

Senate Committee on Local Government  
SB 346  
Proponent Testimony

February 4, 2024

Dear Honorable Chairwoman McGinn and the members of the Senate Committee on Local Government,

I support SB 346 - Restricting who can propose rezoning amendments to city and county zoning regulations.

I have observed with increasing dismay as several friends who live in nearby cities in Johnson County, KS, have expressed to us their distress at their City Council local government over the past few years, overriding numerous objections at rezoning amendments during public hearings and then proceeding to rezone their homes of many years, with the consequences of overcrowding, noise, lack of parking due to the increased number of vehicles and inadequate infrastructure, etc.

Changes to zoning should be proposed ONLY by the current property owner, not the city or the county, not even the HOA. The rights of the people who live in their homes need to be protected.

Please pass SB 346 favorably out of committee.

Thank you,  
David Upsdell  
KS Senate District 10

Tuesday, February 6, 2024  
SB 346  
Proponent Testimony

Kelly Wyer  
Senate District: 7

Chair McGinn, Vice Chair Bowers, Ranking Minority member Francisco, and members of the Committee:

**I'm writing this testimony in support of SB 346**

I ran for Prairie Village city council in the November 2023 General Election. The hot button issue was rezoning. The Mayor and the sitting council at the time were lock-step determined to rezone single-family neighborhoods in Prairie Village. Drove of residents, myself included, would stand before them at city council meetings pleading with them not to rezone our already dense, small city to allow for more than one house on single family lots. Our outcry to those on the dais fell on deaf ears. The council continued to plow forward and anyone who opposed them or had differing views for the future of our city were labeled as racist—among other incredibly offensive, false labels. Four of the six candidates who ran in support of current zoning laws won their seats. I only lost by 33 votes and had an outpouring of positive support from my neighbors. We dared to push back against big government and our victories were meaningful.

Senate Bill No. 346 amends K.S.A. 12-757 by adding more specific language. For example, instead of merely using the word “zoning” it inserts “rezoning” and later defines the term as “changing the zone or district classification of zoned property.” This new bill removes “whenever a city or county initiates rezoning” in Section 2 as this decision should belong to the property owner—not the city and/or government. In Section 1, I’d like to highlight, “If such proposed amendment is not a general *upzoning* or *downzoning* revision of the existing regulations and affects specific property, the **rezoning** amendment **shall only** (removing “may”) **be initiated by application of the owner of property affected.** Yes! This bill restricts who can propose rezoning amendments by giving power back to the people.

Tuesday, February 6, 2024

SB 346

Proponent Testimony

Laurel Wallerstedt

Senate District: 7

Chair McGinn, Vice Chair Bowers, Ranking Minority member Francisco, and members of the committee,

I am writing this testimony in support of proposed SB 346 which seeks to revise rezoning rules. As a concerned citizen, I firmly believe that this bill will be of immense benefit to our community.

The current ease with which cities can rezone has led to a variety of issues such as loss of irreplaceable neighborhood character, ignored opportunities to evaluate other uses that may better support the community, gentrification, increased cost of living, and the displacement of long-term residents.

I urge you to support this bill and work towards its passage. I believe Kansas communities will benefit from the more balanced approach to rezoning that this bill promotes.

Thank you for your time and consideration.

Sincerely,



Laurel Wallerstedt  
4842 Booth Street  
Westwood, KS 66205

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I support SB 346 - Restricting who can propose rezoning amendments to city and county zoning regulations.

We have watched with increasing dismay as several friends who live in nearby cities in Johnson County, KS, expressed distress at their City Council local government over the past few years overriding numerous objections at rezoning amendments during public hearings and then proceeding to rezone their homes of many years, with the consequences of overcrowding, noise, lack of parking due to the increased number of vehicles and inadequate infrastructure.

The zoning should be with the property owner requesting any change, not the city or the county. Individual rights need to be protected.

Please pass SB 346 favorably out of committee.

Thank you,  
Mei Upsdell  
KS Senate District 10

Date: 02-02-2024

To: Senate Committee on Local Government

Subject: Proponent Senate Bill 346

From: Thomas A. Ward and Joan C. Ward

Dear Committee on Local Government;

We would like to go on record as being very much in favor of S.B. 346.

We feel that no zoning changes should be made by mayors and city council members, but should be voted on by the affected residents.

As example:

1. The City of Prairie Village, Kansas wants to allow A.D.U.'s, accessory dwelling units. These are small residences that would be located in the backyard of current single family zoned homes and could be rented to another family or used as a VRBO.

2. The City of Westwood, Kansas is currently negotiating for the sale of a Westwood City Park to Karbank Development Company and then rezoning the property for commercial use.

The bottom line is we feel that zoning changes that could have a huge impact on our property values should be voted on by the affected residents, WE THE PEOPLE.

Thank you,

Tom and Joanie Ward  
22 Coventry Court  
Prairie Village, Kansas