



District 1 Citizens Advisory Board Meeting Agenda

Monday, February 26, 2024 | 5:30 p.m.
Bel Aire City Hall,
7651 E. Central Park Ave., Bel Aire, KS

Board Members: Daniel Bateman, Steven Burt, Judah Craig, Joseph Dozier, Diane Gjerstad, Kathryn Herzog, Jacqueline Kelly, Dr. Stephanie Kuhlmann, Jim Reid

County Representatives: County Commissioner, Pete Meitzner and Wichita-Sedgwick County MAPD Principal Planner, Justin Constantino

ORDER OF BUSINESS

1. Call to Order - Chair Judah Craig
2. Approval of Meeting Minutes – Chair Judah Craig

PUBLIC AGENDA

The public agenda allows members of the public to address the District 1 Citizens Advisory Board.

NEW BUSINESS

1. Solar Power Presentation – MAPD Planner, Justin Constantino
2. Discussion of future meeting dates & agenda items – Chair Judah Craig

BOARD AGENDA

This is an opportunity for the Commissioner and Citizens Advisory Board members to report activities, events, or concerns throughout their neighborhood.

ADJOURNMENT

*The next Citizens Advisory Board Meeting will be **Monday, March 25, 2024, 5:30 p.m.**
at Bel Aire City Hall, 7651 E. Central Park Ave., Bel Aire, KS.*

If you are unable to attend, meetings will be streamed via Zoom:

<https://us05web.zoom.us/j/7489851077?pwd=QmtvSHZoREMyK08vSTZYQmZldDh2UT09>

Meeting ID: 748 985 1077

Passcode: 7uxpjc



District 1 Citizens Advisory Board Meeting 2024 Meeting Schedule

2024 Dates

- Jan. 22, 2024 – Treasurers Office
- Feb. 26, 2024 – Solar Power Presentation
- March 25, 2024 – Sherriff Office/DA Marijuana Non-Prosecution
- April 15, 2024 – Admin Building Plans/Update
- May 20, 2024 – Homeless Outreach Team/Steven Burt Homelessness Update
- June 17, 2024 – WSU/KU Bio Center
- July 15, 2024 – Transit Expansion Wichita (Mike Tan)
- Aug. 19, 2024 – Budget
- Sept. 16, 2024 – Health Dept. Tour?
- Oct. 21, 2024 – 254 Corridor Update
- Nov. 18, 2024 – GIS Mapping System
- Dec. 16, 2024 –

To be Discussed

-

Topic Ideas

- Health Dept. Tour
- FD1 & Advisory Board
- Sheriff/DA: Marijuana non-prosecution at City of Wichita
- Exploration Place's Master Plan
- Integra Status
- GIS Mapping System
- 254 Corridor Update
- North County land, what can be done with it?

Unified Zoning Code + Solar - Update

Monday, February 26, 2024



Unified Zoning Code + Solar – Update - **Recommended Action**

- Review information
- Provide comments



Unified Zoning Code + Solar – Update - **Disclaimers**

- The Sedgwick County Solar Moratorium allows a legislative review.
- Sedgwick County is not considering any specific solar applications as part of this process.
- The current draft changes would be for Sedgwick County and the City of Wichita.
- This topic does not include accessory uses (i.e. solar on a building roof)



Discussion

- Existing Conditions
- Current Status
 - Process
 - Public Input
 - Themes
 - Next Steps
- Additional Topics
- SCAC Meeting Update



Existing Conditions



2019 Updates

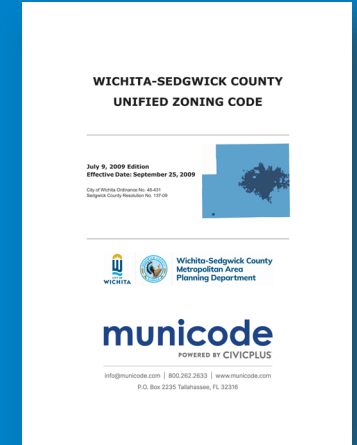
- Unified Zoning Code
 - Renewable energy systems
- Comprehensive Plan
 - Renewable energy systems

USE TYPE	ZONING DISTRICTS							
	R	S	S	S	T	M	M	B
	R	F	F	F	F	F	F	B
	2	1	5	3	1	2		
	0	0			8	9		
RESIDENTIAL								
Single-Family	P	P	P	P	P	P	P	P
Duplex					P	P	P	P
Multi-Family					C	P	P	P
Manufactured Home	P	P	P					
Manufactured Home Subdivision								



Unified Zoning Code

- Solar Energy Conversion System
 - Conditional Use
 - Approximately 20 supplemental information requirements
 - Ability to add conditions as needed
 - Formal review process
 - citizen advisory boards
 - planning commission
 - County Commission etc.

