

Date: January 29, 2025

To: Kansas House of Representatives

From: John S. Allred, Miami County Resident

Re: HB 2025 – Support Amendment

Thank you for allowing me to submit written testimony in support of the current amendment to HB 2025. My name is John Allred and I am a resident of Miami County Kansas.

I am a proponent of HB 2025 which would eliminate the authority of a city to adopt planning and zoning regulations for land located outside of such city; amending K.S.A. 12-749 and repealing the existing section; also repealing K.S.A. 12-715b, 12-715c and 12-715d.

In summary, a city may currently apply planning and zoning regulations to land located outside of the city limits within three miles of the nearest point of the city limits. Such regulations can and do dramatically and negatively impact county residents who choose to live in more rural areas with fewer zoning and planning restrictions.

In my case, the city of Osawatomie Kansas has continued to annex land thus placing county residents within the current three mile extension defined within the statute. Either through direct annexation or the three mile extension, county residents are faced with increased regulation, increased taxes/permits/fees and loss of business and cultural activities. Such activities include livestock/horse, fowl/poultry and burning/property maintenance to name a few.

I am including some local “real life” data points below regarding how the Osawatomie Comprehensive Plan 2040 will impact our rural county community through continued annexation and or the three mile extension outside of city limits without the proposed amendment to HB 2025.

Thank you for your consideration and I respectfully request that the Committee support amending HB 2025.

Increased Regulation and Restriction

City Codes that will have a negative impact on rural property increasing restrictions and requirements of annual permits, fees and inspections

Activity	City Code
Livestock/Horse	2-102
Fowl	2-105
Firearm Discharge	12-248
Fireworks	7-302
Stacking Hay	7-205
Burning	7-203
Property Maint.	4-501
Insurance Proceeds Fund	8-701
Hundreds More Listed	

(e) Exceptions: The prohibitions in subsections (a) through (c) of this section shall not apply to:

- (1) A bona fide zoo, as defined by the American Association of Zoological Parks and Association of Zoological Parks and Aquariums.
- (2) A stockyard or sales barn for the loading, unloading, temporary detention and sale of such livestock, if the location of such stockyard or sales barn does not otherwise violate the zoning ordinances of the city;
- (3) **Livestock located on property that has been zoned for agricultural purposes** or is property owned by the city which is being held in reserve for industrial purposes and has yet to be developed, where any such property is **more than ten (10) acres** in size; and **the property is used solely for agricultural operations,**

(A) Any such livestock shall be maintained on the property at a rate so that the property cannot be considered a confined animal feeding operation under the regulations of the State of Kansas.

(B) Any residentially zoned property over ten (10) acres in size that legally maintained livestock on the property as of January 1, 2013 shall be allowed to continue the maintenance of livestock until such time that the current owner transfers the ownership of all or a portion of the property to a new owner, by sale, inheritance or other means, but under no circumstance shall the owner maintain more livestock on the property than were in existence on January 1, 2013 or than allowed under agricultural zoning regulations.

Tax Burden

Miami Co tax assessment on \$500,000 home in 2023 = \$6,483.82

Osawatomie City tax assessment on \$500,00 home in 2023 = \$10,287.73

Highest tax assessment in the area

Increase in tax by \$3,803.91 or 59%

Average Tax Burden

	2022 Average Rate (Per \$1,000 of Assessed Value)	2023 Average Tax on:	
		\$1,000,000 Commercial Property	\$500,000 Home
Fontana	\$104.17	\$26,043.00	\$5,893.18
Franklin County, KS	\$142.66	\$35,664.50	\$8,106.12
Gardner	\$130.15	\$32,536.75	\$7,386.74
Garnett	\$170.12	\$42,530.50	\$9,685.30
Johnson County, KS	\$112.14	\$28,034.50	\$6,351.22
Kansas City	\$170.38	\$42,595.00	\$9,700.14
Lawrence	\$132.08	\$33,018.75	\$7,497.60
Leavenworth	\$121.30	\$30,323.75	\$6,877.75
Leavenworth County, KS	\$123.46	\$30,863.75	\$7,001.95
Louisburg	\$118.84	\$29,710.00	\$6,736.59
Miami County, KS	\$114.44	\$28,611.00	\$6,483.82
Olathe	\$120.22	\$30,053.75	\$6,815.65
Osawatomie	\$180.60	\$45,149.75	\$10,287.73
Ottawa	\$168.75	\$42,188.00	\$9,606.53
Paola	\$136.54	\$34,134.00	\$7,754.11
Reno County, KS	\$154.17	\$38,543.25	\$8,768.23
Spring Hill (JO)	\$143.24	\$35,809.00	\$8,139.36
Spring Hill (MI)	\$150.34	\$37,585.00	\$8,547.84
Tonganoxie	\$149.49	\$37,372.00	\$8,498.85

