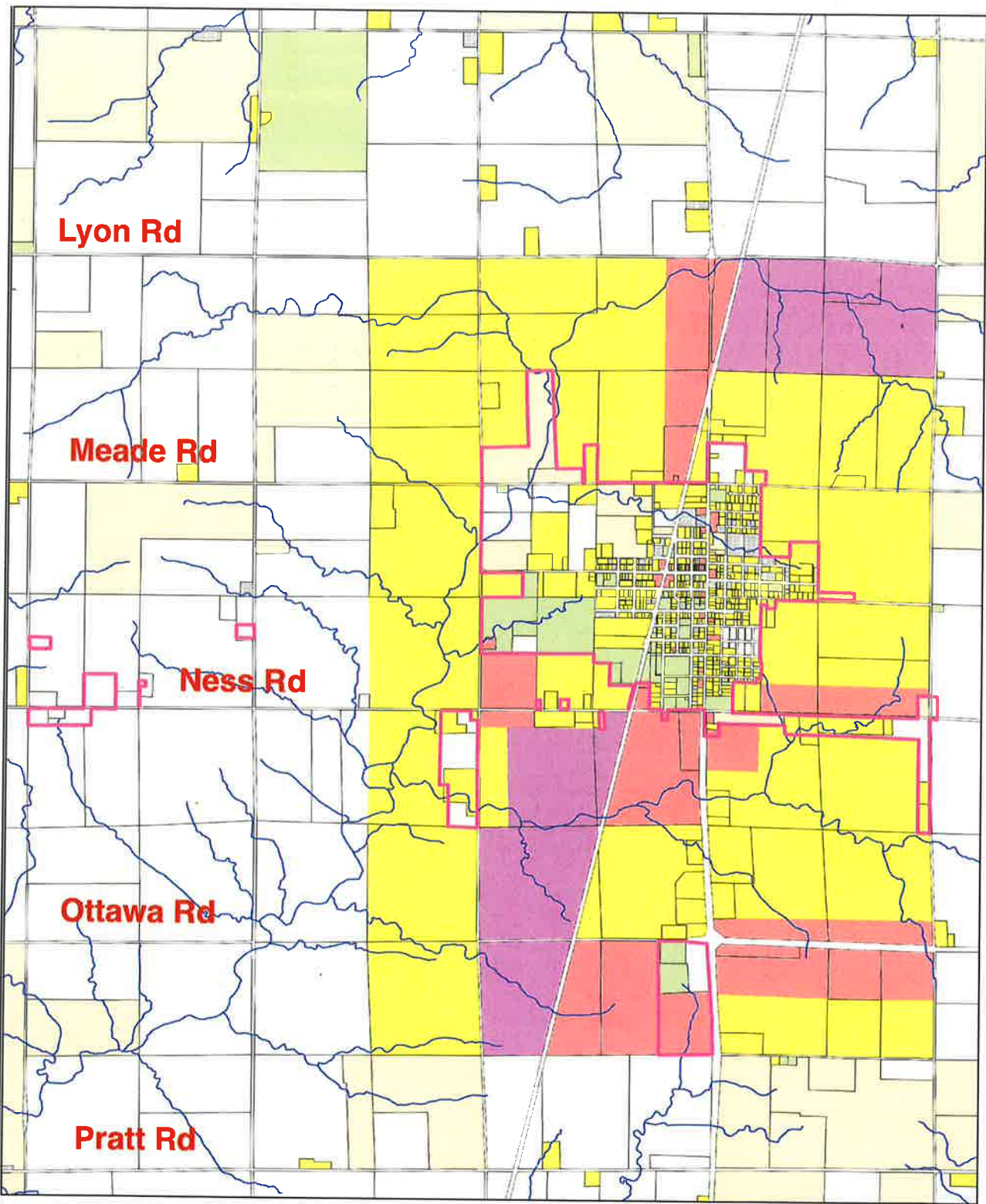
Maps on this and following pages show potential future land uses in areas adjacent to the municipal boundaries of Edna, Altamont and Oswego.

A final map shows preferred future land uses for the Great Plains Industrial Park, as shown in the *Kansas Army Ammunition Plant Comprehensive Master Redevelopment Plan*.