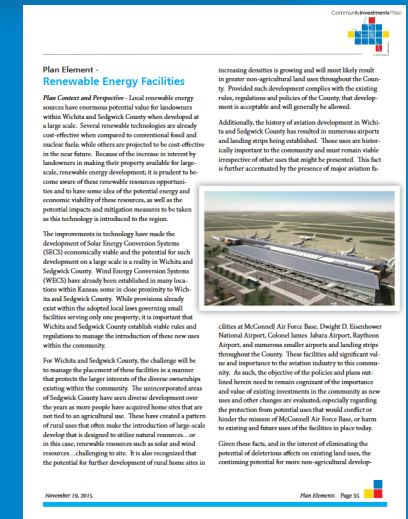


Comprehensive Plan

- Solar Energy Conversion System

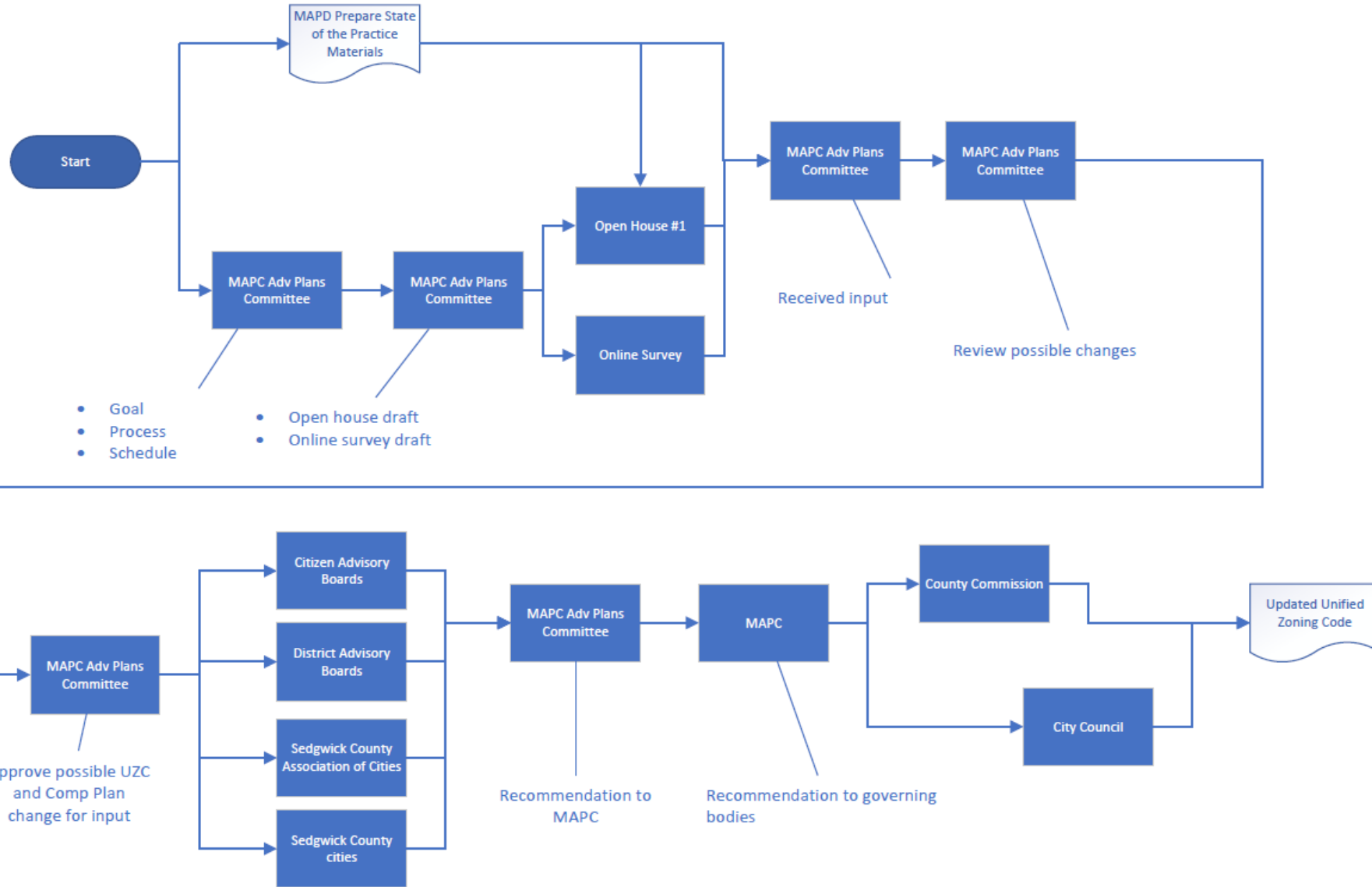
- Guidance

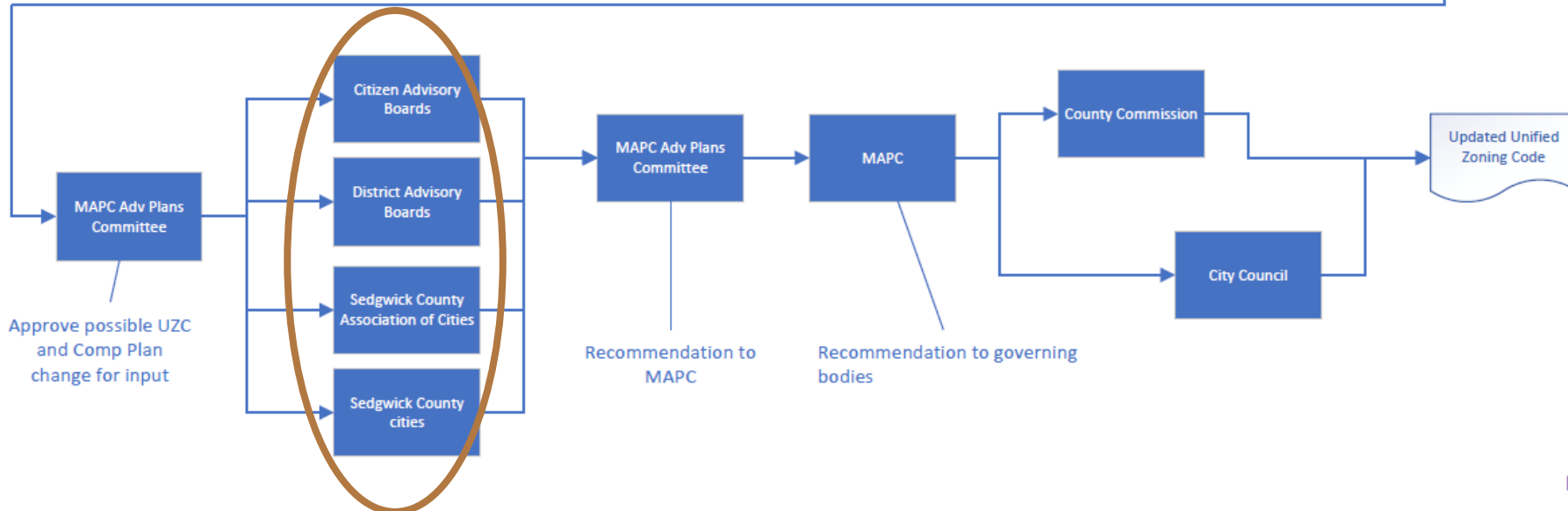
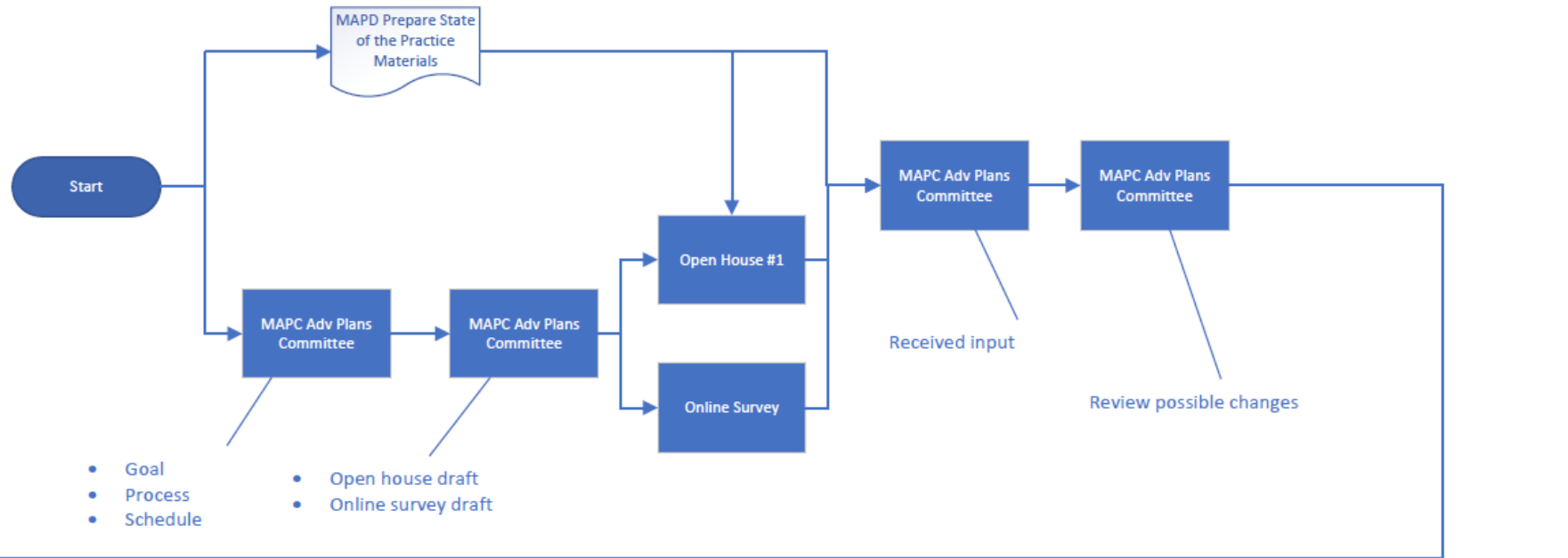
- Selecting appropriate locations will be challenging.
- Design and performance standards need to be established.
- Protect the viability of existing cities and their ability to grow.



Current Status







Schedule

Date	Description
Feb. 5	CAB 3, DAB 1, DAB 6
Feb. 6	Board of County Commissioners Staff Meeting
Feb. 7	DAB 3
Feb. 8	MAPC Adv. Plans Committee
Feb. 12	DAB 2
Feb. 22	MAPC
Feb. 26	CAB 1
Feb. 28	Wichita Sustainability Integration Board
Mar. 4	DAB 5
Mar. 5	CAB 2
Mar. 6	Board of County Commissioners
Mar. 20	Moratorium Expires



Staff Reports

- Solar Town Hall Report
- Online Solar Survey Report
- Solar Best Practices Report
- Solar Public Input Report

Solar Energy Conversion Systems – Community Survey Report

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Introduction	1
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Summary – Environment	2
Summary – Wildlife & Vegetation	12
Summary – Soils & Stormwater	21
Summary – Transportation	31
Summary – Visuals & Aesthetics	39
Summary – Site and Configuration	48
Summary – Economic & Urban Growth Areas	56
Summary – Glare & Aviation	65
Summary – Decommissioning	72
Summary – Fire & Hazards	80
Summary – Comprehensive Plan	87

Introduction
 This report summarizes the findings of the on-line Wichita-Sedgwick County Solar Energy Conversion Systems Survey. This survey was issued as part of the community outreach effort for the planning process in order to help determine if any changes are necessary to the Unified Zoning Code (UZC) and/or Comprehensive Plan. The survey included eleven (11) general categories of questions: environment, wildlife & vegetation, soils & stormwater, transportation, visuals & aesthetics, site & configuration, economic & urban growth areas, glare & aviation, decommissioning, fire & hazards, and the comprehensive plan. The survey was available between November 16th and November 28th, 2023 and was filled out by 163 participants. The survey was not statistically representative. Staff reviewed the survey submittal data and determined that each survey was submitted using a unique IP address. This document presents key findings, summaries of the results by general category, and the complete survey

Solar Energy Conversion Systems – Solar Power Town Hall Report

On November 16th, 2023, the Planning Department, in coordination and assistance from other departments, hosted a Solar Power Town Hall from 4:30 pm to 7:00 pm at the Sedgwick County Extension Office, 7001 W. 21st Street North. The number of participants that signed into the event was 78. The event was staffed by Wichita-Sedgwick County Metropolitan Area Planning Department staff members. The meeting was successful in providing stakeholders with an in-depth understanding of the existing land use regulations and schedule going forward. In addition, the project team received important feedback from stakeholders regarding the future of commercial-scale solar systems in Sedgwick County and Wichita.

To gather information, participants were asked to visit a series of thirteen (13) stations to provide feedback on different aspects of commercial-scale solar. The feedback will be used to inform whether any changes should be made to either the Unified Zoning Code and/or to the Comprehensive Plan.

Open House Stations

Station 1: Welcome and Sign-in Table

Participants were asked to provide their name, mailing address, and e-mail address both to track the number of participants and to disperse project information to those interested. Comment cards were also available for participants to provide written comments on commercial-scale solar issues.

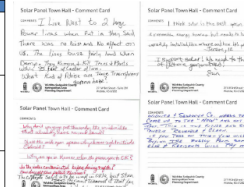
Comments Received Via Comment Cards

Wichita and Sedgwick County needs to come up to the "now" and not in the past. This is the future and solar power is reusable and clean. If you pass on this, you will be buying the energy from someone else and residents will pay more.

I live next to 2 large power lines when put in they said there was no noise and no effect on us. The lines buzz fairly loud when damp. They remove and kill trees and plants within 75 feet of center of line. What kind of noise are these transformers gonna have?

