



February 6, 2024

TO: Senate Committee on Local Government
FROM: City of Olathe, Tim Danneberg, Director of External Affairs
SUBJECT: Written Opposition to SB 346

While the City of Olathe understands how concerns arise regarding zoning changes, we express strong opposition to Senate Bill 346. State statute provides property owners with protections regarding zoning changes including assurances of a voice in the process, as well as public notices, public hearings, protest petitions and a statutory appeals process. Many cities including Olathe, provide additional opportunities for public participation through neighborhood meetings, stakeholder discussions and public open houses in the seldom event a city-initiated zoning is undertaken. Cities are required to follow all statutory processes which provides fair due process for all involved.

Keep in mind, zoning regulations adopted as a result of the City's comprehensive plan serve to ensure property values are maintained, growth and development occurs in a way that taxpayer dollars are protected, and efficient and cost-effective infrastructure is in place. Without zoning regulations, the comprehensive plan could not be implemented.

In addition, the use of zoning regulations allows local governments to target specific geographic areas for reasons such as historic preservation, redevelopment incentives, and preserve the area's character and feel. This bill would eliminate the City's ability to adopt an overlay district such as the Original Town District in Olathe's Downtown. These zoning tools are important to a community's future.

Kansas is fortunate to have diverse communities throughout the state, and each is able to grow, develop or maintain their community through zoning ordinance that work for them. For instance, the residents of Beloit likely have different expectations than the residents of Overland Park. As such, zoning decisions should remain in the control of local voters electing local community leaders and their ability to shape their own communities should not be undermined at the state level. Locally elected officials know the communities they live in, which helps them best represent their local voters. Keep in mind every voter in Olathe has an opportunity to cast a ballot for four of the seven members of the Olathe City Council. That same voter only has the opportunity to cast a ballot for two of the 165 members of the Kansas Legislature.

The City of Olathe opposes SB 346 because it undermines local communities' abilities to do what is best for their unique communities.