Source: Kansas Department of Revenue and Kansas League of Municipalities

Mill Levy Combined

Osawatomie highest rate in the area

MIAMI COUNTY 2023 LEVIES	STATE	KSA 76-6601	COUNTY	CITY	FONTANA	LOUISBURG	PAOLA	OSAWATOMIE	SPRING HILL
	GENERAL FUND	0.000	KSA79-1946, 10-113, 79-1482, 68-5101, 68-1135		KSA12-101a, 10-113, 12-1403, 12-16102, 12-1106, 12-1617h, 75-6110, 12-1215, 12-1927				
STATE INST BLDG	0.500	VALUATION 2023	673,247,203	VALUATION 2023	2,139,569	73,050,469	82,160,276	36,296,676	48,154,182
STATE ED BLDG	1.000	GENERAL	28.770	GENERAL	8.627	16.718	28.934	33.287	21.458
2023 Levy	1.500	BOND & INT	1.057	BOND & INT		1.181	4.872	19.746	1.322
2022 Levy	1.500	CO WIDE REAPR	0.899	CEMETERY					0.224
		ROAD & BRIDGE	4.673	EMP BENEFITS			4.446	24.958	
		SPECIAL BRIDGE	1.101	FIRE EQUIP					13.238
		2023 LEVY	36.500	IND DEVELOPMNT					
		2022 LEVY	40.380	LIBRARY			3.642		
				2023 LEVY	8.627	17.899	41.894	77.991	36.242

I hereby certify this to be a true and correct statement of 2023 levies for the budget year 2024, and duly made in accordance with the laws of the State of Kansas.

Janet White
Janet White, Miami County Clerk

Tax Unit/School	State	Co Wide	City	Twp	USD	Cem	WS	Library	Fire	Lights	Rec Comm	Ext. Dist. #16	Total
Fontana													
001-362	1.500	36.500	8.627	0.049	44.235	1.280		1.138	3.498			0.750	97.577
Louisburg													
002-416	1.500	36.500	17.899	0.002	48.000			4.178			0.859	0.750	109.688
021-416	1.500	36.500	17.899	0.154	48.000			4.178			0.859	0.750	109.840
022-416	1.500	36.500	17.899	0.873	48.000			4.178			0.859	0.750	110.559
Paola													
003-368	1.500	36.500	41.894		49.546						1.240	0.750	131.430
031-368	1.500	36.500	41.894		49.546						1.240	0.750	131.430
Osawatomie													
004-367	1.500	36.500	77.991		57.573						0.999	0.750	175.313
041-368	1.500	36.500	77.991		49.546						1.240	0.750	167.527
Spring Hill													
005-230	1.500	36.500	36.242		67.446			1.138			3.071	0.750	146.647

Average Home Sale Price

Osawatomie lowest value in the area

Annual Sales of All Homes Miami County

Year-to-Date	<2 Bedrooms		3 Bedrooms		4+ Bedrooms		Total		Active Listings	Days on Market			
	Sold	Average Price	Sold	Average Price	Sold	Average Price	Sold	Average Price		<30 Days	31-60	61-90	91+
2022	73	\$ 197,762	291	\$ 293,581	172	\$455,742	536	\$ 332,568	81	364	86	45	41
2023	74	\$ 190,630	268	\$ 299,518	172	\$449,043	514	\$ 333,877	94	332	80	38	64
Fontana													
2022	1	\$220,000	2	\$292,500	1	\$295,000	4	\$275,000	0	1	1	0	2
2023	0	\$0	2	\$208,250	0	\$0	2	\$208,250	4	2	0	0	0
Louisburg													
2022	9	\$403,400	75	\$338,342	46	\$448,690	130	\$381,892	19	90	23	11	6
2023	9	\$302,981	70	\$334,384	55	\$472,651	134	\$389,023	17	96	15	6	14
Osawatomie													
2022	32	\$129,634	52	\$218,196	7	\$285,714	91	\$192,247	16	54	12	12	13
2023	34	\$156,780	43	\$187,758	13	\$257,438	90	\$186,120	20	50	13	9	18
Paola													
2022	27	\$174,010	109	\$274,828	49	\$487,626	185	\$316,477	29	131	31	14	9
2023	29	\$196,268	112	\$283,871	44	\$477,609	185	\$316,217	36	109	41	14	21
Spring Hill													
2022	19	\$305,853	140	\$333,637	184	\$458,826	343	\$399,255	78	234	32	17	60
2023	13	\$323,134	99	\$376,790	171	\$480,160	283	\$436,786	72	181	29	11	62