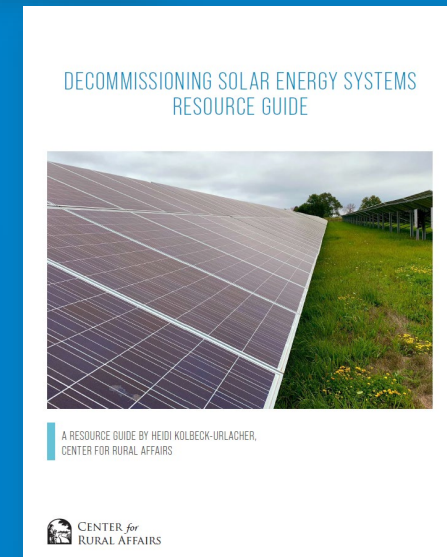
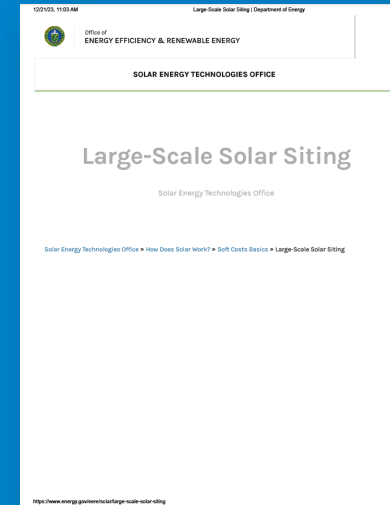
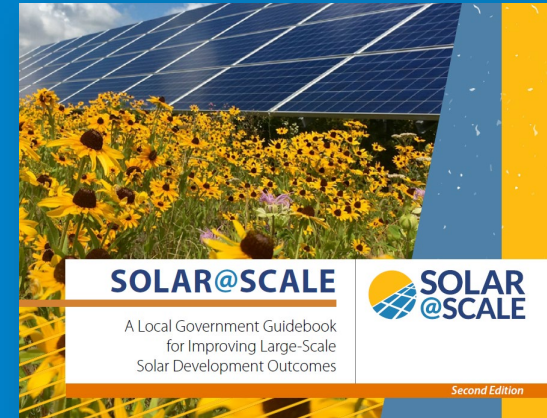
Why don't you guys put this under the windmills that already have ruined land? Of all the wide open spaces why choose right outside Colwich? Why are you in Kansas when the power goes to OK? Is the water contaminated before, during, and after? How does all this pollute the area? The company people say it is to be used in OK, but Stan says it can't be transmitted that far. What is the truth?

The project between Colwich and Maize is completely stopping any future growth of the two



Solar – Best Practices

- *Solar@Scale: A Local Government Guidebook for Improving Large-Scale Solar Development Outcomes* . American Planning Association, Dec. 2022.
- *7 Steps of a Decommissioning Plan*. Center for Infrastructure & Economic Development.
- *Cole, Wesley , et al. Impact of Siting Ordinances on Land Availability for Wind and Solar Development*. National Renewable Energy Laboratory, 23 Aug. 2023.
- *Kolbeck-Urlacher, Heidi. Decommissioning Solar Energy Systems Resource Guide* . Center for Rural Affairs, June 2022.
- “Large-Scale Solar Siting.” Energy.gov, U.S. Department of Energy, www.energy.gov/eere/solar/large-scale-solar-siting. Accessed 19 Dec. 2023.



Public Input



Public Input

- Survey
- Town Hall
- Letters / E-mails Received
- In-person comments
- Elected & appointed officials



E-Mails & Letters

- 100+ E-Mails & Letters received
- Dated from October – Present
- Compiled in Public Input Report

Solar Energy Conversion Systems – Public Input

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October 2023	2
November 2023	3
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Purpose

This document provides a record of public comments submitted in writing to the Planning Department.



Solar Themes - Combined

Town Hall	Survey
Urban Development & Growth	Setbacks
Decommissioning	Decommissioning
Groundwater Contamination / Water Quality	Urban Development & Growth
Size & Configuration	Wildlife
Export of Energy / Perceived Adverse Local Impacts	Less Regs, Groundwater, Pro Wind



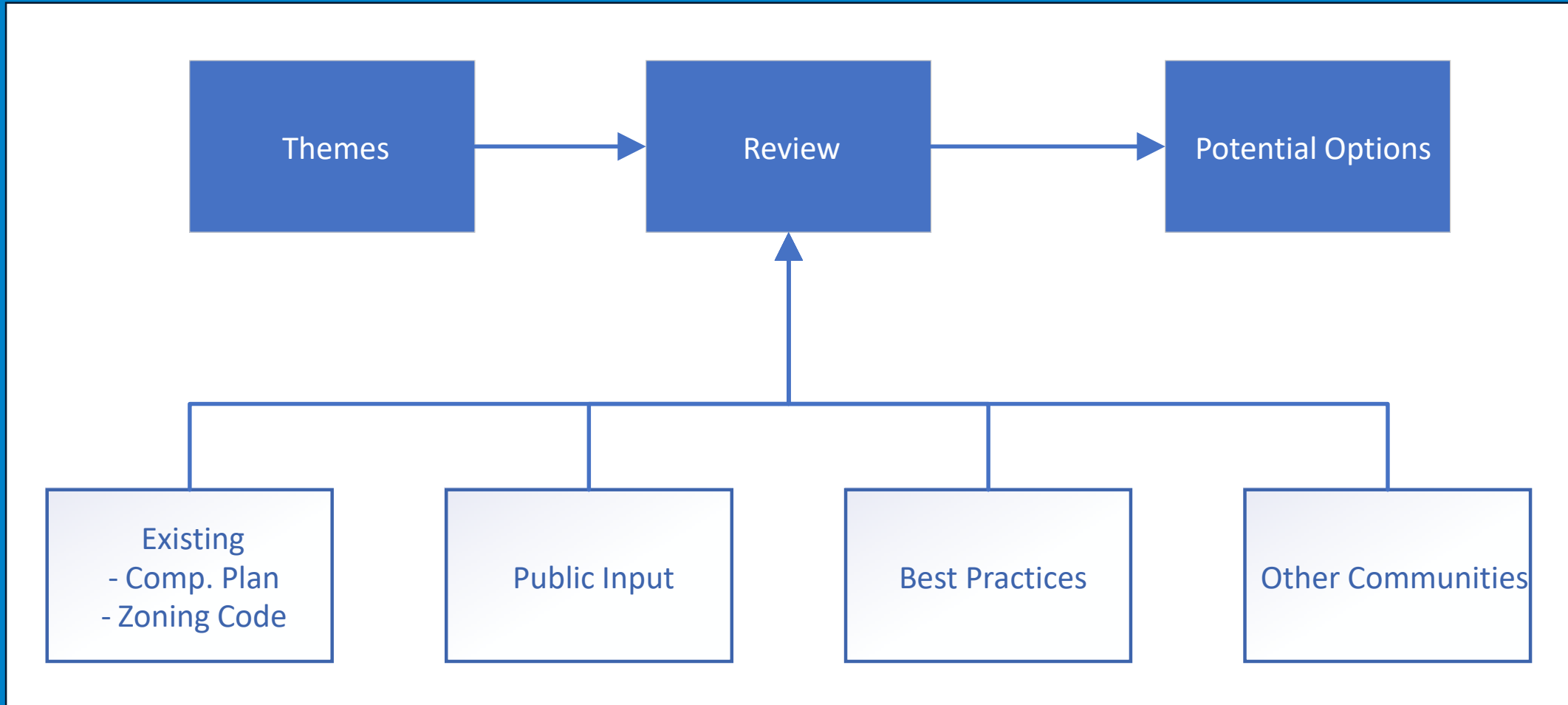
Solar Themes - Combined

MAPC Advance Plans Committee – 12/14/2023

- Urban Development & Growth
- Decommissioning
- Groundwater Contamination / Water Quality
- Setbacks / Size & Configuration



Themes Review Process



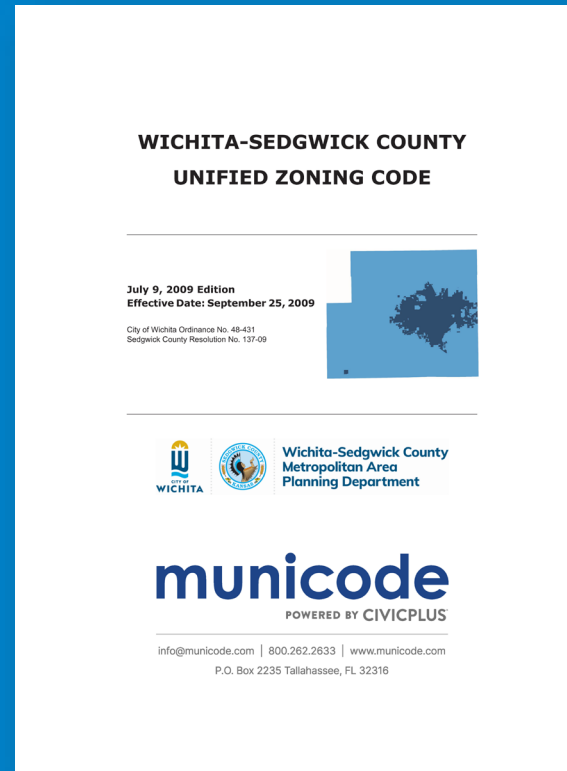
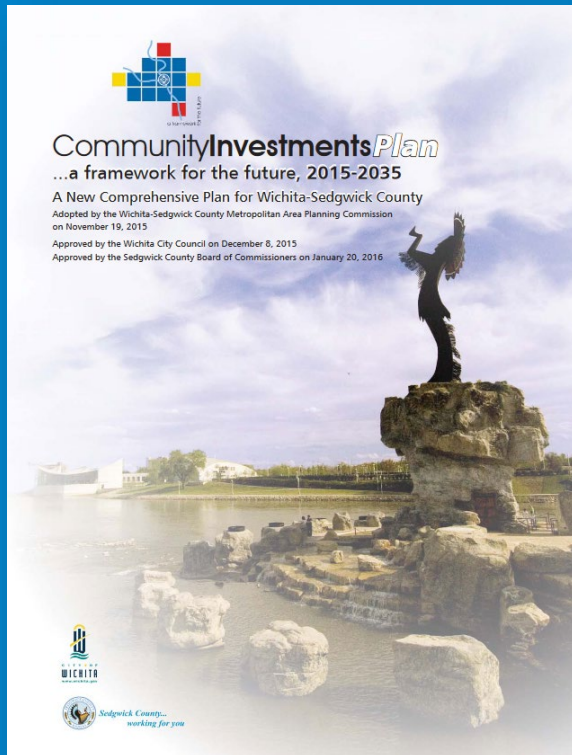
Possible Changes

