

PC Minutes 4/28/10

*Presentation only, no action being taken on Item 7*

**ITEM NO. 7      COMPREHENSIVE PLAN AMENDMENT TO H2020; CHAPTER 16 -  
ENVIRONMENT (AMB/MKM)**

**CPA-2008-7:** Consider Comprehensive Plan Amendment to Horizon 2020 to include Chapter 16 – Environment.

**STAFF PRESENTATION**

Ms. Amy Brown presented the item.

**PUBLIC HEARING**

Mr. Tom Huntzinger, Upper Wakarusa WRAPS Coordinator, said there are two watersheds under this program, Upper Wakarusa and the lower part of Kansas River basin. He said he did submit written comments and was satisfied that the chapter was well done and the document sufficiently met the WRAPS program needs.

Mr. Alan Black said he was speaking for himself not on behalf of the League of Women Voters. He said there were two topics that were not covered by the chapter. The first is power production, general electricity. He said most of the electricity in the area comes from Westar Energy's coal-fired plant and a small amount comes from the Bowersock Dam, with a few farmers having windmills. He said coal-fired plants contribute to global warming and air pollution. A comprehensive plan doesn't usually deal with this subject. The community is dependent on the Westar plant, and it will be operating for a long time, but the plan could encourage generation of electricity from the wind and sun. The second topic: In an urban area such as the City of Lawrence, a high percentage of the land is covered – some of it by buildings, but much of it by pavement, mostly in the form of concrete or asphalt. This increases the run-off of water, which spreads pollutants to adjacent ground and may contribute to flooding. This also decreases the amount of ground where plants and flowers can grow, and it may have adverse effects on some animals. A high percentage of this pavement is intended for parking. To a large extent, the amount of parking is determined by minima specified in the Land Development Code. If the Code were revised to reduce the amount of required parking, it would be very beneficial for the environment. This goal could be stated in the comprehensive plan. Reducing the use of private motor vehicles and increasing travel by public transit and bicycles would also help by lowering the demand for parking. He did not have any specific language to propose for the chapter at this time.

Commissioner Rasmussen asked if Mr. Black understood that electricity used in homes doesn't necessarily come from the Lawrence power plant. He said the electricity on the grid in the Southwest Power Pool is provided by the Lawrence Power Plant, Tecumseh Power Plant, La Cygne Power Plant, Jeffrey Energy Center, Wolf Creek Power Plant, and the wind turbines in the western part of the state. He said the electrons generated in one power plant cannot be traced to the end user.

Mr. Black said he was not an expert on the subject. He felt the problem was from the use of coal. Natural gas may be slightly more desirable but may have problems as well. He said power plants will not be eliminated any time soon but that the plan could try to encourage the use of wind and sun. He said this is a national problem. He said he just watched a news broadcast today that stated the US Secretary of Interior just approving the building of wind towers in the ocean off of Cape Cod, which had been controversial for many years. He said in the past Senator Ted Kennedy had opposed it and stopped it because the Kennedy family has a summer home in Hyannis Port and he said it would hurt the view they had from their home and hurt the tourist industry. Mr. Black said that today the US Secretary of Interior approved the building of those.

Commissioner Rasmussen said they should revisit language regarding the encouragement of wind generation and solar power in the city.

Mr. Brian Sifton said he serves on the Sustainability Advisory board but was speaking for himself, and is also an employee of JW Prairie Wind Power. He felt it was a very good document and the main environmental interests are represented for the most part. He said the Sustainability Advisory board would be more than happy to work further on this issue with staff and the Planning Commission.

Commissioner Hird had a question for Mr. Sifton regarding wind generation. He asked why there were wind generators/wind farms north of Interstate 70 but prohibited south of Interstate 70. He said there seems to be a disagreement between environmental groups, as well as those who are more interested in the scenic value, as to whether or not these are a good idea. He said it was hard for him to imagine that wind generators could be worse than a coal mine. He said there are people who are deeply vested in environmental concerns that are sharply divided on the issue. He wondered how the Planning Commission should approach that.

Mr. Sifton said wind turbines produce megawatt hours that aren't potential produced by a coal generating power plant, however view sheds are damaged. He said some people think wind turbines are high-tech and cool looking, while others think they don't look good and kill bats. He suggested that the board spend time finding out what their constituents interests are. He recommended doing a significant amount of outreach. He said he didn't know if wind studies have been done for the county.

Commissioner Hird wondered how they should approach this from a policy perspective if there is no data. He said his instinct is to encourage alternative fuels, including wind production, but that just because he is sold on the idea doesn't mean it's the right decision.

Mr. Sifton said it could be looked at from a ground up perspective or a top down perspective. He said a ground up perspective would be similar to what was done for this plan where drafts are created, they are vetted by the public, vetted through interest groups, and then they can look at what bubbles up to the top as far as reasonable policy and what can be supported. He said the alternative could be looking into whether it is even possible and feasible for Douglas County and would wind developers be interested if the ordinances and tax incentives were in place. He said feasibility could be started with a wind energy analysis to see if it would even be possible.

Commissioner Rasmussen said on page 16-30 under Policy 6.6 g. it says '*Develop regulations and incentives for the use of renewable energy sources,*' but didn't single out any particular energy sources to select such as wind over solar over geothermal over bio fuel production. He said in his opinion Planning Commission does not have the expertise to be making that call so they only included a general statement in the document. He said wind turbines can affect weather radars, they can impact and disrupt defense radar, they can interfere with flight training routes for the Department of Defense, large wind turbines kill bats, and wind turbines are interfering with the nesting habits of the prairie chicken. Although, wind turbines don't omit air pollutants.

