

***CITY OF OSAGE CITY  
PLANNING AND ZONING***

**Regular Meeting**

**April 19, 2023**

**7:00 PM**

**City Council Room – 221 S. 5<sup>th</sup> – Osage City, Kansas**

***GoToMeeting Information:***

Planning & Zoning Meeting

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**I. Call To Order:**

Casey Mussatto \_\_\_\_\_ Loren DeBaun \_\_\_\_\_ Michael Handly \_\_\_\_\_

Gail Lohmeyer \_\_\_\_\_ Maurice Koch \_\_\_\_\_

**II. Consent Agenda**

1. Approval of March 15, 2023 Regular Meeting Minutes

**III. Regular Business**

1. Set a Public Hearing for Wednesday May 24, 2023 for a conditional use permit application for a new metal siding home at 1546 Laing Street to be constructed by Frank Johnson III and Jennifer Johnson. Earliest publication date is April 27, 2023 with a minimum of 20 days required between publication and public hearing.
2. Workshop presentation by Jim Kaup on Regulation of the Use of Land by Cities in Kansas is Wednesday April 19, 2023 at 7:00 p.m. The workshop packet from Kaup Law Office is enclosed for your review. Jim Kaup is the attorney who prepared a set of zoning and sub-division regulations for Osage City in 2009-2010. Topics that can be covered are:

# Kaup Law Office

214 SW 6th Avenue  
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Topeka, Kansas 66603

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kaup@kauplawoffice.

## OSAGE CITY WORKSHOP FOR LAND USE REGULATORY PROCEDURES & PRACTICES

April 19, 2023

Topics to be covered:

1. **Comprehensive Plans -- A Brief Explanation of the Purpose, Content, Use, and Potential of Comprehensive Plans.**
2. **Overview to Land Use Law and Regulations ... Why Regulate?**
3. **Zoning -- Purpose, Permitted and Conditional Uses, Regulations, Zoning Maps, Vesting of Development Rights, Nonconformities, Variances/Exceptions/Appeals.**
4. **Discussion of the decision-making process for a body engaged in a "quasi-judicial" zoning proceeding (e.g., rezonings).**
  - **Due process requirements set by City, state and federal law**
  - **Legal standard of "reasonableness" that the PC and Governing Body must meet**
    - Understanding the *Golden* factors
    - Weighing and applying the *Golden* factors
  - **Best practices**
    - Conducting the public hearing
    - Creating the record of the PC and the Governing Body
5. **Land Subdivision Process -- Purpose, Subdivision Regulations.**
6. **Respective Roles -- Planning Commission, BZA, Governing Body, City Staff.**
7. **Ethics in the Land Regulatory Process -- Purpose, Ex Parte Contacts, Prejudgment, Conflicts of Interest, Contacts with Applicants and the Public.**
8. **Jurisdictional Issues -- Extraterritorial Authority, City-County Interlocal Agreements, Annexation.**
9. **A review of KOMA and KORA laws and how they relate to the work of the Planning Commission.**
10. **The development trends and forecasts. Preparing the City for different potential futures.**

Q & A during and after the workshop.

Emphasis will be on relating to issues that have raised concerns or uncertainties in the past and/or are expected to occur in the future, but being careful not to improperly discuss matters already pending before the City.

## IV. Adjournment