Comprehensive Plan

Guidance / recommendations

Unified Zoning Code

Regulations / requirements



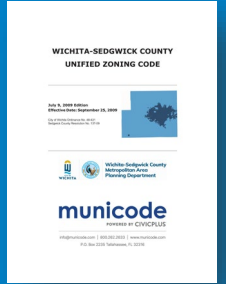
Themes



Theme: Decommissioning



Decommissioning – Adv. Plans Recommendations - UZC



- Removal of solar equipment should be at a depth specified by ordinance (3-4 feet).
- Financial assurance shall be provided by owner/operator in the form of a surety bond or letter of credit.
- Plan shall indicate the length of time needed to complete decommissioning.
- Applicant shall provide a statement that owner/operator will notify the City/County in advance of decommissioning.



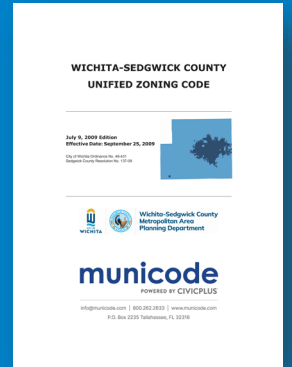
Decommissioning – Adv. Plans Rec. – Comp Plan



- Majority consensus - no changes recommended



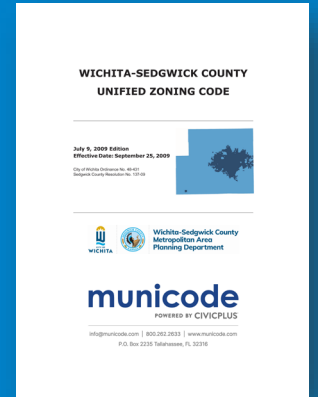
Decommissioning – BoCC Comments 02.06.24



- More detail in decommissioning guarantee – doesn't like letter of credit; wants guaranteed financial assurance
- Should include protections to ensure that the guarantee transfers with ownership
- County should be notified if project sold and/or ownership changes
- Dispose of solar panels property; not left in Sedgwick County



Decommissioning – BoCC Comments 02.06.24 (cont'd)



- Make sure property owners are protected, especially if company goes out of business
- General concerns about environmental impact
- Need hard date for when decommissioning will start



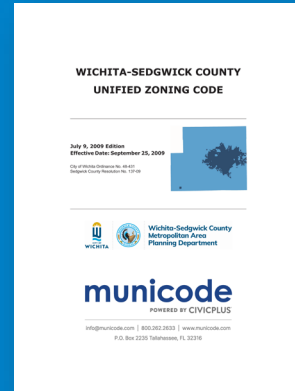
Theme: Groundwater and Contamination



Groundwater Contamination / Water Quality – Adv. Plans Recommendations

Unified Zoning Code

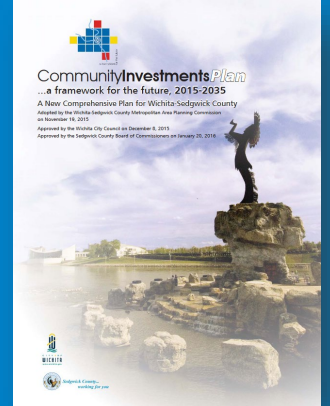
1. Require pre-construction, periodic, and post construction soil & groundwater testing within 90 days of substantial removal of any portion of the system.
2. Zoning application to include list of construction materials to be reviewed by the Director of Sedgwick County Environmental Resources & HHW for recommendation to Board of County Commissioners



- **Groundwater Contamination / Water Quality – Comprehensive Plan**

MAPC Advance Plans Committee

- Majority consensus - no changes recommended



- **Groundwater Contamination / Water Quality – BoCC Comments 02.06.24**
- Wants to ensure appropriate groundcover to prevent erosion
- Concern about contamination (i.e. galvanized steel) and reached consensus on proposed



Theme: Urban Development & Growth



Urban Growth Areas

2035 Urban Growth Areas Map

(This map is not reflective of any Zoning Areas of Influence in Sedgwick County)

The 2035 *Urban Growth Areas Map* visually portrays the anticipated growth patterns for the cities of Sedgwick County. Municipal growth patterns that do not exactly match this guide but reflect marketplace demands should be given reasonable consideration, if they do not present extraordinary new public service burdens on the community. It is also important to note that the 2035 urban growth areas depicted are not prescriptive or binding in nature. They serve only as a reasonable indication as to where the future efficient extension of public municipal services and corporate limits could occur by the year 2035.

Small City Urban Growth Areas: Generally located adjacent to existing municipal boundaries, these areas indicate the likely direction and magnitude of growth these communities can expect to experience out to the year 2035. Determination of growth direction and amount is based upon municipal political considerations, anticipated municipal population growth, efficient patterns of municipal growth, current infrastructure limitations, cost effective delivery of future municipal services and environmental factors.

Wichita Urban Growth Area: Areas adjacent to Wichita that are primarily undeveloped but have the potential to be developed by the year 2035, based upon Wichita population growth projections and current market trends. This is the area in which City expansion and extension of municipal services and infrastructure should be focused. Determination of growth direction and amount is based upon municipal political considerations, anticipated population growth, efficient patterns of growth, current infrastructure limitations, cost effective delivery of future municipal services and environmental factors.

Established Central Area: Comprised of the downtown core and the mature neighborhoods surrounding it in a roughly three mile radius, the Established Central Area is the focus area for the Wichita Urban Infill Strategy.

K-96 Special Uses Corridor: Encompasses areas identified in the *K-96 Corridor Economic Development Plan* that require special land use controls in order to ensure appropriate patterns of commercial redevelopment within the K-96 corridor. The *K-96 Corridor Economic Development Plan* should be consulted for more specific future land use direction.

Industrial and Improvement Districts and Sedgwick County Park: Encompasses areas within the Wichita Urban Growth Area where various legal agreements have been established to restrict Wichita city limits expansion and provide for shared delivery of municipal services by the City of Wichita, Sedgwick County, and townships.

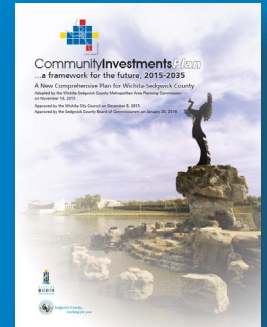
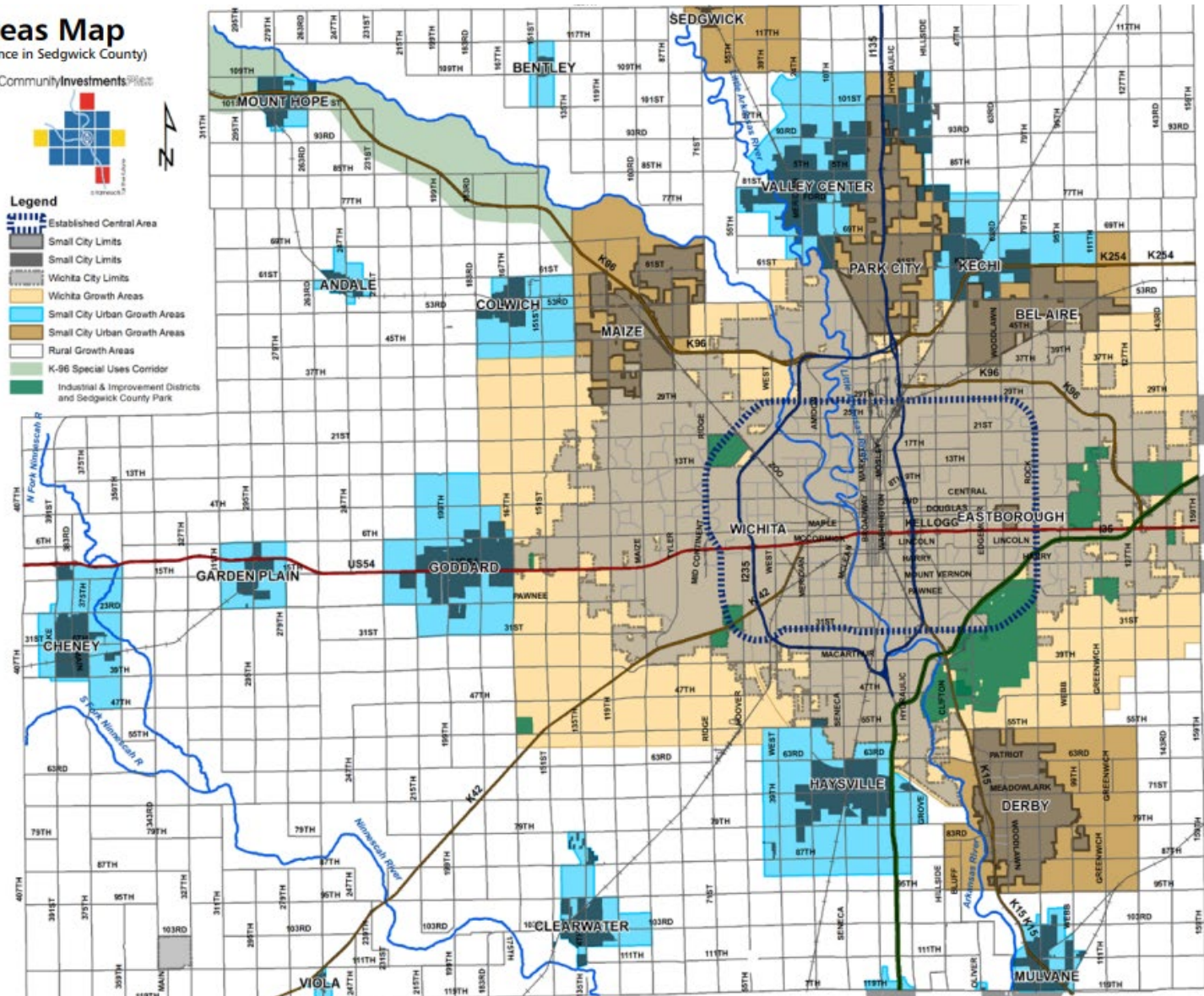
Rural: This category encompasses land outside the 2035 urban growth areas for Wichita and the small cities. Agricultural uses, rural-based businesses, and larger lot residential exurban subdivisions likely will be developed in this area. Such development should occur in accordance with the *Urban Fringe*

