



February 6, 2024

## Testimony in Opposition to Senate Bill 346 Senate Local Government Committee

Chair McGinn and Members of the Committee:

The Northeast Johnson County cities of Merriam, Mission, Prairie Village, Roeland Park, and Westwood Hills oppose SB 346. We appreciate the opportunity to provide testimony in opposition to SB 346. The bill makes fundamental change to cities' duties while the objective of the bill remains unclear, and the process is insufficient to accomplish the change it may want to establish.

The fiscal note on SB 346 asserts the bill "would restrict who could request zoning changes to the property owner only, preventing cities and counties from rezoning property." As a public policy for the state, removing from an elected governing body the ability to provide for the administration of the functions of local government is a significant change.

The bill itself adds confusion to general zoning updates with new yet unclear terminology. Up-zoning and down-zoning is new statutory language that lacks clarity and definition to change zoning policy for the state. We foresee confusion and some unforeseen conflict.

Zoning, annexation, and other issues touching the core of property rights for the citizens of our communities are critical to the function of local government. The ebb and flow of public concerns over these issues are timeless. Creating new definitions and prohibiting local government from carrying out one of its functions warrants a longer and more detailed study than SB 346 allows.

We request the committee not advance SB 346 that adds uncertainty to zoning statutes. More fundamentally, the removal of elected local governments' ability to carry out an essential function, is contrary to the larger public interest in each community. Elections often resolve these issues.

Thank you for your consideration and we welcome any questions or further discussion you may have on this matter.

Stuart J. Little, Ph.D.  
Little Government Relations  
[stuartjlittle@mac.com](mailto:stuartjlittle@mac.com)