

**PLANNING AND ZONING COMMISSION
OSAGE CITY, KANSAS
MINUTES
April 19, 2023**

ROLL CALL: Now on this 19th day of April, 2023 the Planning and Zoning Commission met at 7:00 p.m. at the City Council Chambers in said City, the following members being present and participating to wit, Commissioners: Casey Mussatto, Loren DeBaun, Michael Handly, Gail Lohmeyer and Maurice Koch. Officials present: Code Administrator James Welch, City Clerk Sadie Boos, Deputy City Manager/City Treasurer Katie Hodge, Utilities Director Dale Schwieger and City Manager Rod Willis. Excused: Planning & Zoning Clerk Clarissa Meek resigned April 4, 2023. Others present: Frank Johnson III, Jennifer Johnson, Cathryn Houghton and Jeff Tice.

APPROVAL OF THE CONSENT AGENDA:

1. Approval of March 15, 2023 Regular Meeting Minutes

Motion by Lohmeyer, second by Koch to approve the consent agenda. The motion was declared carried.

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.**

Frank Johnson III and Jennifer Johnson described the new home to be built on their property at 1546 Laing Street. The existing house and outbuilding will be torn down upon completion of the new home.

Motion by Lohmeyer, second by DeBaun, to set the conditional use hearing for a metal sided home for Wednesday May 24, 2023 at 7:00 p.m. The motion was declared carried.

Motion by DeBaun, second by Koch, to move the regular scheduled Planning & Zoning meeting from May 17, 2023 to May 24, 2023 for the public hearing date.

- 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:**

Jim Kaup cancelled due to severe bronchitis and plans to reschedule when recovered for a future workshop date. Cathryn Houghton and Jeff Tice were present to hear the workshop presentation, so left Planning & Zoning upon hearing the news of Jim Kaup's illness.

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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.

ADJOURN: *Motion made by DeBaun, second by Lohmeyer to adjourn. The motion was declared carried.*

APPROVED: _____ **ATTEST:** _____
Casey Mussatto, Chairman **Clarissa Meek, P & Z Clerk**

This 24th day of May, 2023

(SEAL)