

Memorandum

City of Lawrence/Douglas County

Planning and Development Services

TO: Lawrence City Commission

FROM: Jeff Crick, Planning Manager

CC: Craig Owens, City Manager
Scott McCullough, Planning and Development Services Director

Date: For the October 1, 2019 City Commission meeting

RE: *Plan 2040* Revisions to Annexation Action Items

As requested by Mayor Larsen, staff has provided the following timeline for the changes to action item Ch.3A.2.2 (formerly Ch.2A.2.2) and Ch.3A.3.8 (formerly Ch.2A.3.8).

[Steering Committee draft edition](#) (July 2018): Presented to the Steering Committee

2.2 Tier 2 land shall only be annexed if the need to accommodate demand is established, and if a community benefit is provided. Consider community land use inventories, market sector health, and residential valuation to income ratio, among other factors, when assessing need for annexation.

3.8 Annexation requests shall identify the community benefit or benefits provided, be considered by the Planning Commission, approved by the City Commission, and implemented through an annexation agreement.

For the July 16, 2018 Steering Committee meeting, the Lawrence Board of Realtors submitted [correspondence and a white paper](#). During the [meeting](#), the Steering Committee discussed the correspondence from the Lawrence Board of Realtors and whether to incorporate the changes at this point or whether to forward the plan as is to the Planning Commission, and including the proposed changes as correspondence. The Committee generally discussed not changing the draft plan in response to this correspondence, but to forward the correspondence with the draft plan to the Planning Commission and the governing bodies. (Motion passed 6-1)

Additionally, the Steering Committee discussed the provision of a community benefit with an annexation request. From that discussion the Steering Committee passed a motion to allow staff to word smith the document as needed to incorporate and assure a sense of collaboration regarding the annexation policies and provision of a community benefit. (Motion passed 7-0). This was incorporated into the Steering Committee edition.

[Steering Committee edition](#) (August 2018): Presented to the Planning Commission after staff's revisions per the Steering Committee's direction:

2.2 Tier 2 land shall only be annexed if the need to accommodate demand is established, and if a community benefit is provided. Consider community land use inventories, market sector health, and residential valuation to income ratio, among other factors, when assessing need for annexation.

3.8 Annexation requests shall include a community benefit(s) identified in consultation with staff based on the needs of the community, and in the context of what the annexation request can support. Collaboration between the developer and governmental and community partners and programs is encouraged in the implementation of providing the community benefit(s). The community benefit(s), including the provision method, shall be considered by the Planning Commission, approved by the City Commission, and included in an annexation agreement.

The Steering Committee edition was forwarded to the Planning Commission for their review and consideration. Over the course of 7 meetings, the Planning Commission received public input on the draft comprehensive plan. Those included letters from the Lawrence Board of Realtors ([February](#), [April](#), and [May](#)), received a handout provided by the National Association of Home Builders on behalf of the Lawrence Home Builders Association titled "[Housing Fuels the Economy in Kansas](#)", and other correspondence from other residents and stakeholders.

From this correspondence and the discussion of the Planning Commission, action item Ch.3A.2.2 was revised as in the Planning Commission edition of *Plan 2040*, and adopted by Planning Commission resolution ([PCR-19-00297](#)) (Vote on *Plan 2040*: motion passed 9-0 / Vote on PCR-19-00297: motion passed 10-0) This was incorporated into the Planning Commission edition.

[Planning Commission edition](#) (June 2019): Presented to the City Commission

2.2 Tier 2 land shall be annexed when the need to accommodate demand is established, and a community benefit is provided. Consider community land use inventories, market sector health, and residential valuation to income ratio, among other factors, when assessing need for annexation.

3.8 Annexation requests shall include a community benefit(s) identified in consultation with staff based on the needs of the community, which may include offsetting incentives to the requester, and in the context of what the annexation request can support. Collaboration between the developer and governmental and community partners and programs is encouraged in the implementation of providing the community benefit(s). The community benefit(s), including the provision method, shall be considered by the Planning Commission, approved by the City Commission, and included in an annexation agreement.

Since the creation of the Planning Commission edition, the City Commission has reviewed and considered the action items at two meetings ([August 20](#), [September 3](#)) and has revised, as noted below:

Action Item Ch.3A.2.2 Revised by [City Commission on August 20, 2019](#)

2.2 When addressing the annexation of Tier 2 land, the City shall consider community land use inventories, market sector health, and residential valuation to income ratio, among other factors, when assessing the need for annexation. The City may, at its discretion, annex Tier 2 land when the need to accommodate demand is established and a community benefit is provided.

Action Item Ch.3A.2.2 Revised by [City Commission on September 3, 2019](#)

2.2 The City may, at its discretion, annex Tier 2 land. When addressing the annexation of Tier 2 land, the City shall consider factors such as, but not limited to, community land use inventories, market sector health, residential valuation to income ratio, and the community benefit provided.

No change was proposed for action item Ch.3A.3.8, but the "What is a Community Benefit?" sidebar definition for commentary was revised to read:

[Planning Commission edition](#) (June 2019): Presented to the City Commission

What is a Community Benefit?

A community benefit may include:

- Creation of permanent affordable housing, or provision of a land donation to the Housing Trust Fund.
- Provision of land, amenities, and/ or facilities for a public purpose such as parks, public safety facilities, education facilities, cultural and arts amenities, utility enhancements, etc. above that required to serve the development.
- Preservation of significant amounts of environmentally sensitive lands above that minimally required by code.
- Creation of primary employment opportunities.

Revised by [City Commission on September 3, 2019](#)

What is a Community Benefit?

A community benefit may include, but is not limited to:

- Creation of permanent affordable housing, or provision of a land donation to the Housing Trust Fund.
- Provision of land, amenities, and/or facilities for a public purpose such as parks, public safety facilities, education facilities, cultural and arts amenities, utility enhancements, etc. above that required to serve the development.

- Preservation of significant amounts of environmentally sensitive lands above that minimally required by code.
- Creation of primary employment opportunities.
- Addressing goals of the City Commission's current strategic plan.