CommunityInvestments²⁰³⁵



Legend

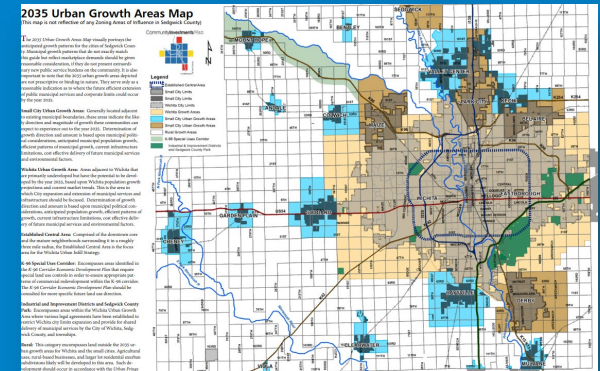
- Established Central Area
- Small City Limits
- Small City Urban Growth Areas
- Wichita City Limits
- Wichita Growth Areas
- Small City Urban Growth Areas
- Rural Growth Areas
- K-96 Special Uses Corridor
- Industrial & Improvement Districts and Sedgwick County Park



Urban Growth Areas



- Depicts **anticipated long-term growth patterns** for the cities of Sedgwick County. These areas are not prescriptive or binding in nature but serve as a **reasonable indication** as to where the future efficient and fiscally responsible extension of public infrastructure, services, and corporate limits could occur by 2035.



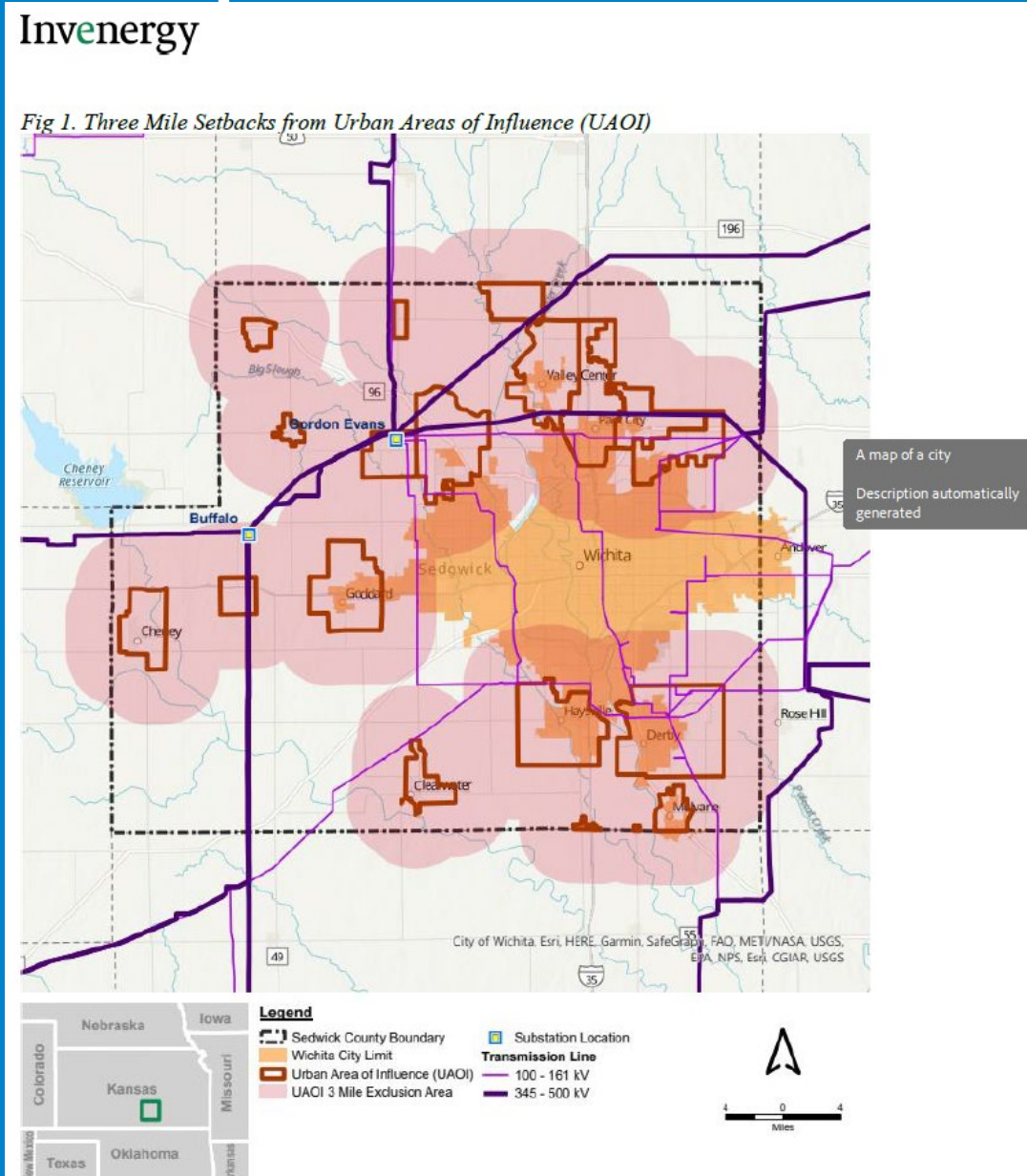
Urban Areas of Influence - Process

1. City Planning Commission receives notification from MAPD that a proposed project is located in area of influence. The city has the option to consider the item (not required).
2. City Planning Commission reviews case and provides recommendation to MAPC
3. MAPC hears case with Small City Planning Commission recommendation
4. Board of County Commissioners hears case; if the small City recommendation is denial, then 4 of 5 BoCC votes are required for approval

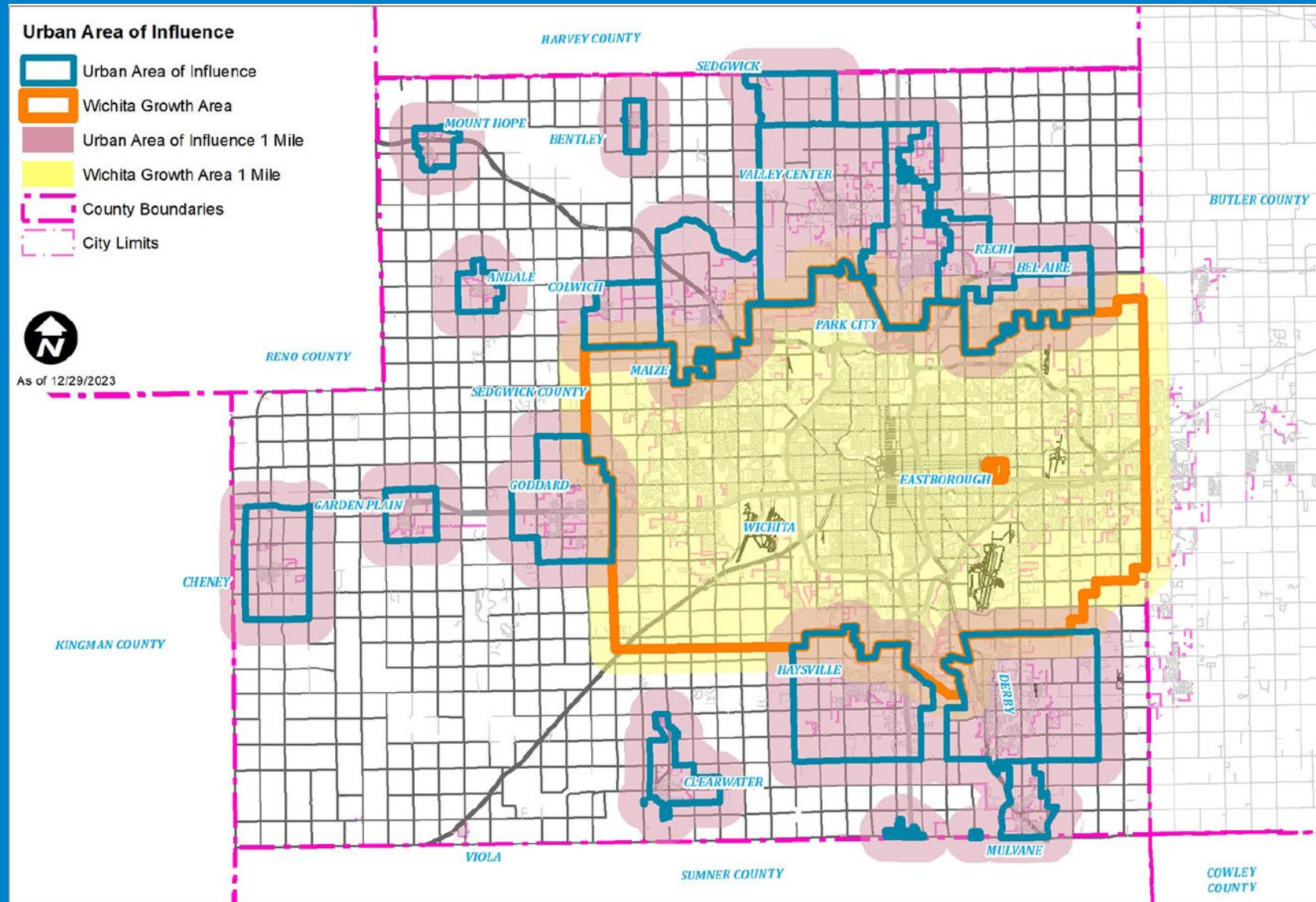
Note: Cities can provide other comments throughout the process (i.e. letters, resolution, verbal testimony, etc.)



