

Session of 2025

House Bill No. 2025

By Committee on Federal and State Affairs

Requested by Representative Corbet

1-16

Repealing the three mile extraterritorial planning and zoning authority for cities.

Submitted to Committee on Local Government

Rep. Emil Bergquist, Chair

Rep. Doug Blex, Vice Chair

Rep. Linda Featherston, Ranking Minority Member

Members:

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Rep. Wanda Brownlee Paige

Rep. Kenneth Collins

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Rep. Fred Gardner

Rep. Lynn Melton

Rep. Lon Pishny

Rep. Tobias Schlingensiepen

Rep. Chip VanHouden

Rep. Dawn Wolf

Written Testimony in support of HB 2025

Submitted by

Melissa McAllister

28 January 2025

Dear Chairman Bergquist and Members of Committee on Local Government,

This written testimony in support of HB 2025, Repealing the three mile extraterritorial planning and zoning authority for cities.

This act concerns cities in Kansas:

- Is related to planning and zoning;
- Will eliminate the authority of a city to adopt planning and zoning regulations for land located outside of such city;
- Will amend K.S.A. 12-749 and repeal the existing section;
- Will repeal K.S.A 12-715b;
- Will repeal K.S.A. 12-715c;
- Will repeal K.S.A. 12-715d.

The intent of HB 2025 presents as being a bill toward clearly defining who has zoning authority in a city versus who has zoning authority in the unincorporated county. The zoning needs and leadership of an incorporated city are not equal to the zoning needs and leadership required for unincorporated county regions. Joint comprehensive plans are in opposition to the apparent intent of HB 2025.

For this reason, joint zoning jurisdiction as indicated by “joint comprehensive plan” between city and county over specified unincorporated county land does not clearly define representation for taxpaying citizens who own and inhabit unincorporated county property, and who by state and federal law deserve zoning representation by the law makers for whom they have voting rights. To clearly define city versus county zoning jurisdiction, please remove all statutory language that implies “joint” city-county authority.

On page 1, line 8 of HB 2025, please edit “*comprehensive plan*” to read “unilateral comprehensive plan”. Applying “unilateral” remedies the possibility of joint plans.

On page 2, line 1 of HB 2025, please edit “*comprehensive plan*” to read “unilateral comprehensive plan”. Kansans do not need ambiguous joint plans.

On page 2, lines 17, 18, 19, please strike the sentence, “*In the case of a joint committee on subdivision regulations, such notice shall be published in the official city and county newspapers.*” Kansans do not need ambiguous joint committees.

Thank you for protecting Kansans from ambiguous joint zoning comprehensive plans. Please support HB 2025 and consider the three edits suggested in this testimony.

Sincerely,

Melissa McAllister