

To: Senate Committee on Commerce
From: Spencer Duncan, Government Affairs Director
Date: March 5, 2025
RE: HB 2088 – Fast Track Permitting
Opponent – Verbal Testimony

Thank you to the Chair and the committee for an opportunity to provide this testimony.

As currently written, the cities of Kansas are concerned that, however well intentioned, HB 2088 will negatively impact the planning process, undermine local control, deter the ability to manage growth responsibly, hinder public input, and create unintended consequences. For this bill to be manageable, the League requests two amendments.

The House narrowed the scope of HB 2088, and for that we are appreciative. With the focus now on residential homes, it makes this mandate slightly better. However, there are two crucial changes that need made, and we respectfully request the bill be amended:

Amendment One

The broad definition of “application” goes beyond permits, and can be interpreted to include applications for rezonings, special use permits, plats and other development approvals submitted by a planning commission or governing body. These other application types have statutory and procedural time requirements to allow for staff review, public comment, a statutory protest period and approval by a planning commission and governing body. The 60-day period in SB 2088 does not fit within current statutory timelines for these other application types. We request the bill be amended to clarify that SB 2088 only applies to building permits.

Amendment Two

Section 5 amending K.S.A 12-752, regarding platting, needs removed. There is no need to address platting in HB 2088 because K.S.A. 12-752 already has a 60-day requirement for a planning commission to act on a plat. HB 2088 moves the start of this period to the date of the application instead of the commission’s first meeting following the date of submission, which creates problems with planning commissions monthly schedule. This can also create issues for the developer. We ask that this section be removed.

With the addition of these two amendments, while the League will still have concerns with the overall bill, cities will feel more comfortable with it moving forward.

Cities strive to provide flexibility in the permitting process. This assists staff and benefits developers. For example, most cities allow early submissions of partial project plans so review can begin, and early issues can be detected. This saves the developer time and money as they get further into building a home. HB 2088, however, requires builders to submit everything at once, which can result in delays and increased costs.

HB 2088 creates a scenario that could reduce public input, something cities have worked to ensure is a key piece of the process. Under current law, residents have opportunities to voice concerns about new homes through hearings, Planning Commission reviews, and at City Council meetings. These meetings have set dates and times, often monthly. HB 2088 threatens to strip away these rights, denying residents important opportunities to bring forward questions and concerns they have about construction in their neighborhoods.

The 15-day re-submittal process is troublesome. It is common for applications to have errors, and the review process outlined in HB 2088 does not provide cities, particularly in rural Kansas, with enough time and could result in incomplete evaluations of a project.

Constitutional Home Rule provides cities with local control to make determinations as it relates to zoning and permitting. As always, we ask you to remember the importance of this constitutional mandate and that this one-size fits all approach disregards unique community priorities and constraints.

Thank you for your time and consideration of these issues. I am always available to provide additional information and answer any questions you have.



Spencer Duncan

Government Affairs Director

League of Kansas Municipalities

785-383-8825 sduncan@lkm.org