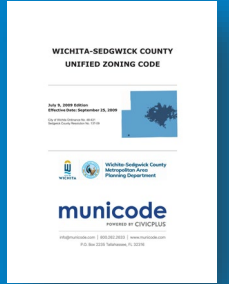
Urban Development & Growth – 3 Miles



Urban Development & Growth – 1 Mile



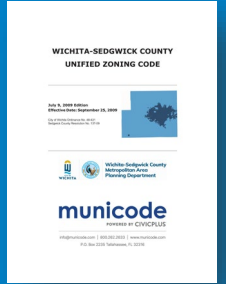
Urban Development & Growth Adv. Plans Recommendations - UZC



- Majority consensus - no changes recommended



Urban Development & Growth Adv. Plans Recommendations

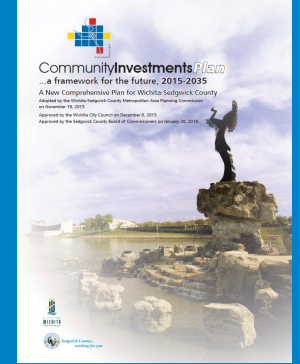


Contributing Factors

- Comfortable with existing process
- Conditional Use process provides the flexibility that a City could indicate whether or not large-scale utility would be a good fit for their community
- Plenty of opportunities throughout the application process for Cities to provide input



Urban Development & Growth Adv. Plans Recommendations – Comprehensive Plan

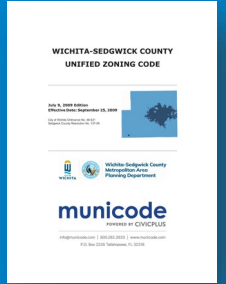


- Majority consensus – no changes recommended



Urban Development & Growth

BoCC Comments 02.06.24



- Wants specific rules in UZC stating where solar is allowed – less complex and more rigid
- Not in favor of solar (SECS) in the urban growth areas
- Desire for applicants to understand/respect areas of influence
- Solar provides economic opportunity for property owners
- Not in favor of 1 or 3-mile solar ban
- Discussion about accessory and principal uses and how it applies to solar UZC requirements
- Discussion about the UZC definition of Solar Energy Conversion Systems and encouragement to have the MAPC Advance Plans Committee review it to ensure that it meets community needs.



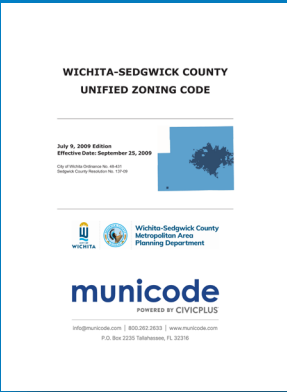
Theme: Size & Configuration

Setbacks



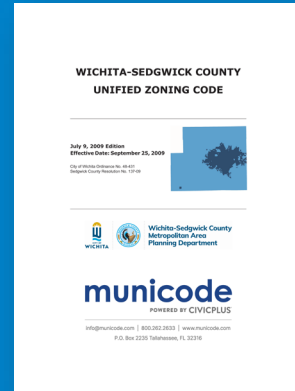
Size & Configuration – Setbacks – Adv. Plans Recommendations - UZC

- Majority consensus – no changes recommended



Size & Configuration – Setbacks – Adv. Plans Recommendations – Contributing Factors

- Additional conditions may be imposed on a case-by-case basis using the existing Conditional Use process



Size & Configuration – Setbacks

- **Adv. Plans Recommendations**
- Comprehensive Plan

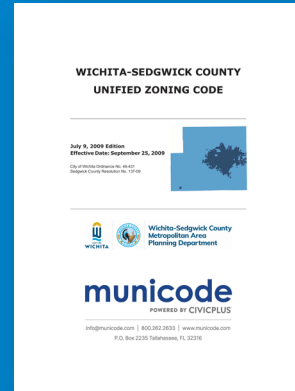
- Majority consensus – no changes recommended



Size & Configuration – Setbacks

– BoCC Comments 02.06.24

- Current 40-foot setback requirement not sufficient
- Concern about setback distance from residential properties
- Concerned about setback distance between residential properties and battery storage
- General questions regarding right-of-way and section line roads
- General questions regarding federal/state properties and setbacks
- General discussion about the applicability of the UZC to Federal and State properties

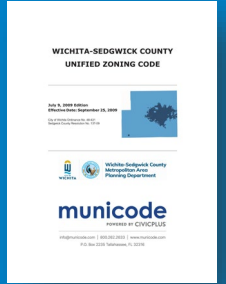


Theme: Size & Configuration

Size Limit



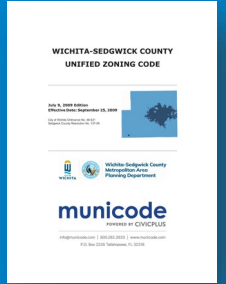
Size & Configuration – Size Limit Adv. Plans Recommendations - UZC



- Majority consensus – no limit



Size & Configuration – Size Limit Adv. Plans Recommendations –



Contributing Factors

- Additional conditions may be imposed on a case-by-case basis using the existing Conditional Use process



Size & Configuration – Size Limit

Adv. Plans Recommendations – Comprehensive Plan



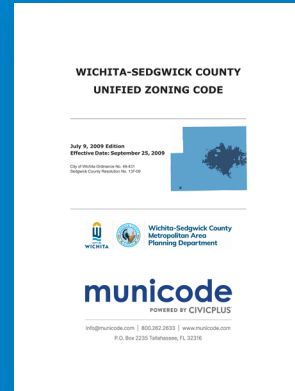
- Majority consensus – no changes recommended



Size & Configuration – Size Limit

– BoCC Comments 02.06.24

- General concern about spacing between projects (ex. require 2-mile space between projects)
- Concern about wildlife corridors
- Thoughts expressed that anything over one section (640 acres) is probably excessive
- Question about whether it would be appropriate or advisable to measure size by the amount of electricity generated or types of infrastructure installed. Staff indicated that this was not a common measurement, based on their research.

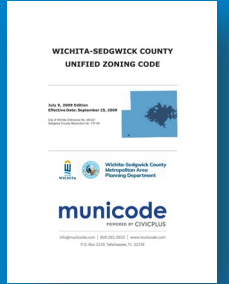


Theme: Size & Configuration

Height



Size & Configuration - Height Adv. Plans Recommendations - UZC

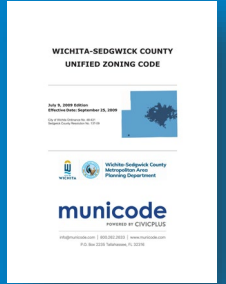


- Limit height of solar panels to 25 feet, with the ability for it to be increased during the Conditional Use process.