Mr. McCullough said he appreciated the discussion.

Commissioner Rasmussen asked if there were any ordinances or building codes that deal with the issue.

Mr. McCullough said the building code does and have strengthened considerably in terms of its energy efficiency mandates. There are impacts in an urban setting that need to be looked at. The energy issue is a big issue.

Ms. Barbara Clark went over her suggested changes that she submitted to staff and were included in the Planning Commission packet. She also said she likes that there is language included in the document about local food source.

Commissioner Harris asked how long the alluvium study would take that she referenced in her letter.

Ms. Clark said she didn't know.

Commissioner Rasmussen said his personal opinion was that the local food program belongs in Chapter 12 and doesn't have much to do with the Environmental Chapter. He asked her to persuade him why it should stay in this chapter.

Ms. Clark said the local food system is integrated with land resources and preservation of capability class 1 and 2 soils is one of the ways of establishing and expanding a local/regional food system.

Commissioner Hird said there is separate language for class 1 and 2 soils. He felt that the language on the local food program sounded more like economic development type stuff rather than preservation of class 1 and 2 soils.

Ms. Clark said just an urban setting would not be sufficient to do a local food system.

Mr. Daniel Pool, serves on the Sustainability Advisory Board, felt the language should be in both chapters. He said it was important for preserving the human and built environment. Local food has and could have a greater health outcome for citizens of Douglas County. He said as far as the energy discussion goes he agreed and said there are tradeoffs with anything. He said overall the chapter was well written but he would like to see actual benchmarks included.

Mr. Sifton agreed the language should be included in the economic development section.

Commissioner Hird said local food was also something he was interested in also. He referenced an article he read about large scale production being less damaging to the environment than local food production because the pickup trucks driving to the farmers market produce more CO2 emissions than the train or ship that transports the food in.

Mr. Clint Hornberger serves on the Douglas County Farm Bureau Board and Douglas County Food Council. He said his comments were his own personal comments. He likes the document. His only concern is that language not be added that will hinder or deter modern production agricultural as it stands today in Douglas County. He felt the language should be in both economic and environmental chapters. He would like to see a more in depth portion in the economic chapter.

Commissioner Harris had a question for Mr. Hornberger about the modern agricultural method that he mentioned. She said Planning Commission received a comment from the League of Women Voters about encouraging organic methods of gardening and farming. She asked if he had any objections about that language being in there as long as it didn't say to prohibit other types.

Mr. Hornberger said he personally wouldn't have a problem with it but that the board would have to discuss it.

## **COMMISSION DISCUSSION**

Commissioner Harris suggested having the Comprehensive Plans Committee meet once to come up with new language based on the comments.

Motioned by Commissioner Blaser, seconded by Commissioner Harris, to close the public comment.

Motion carried 7-0

Commissioner Harris reviewed written comments that were received. She said there was a comment about bike paths along Heritage corridors and staff member Ms. Amy Brown said she talked to Ms. Judy Billings about that and Ms. Billings is interested in having signage when the historic and environmental areas intersect. Another comment was received regarding green spaces for children to play and safe routes to school. Commissioner Harris said it seemed to her that green spaces would be more addressed with parks. She said there was a request for cost benefits for active transportation and she did not have a problem with that. She would like to talk more about Ms. Barbara Clarks comments about the new study for aggregate mapping and whether they want to add some language or a map for an overlay. She said the League of Women Voters had a lot of comments and asked if she should go through her thoughts on all of them.

Commissioner Finkeldei said he would rather see the committee come back with a document that they agree with and then the Planning Commission can take the time to wordsmith.

Commissioner Rasmussen asked staff to comment on the approval process.

Mr. McCullough said that Planning Commission will pass a version and then it will go to City and County Commission. In the end all three boards need to agree.

Mr. John Miller said Planning Commission will adopt the plan but it is ultimately up to the governing bodies to also do so. So all three parties don't have to agree as long as the City and County governing bodies both agree.

Commissioner Rasmussen asked if Planning Commission and County Commission approve it and City Commission did not would it be part of Horizon 2020.

Mr. McCullough said no.

Commissioner Harris said she was interested in more general comments that might help the committee.

Commissioner Hird said some of the best science in the nation is available at KU and he wondered if they had tried to include professional expertise in the drafting of this.

Commissioner Harris said yes.

Commissioner Hird said he loves the fact that he gets high quality food from his neighbors but was concerned about language that talks about reducing automobile miles driven. He said if the goal is to encourage people to drive out to a farm and pick their own strawberries is that contrary to the goal of reducing automobile miles driven.

Commissioner Finkeldei said the document is a very overarching policy document.

Commissioner Rasmussen felt there should be a better definition of local food program. He said there are some things in the document that come with a high price tag, such as inventorying wetlands, mapping the woodlands, identify and map critical habitat area. He said he was uncomfortable with the strong '*shall*' language because he didn't think they had the authority to do that.

Commissioner Harris felt they should beef up the food policy section and consult the food policy committee for a definition. She said they should also increase the language on the benefits from a local food system, and add language on creating or encouraging a local food distribution system that could create transportation efficiencies.

Commissioner Hird said this is important policy and he appreciated the work that had been put into the draft. He felt the policy statement should be an affirmative statement.

Commissioner Harris asked Mr. Hank Booth, who was sitting in the audience, if the Chamber of Commerce was going to comment on the chapter.

Mr. Hank Booth, Chamber of Commerce, said the Chamber wanted to listen to public comment first because they knew there would be revisions. He said overall the chapter was a good beginning.

**NO ACTION TAKEN**