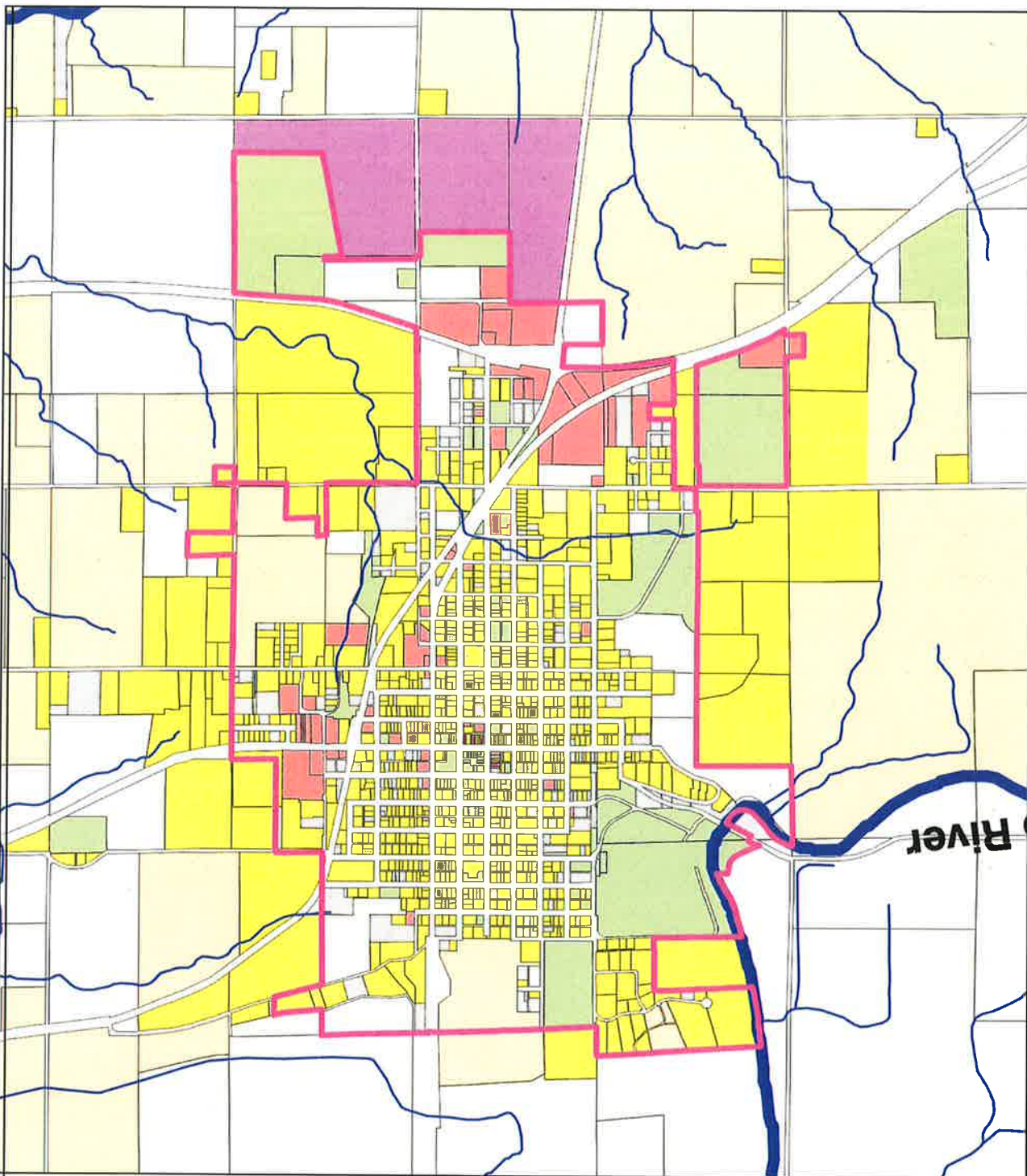
KEY	
	Agricultural
	Farm Homesite
	Single Family Residential
	Multi-Family Residential
	Manufactured Home Park
	Public
	Commercial
	Industrial
	Vacant Lot

Map:  
Future  
Land Use –  
EDNA



Map:  
Future  
Land Use –  
ALTAMONT

Land Use Plan 2024-20\_\_ for Labette County, Kansas



Map:  
Future  
Land Use --  
OSWEGO

Land Use Plan 2024-20\_\_ for Labette County, Kansas