Size & Configuration - Height Adv. Plans Recommendations – Contributing Factors

- Height of 25' is based on best practices research and information collected from other counties
- Ability to potentially increase the height of solar panels through the Conditional Use process



Size & Configuration – Height Adv. Plans Recommendations - Comprehensive Plan

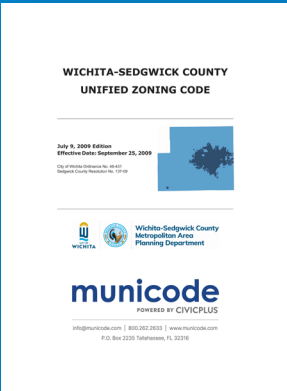


- Majority consensus – no changes recommended



Size & Configuration – Height – BoCC Comments 02.06.24

- No significant concerns regarding height
- Coverage
 - A request for the MAPC Advance Plans Committee to consider whether a maximum coverage amount should be in place
 - Concern about wildlife corridors



Additional Topics

- Small – large categories for Solar Energy Conversion Systems
- Fire protection
 - Regulations
 - Fiscal impacts (i.e. equipment, capacity, etc.)
 - Battery storage



Additional Topics

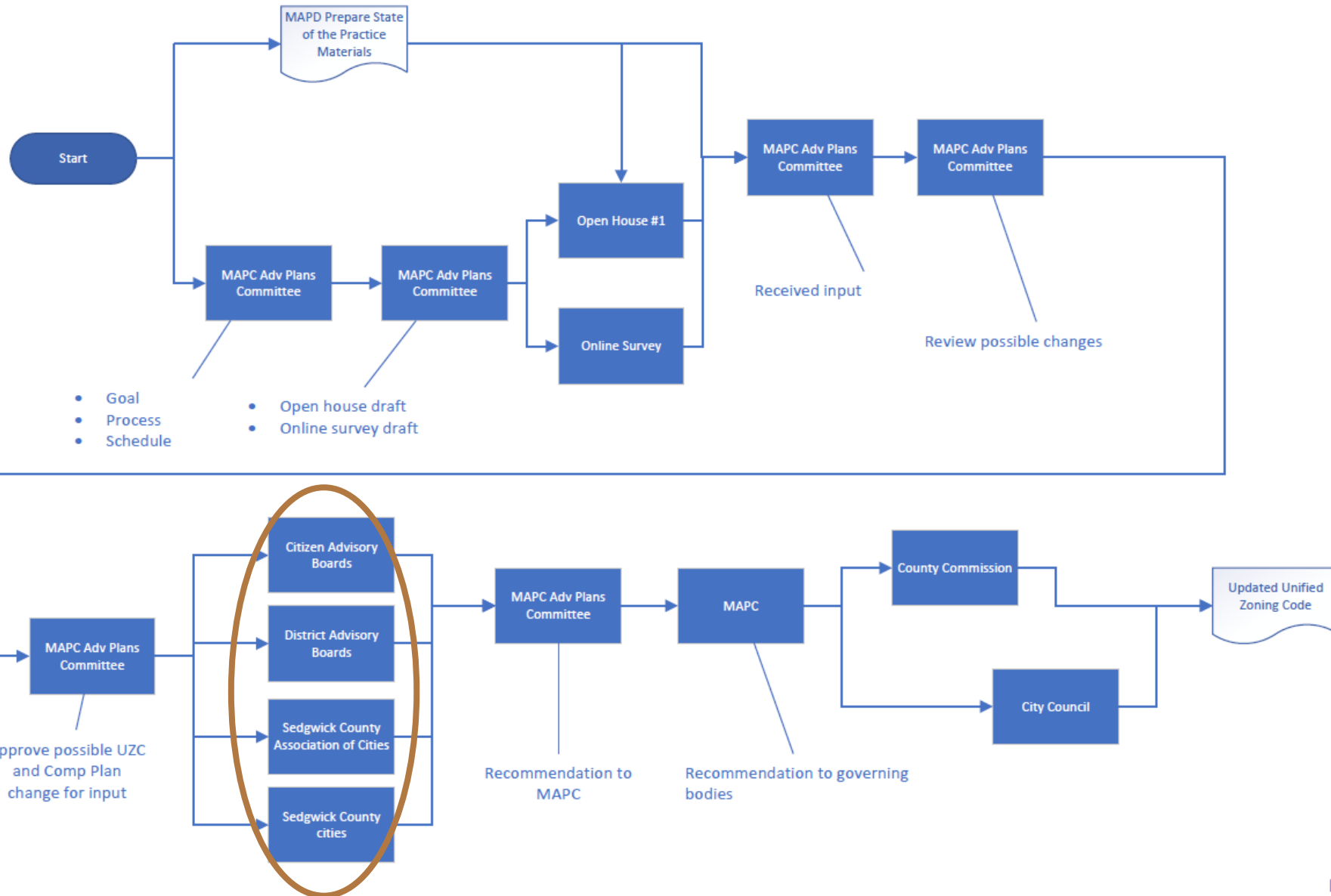
- BoCC Comments 02.06.24

- Fire
 - Wants to ensure that solar projects do not create an additional cost burden for the fire district – fire training, equipment, etc.
- Legal
 - There was a general discussion that the property owner's signature is required for zoning applications in Kansas



Next Steps





Schedule

Date	Description
Feb. 5	CAB 3, DAB 1, DAB 6
Feb. 6	Board of County Commissioners Staff Meeting
Feb. 7	DAB 3
Feb. 8	MAPC Adv. Plans Committee
Feb. 12	DAB 2
Feb. 22	MAPC
Feb. 26	CAB 1
Feb. 28	Wichita Sustainability Integration Board
Mar. 4	DAB 5
Mar. 5	CAB 2
Mar. 6	Board of County Commissioners
Mar. 20	Moratorium Expires



TO: Citizen Advisory Board I

SUBJECT: **DER2023-00017**
Unified Zoning Code and/or Comprehensive Plan Updates – Solar Energy Conversion Systems

INITIATED BY: Metropolitan Area Planning Department

DATE: February 26, 2024

Recommendation

It is recommended that the Wichita District Advisory Boards provide feedback.

Background:

In 2019, the Unified Zoning Code was updated to create definitions, standards, and requirements for renewable energy systems - please note this is for stand-alone solar systems, not accessory uses where solar is part of a larger development (i.e. solar at Maize High School, or solar at the Sedgwick County Zoo).

From April 2020 through March 2023, the Planning Department researched solar energy conversion system regulations in other communities and coordinated with the Wichita-Sedgwick County Metropolitan Area Planning Commission (MAPC) Advance Plans Committee to identify whether the existing Unified Zoning Code should be updated to better align the regulations with the scale of any proposed solar projects. During this process, the Planning Department provided updates to the Sedgwick County Association of Cities, City of Wichita District Advisory Board V, the Board of County Commissioners, and the MAPC Advance Plans Committee.

On September 13, 2023, the Sedgwick County Board of Commissioners approved a moratorium for utility / commercial scale solar energy applications (note, it and does not apply to accessory solar uses - i.e. solar on a rooftop or on part of a school / company campus). The moratorium remains in effect until March 20, 2024. The moratorium only applies only to applications in unincorporated Sedgwick County. During the moratorium, the Planning Department and MAPC are directed to review the applicable existing Zoning Code provisions. The MAPC is also directed to bring forward any proposed Zoning Code and/or Comprehensive Plan amendments.

Since October 2023, the MAPC Advance Plans Committee has been reviewing best practices, public input, and how other communities handle solar farms. During this process, the Planning Department provided updates to the Sedgwick County Association of Cities, the Board of County Commissioners, and the MAPC Advance Plans Committee.

On January 20, 2024, Planning Department staff presented information about possible Unified Zoning Code and Comprehensive Plan changes to the Sedgwick County Association of Cities.

On January 25, 2024, the Advance Plans Committee reviewed and reached consensus on potential draft text amendments to the Unified Zoning Code.

Analysis:

Notes

1. It is important to note that this process is related to utility/commercial scale solar that are stand alone projects, not accessory uses where solar is part of a larger development (i.e. solar at Maize

High School, or solar at the Sedgwick County Zoo).

2. It is also important to note that this initiative has been largely focused on utility/commercial scale solar in unincorporated Sedgwick County. However, at this time – the changes to the Unified Zoning Code - identified by the MAPC Advance Plans Committee would also apply to projects in the City.

Guidance and Regulations

The City of Wichita and Sedgwick County share a Unified Zoning Code and a Comprehensive Plan. Any changes to either of these documents are considered by the Wichita City Council and the Sedgwick County Board of County Commissioners. The Comprehensive Plan is used as a guide. The Unified Zoning Code regulates land use, design, and other related elements.

Process Goals

The goal of this planning process is to accomplish the charge provided by the Board of County Commissioners (through the moratorium) by March 20, 2024:

- Review the existing zoning code provisions pertaining to commercial solar energy systems;
- Assist the MAPC to bring forward any proposed amendments to the Unified Zoning Code and/or comprehensive plan.

Process Review

In order to accomplish these goals, Planning Department staff have worked to accomplish the process and schedule (attached). Throughout this process, the MAPC Advance Plans Committee has served as the Steering Committee.

Steering Committee

The Steering Committee helps guide the process and ultimately recommend changes/updates (if any) to the full MAPC. The Steering Committee's responsibilities generally consist of:

- reviewing reports and materials;
- accepting and considering comments; and
- advising what (if any) changes are a good fit for Wichita and Sedgwick County.

In order to accomplish the goals by the March 20th moratorium end date, the MAPC Advance Plans Committee has generally met every other week.

Public Input

Multiple opportunities and formats have been provided for public and stakeholder input, including but not limited to: a solar town hall event; an online survey; multiple MAPC Advance Plans Committee meetings; presentations at District Advisory Boards; and a presentation at the Sedgwick County Association of Cities. From the public input received, the following themes emerged:

- Urban Development and Growth
- Decommissioning
- Groundwater Contamination / Water Quality
- Size and Configuration
 - Height
 - Setbacks
 - Size Limits

Planning Department staff have compiled the public input into a variety of reports and documents – available on the project webpage (link below).

State of the Practice

Other Communities

Planning Department staff contacted seven (7) counties in Kansas to learn how they do or do not regulate utility/commercial solar uses. Planning Department staff has presented findings to the MAPC Advance Plans Committee and Sedgwick County Association of Cities.

Best Practices

Planning Department staff has conducted research related to best practices in land use regulations/planning and utility/commercial solar. This information has been used to share insights related to the public input themes.

MAPC Advance Plans Committee

Through their review of the research and public input; and through their discussions, the MAPC Advance Plans Committee has identified the following areas of general consensus (note, they have not made a formal recommendation).

- **Decommissioning**
 - Unified Zoning Code
 - Add that... solar equipment should be removed at a depth specified by ordinance (4 feet).
 - Add that... financial assurance shall be provided by owner/operator in the form of a surety bond or letter of credit.
 - Add that... the applicant's decommissioning plan shall indicate the length of time needed to complete decommissioning.
 - Add that... the applicant shall provide a statement that owner/operator will notify the City/County in advance of decommissioning
 - Comprehensive Plan
 - MAPC Advance Plans Committee members have indicated that no changes should be recommended at this time.
- **Groundwater and Contamination**
 - Unified Zoning Code
 - Require pre-construction, periodic, and post construction soil & groundwater testing within 90 days of substantial removal of any portion of the system.
 - Zoning application to include list of construction materials to be reviewed by the relevant staff for recommendation to the respective Governing Body.
 - Comprehensive Plan
 - Majority consensus – no changes recommended at this time.
- **Urban Development and Growth**
 - Unified Zoning Code
 - Majority consensus – no changes recommended at this time.

- Comprehensive Plan
 - Majority consensus – no changes recommended at this time.
- **Size and Configuration – Size Limit**
 - Unified Zoning Code
 - Majority consensus – no changes recommended at this time.
 - Note - the Committee members did indicate that it is important that additional conditions (such as size limitations) can be imposed on a case-by-case basis using the existing Conditional Use process.
 - Comprehensive Plan
 - Majority consensus – no changes recommended at this time.
- **Size and Configuration – Setbacks**
 - Unified Zoning Code
 - Majority consensus – no changes recommended at this time.
 - Comprehensive Plan
 - Majority consensus – no changes recommended at this time.
- **Size and Configuration – Height**
 - Unified Zoning Code
 - Majority consensus – limit solar panels to 25 feet in height, with the ability for the height to be increased during the Conditional Use process.
 - Comprehensive Plan
 - Majority consensus – no changes recommended at this time.
- **Small vs. Large Systems**
 - Unified Zoning Code
 - Majority consensus – no changes recommended at this time.
 - Comprehensive Plan
 - Majority consensus – no changes recommended at this time.
- **Fire District Impact**
 - Require project review and approval by the Wichita Fire Department or Sedgwick County Fire District #1

Next Steps

The draft process would last from today through the Board of County Commissioners meeting on March 6th. The timeline for the process is subject to change. Key dates are identified on the attached timeline.

Attachments / Links:

- Schedule
- Draft Text Changes
- Project Webpage
 - <https://www.wichita.gov/590/Solar-Energy-Conversion-Systems>



District 1 Citizens Advisory Board Meeting Minutes

Monday, January 22, 2023 | 5:30 p.m.
Bel Aire City Hall, 7651 E. Central Park Ave., Bel Aire, KS

Board Members in Attendance: Judah Craig, Diane Gjerstad, Steven Burt, Jacqueline Kelly, Joseph Dozier

County Representatives: Sedgwick County Commissioner, Pete Meitzner and County Treasurer, Brandi Baily

1. Call to Order

1. Chair Judah Craig called the meeting to order at 5:40 p.m.

2. Approval of Meeting Minutes

1. A motion was made by Steven Burt to approve the minutes. Jackie Kelly seconded this motion.
The CAB approved the motion with a vote of 4-0.

3. Public Agenda

1. A member of the public came to observe but not comment
2. No Public Comments

4. New Business

1. County Treasurer, Brandi Baily begins her presentation on the functions of the Treasurer's Office.
 1. The Treasurer's Office sends out the tax bills but they do not and cannot adjust them.
 2. Deadline to get the bills out is Dec. 15 but they try to get them out the weekend of Thanksgiving as the first half of taxes are due Dec. 20.
 3. They cannot change the addresses on the bills.
 4. In 2023, legislation changed and it now allows them to email your tax bill to you.
 5. Everything at the Tag Office is run off of State of Kansas rules.
 6. Most of their budget goes to personnel.
- ii. Judah Craig asked, are you staffed up?
 1. Brandi Baily responded, yes.
- iii. Judah Craig asked, some of the fee structure has increased, is that based on personnel and the wages going up or is that some of that reinvestment into the technology component?
 1. Brandi Baily responded, no because right now that technology is really the state's budget. So any fee increase that could potentially help the treasurer's office would be through there.
- iv. Diane Gjerstad asked, so that's two FTE that you are using for those two sites, how are you paying for those?
 1. Brandi Baily responded, I pull somebody from a Douglas or a Kellogg location and putting them there for the day and redeploying them.
- v. Judah Craig asked, so has the online, gained any traction with people that do it online? Does that cut down any of that demand?
 1. Brandi Baily responded, yes. It has but there have been issues. When people try to renew online and they can't, this is why. Each month at the beginning of the month, all the insurance companies send the file to the state and the state has to verify you have insurance but they only do it one time. So if you miss that deadline and its time for you to renew, you're not going to be able to. Yes, it's convenient but with the fees we receive from this process, if you use it online,

- you don't get charged that fee. So that facility fee is what we use to help fund our operations and we don't receive it through online.
- vi. Judah Craig asked, are you the one who design what our tags look like?
 1. Brandi Baily responded, no, another common misconception. That is 100% up to the State.
 - vii. Judah Craig asked, Sedgwick County is the last county to contribute to subsidize right?
 1. Brandi Baily responded, yes. So, like I said last year was the first year that we had to go to the commission to ask the commission to help subsidize the tag office. But we don't see that being a future thing unless legislation changes.
 - viii. Diane Gjerstad asked, was the issue that it was supposed to be exempt or the value?
 1. Brandi Baily responded, it was the value.
 - ix. Diane Gjerstad asked, do you physically keep abstracts and deeds in your office?
 1. Brandi Baily responded, the Register of Deeds keeps all of the deeds and her office is right next to mine. She's got everything online from 1950's to now but anything going back to the 1800's is in books.
 - x. Judah Craig asked, Commissioner do you have anything you'd like to update us on?
 1. Pete Meitzner responded, by our next meeting we will hopefully know the location of our State Mental Health Hospital and same with the MAC Center even though this is more under the City's purview. The winter shelter we helped with, has had people in it but it hasn't been used that much.
 2. Steven Burt responded, the giant problem is we moved it out of the downtown area and its playing out exactly as we guessed the worst case scenario as there are now more encampments. They don't want to travel away from downtown.
 - xi. Judah Craig asked, what is the hesitation, it got cold and its rough enough, that you would assume?
 1. Steven Burt responded, these are hardy people. They are on their own, no rules. We don't think they are living their best life but they might think they are. That is not their reality even if it doesn't make sense to us. At the end of the day, without a year-round, low barrier, shelter, we can't keep a system moving.
 - xii. Judah Craig asked, when you say low barrier, is that information that needs to be collected on arrival?
 1. Steven Burt responded, no, it's when a person has a dog, a person is drunk, a person's high.
 - xiii. Jackie Kelly asked, so with the temperatures we had the past week, people were not turning in? Where were they?
 1. Steven Burt responded, they survived. They are probably huddling under over passes and in ditches.
 2. Pete Meitzner responded, there has been an uptick with little pocket fires.
 - xiv. Diane Gjerstad asked, what did you say the census was on the really cold day at the shelter?
 1. Steven Burt responded, we had a perfect storm last year, so our numbers didn't really climb this year. The winter shelter actually went into overflow last year but it was also downtown.
 - xv. Pete Meitzner asked, and that number has evolved to around 600ish?
 1. Steven Burt responded, 712.
 - xvi. Jackie Kelly asked, Commissioner, you mentioned the Amtrak, do you have any updates?
 1. Pete Meitzner responded, in the end of March, KDOT will have the updated Service Development Plan. My speculation is that we could be awarded the money for this by March or late summer, unless it's a crazy number. It would be a lot of help here in Derby and there will be some track improvements made.
 2. Jackie Kelly responded, thank you for pushing that for us.

- xvii. Diane Gjerstad asked, I read somewhere that there was a \$22 million cost attached that is being divided up between Kansas, Oklahoma and Texas, is that something legislator will need to pony up?
 - 1. Pete Meitzner responded, no, KDOT has it in their budget. But the State will have to weigh in on any shortfall of the revenue vs the cost.
- xviii. Discussion of 2024 dates/topics
 - 1. We moved the March meeting from the 18th to the 25th, unless we can't get a quorum and then we'll cancel.
 - 2. We have a few open positions that Meitzner will open for application.
- xix. Judah Craig asked, are there any Zoning cases coming up?
 - 1. Pete Meitzner responded, no, but that solar thing will be a hot topic.
- xx. Sarah Harper asked, would you guys like the solar topic sooner or later?
 - 1. Pete Meitzner responded, it might be a March discussion.
- xxi. Steven Burt asked, why has wind never taken off?
 - 1. Pete Meitzner responded, the wind farm was easy because we found that we had 19 airstrips in Sedgwick County. But there was only going to be a very small area in Sedgwick County that could actually have them and not affect FAA patterns.

5. Adjournment

- 1. The District 1 Citizen's Advisory Board adjourned at 6:46 p.m.

*The next Citizens Advisory Board Meeting will be **Monday, February 26, 2024, 5:30 p.m.**
at Bel Aire City Hall, 7651 E. Central Park Ave., Bel Aire, KS*