

DR 82-1 - CPO Zone Change  
Notification Proposals.

This memo is not  
to be sent out  
until RAL Signs

WICHITA-SEDGWICK COUNTY

DATE

**METROPOLITAN AREA PLANNING DEPARTMENT**

January 25, 1982

**TO** Metropolitan Area Planning Commission  
**FROM** Robert A. Lakin, Director of Planning  
**SUBJECT** DR 82-1 - CPO Zone Change Notification Proposals

We have received recommendations for changes to procedures used on notifications for changes in zoning. The recommendations were developed by the CPO members and their staff.

Since most of these issues are of a policy nature, I would like some direction prior to developing final responses to the CPO. A short commentary is provided on each of their recommendations.

1. Increase notification procedure from 2 to 3 weeks. The practical effect is a four week increase in many cases as any delay in scheduling before MAPC results in changes of two week increments. The timing is a mechanical issue for MAPD staff. We can use any time increment provided we maintain statutory publication and notification procedure. The problem is due to the MAPC meeting every other week and CPO meeting only two times a month. If either group would move to the other meeting sequence the problem would be solved.
2. Notice by CPO chairman to CPO Council members and use of door hangers. As this would all be CPO volunteer effort and CPO staff, we would have no comment except that we would like to review contact (general) and format of the hanger to insure the appropriate information is being transmitted.
3. We have discussed the placement of signs on property in previous sessions with CPO and with the Planning Commission. My staff has also had some like experience with utilization of signs on property, and we have read several articles concerning experience with signs across the country. Generally speaking signs do have positive effect in terms of providing notice in areas where there are not a large number of owner-occupants. This does provide notice to renters. Although renters do have a right to be heard, it has been my view that governing bodies and planning commissions generally place more value on the testimony and interest of property owners than of renters.

Signs also present a series of mechanical problems. Signs have to be constructed; signs have to be maintained; signs have to be painted; they have to be located physically on the property by someone; they must also be removed at the

Metropolitan Area Planning Commission  
January 25, 1982  
Page 2

appropriate time. This all takes manpower; takes vehicles, of which we do not own, in order to transport the signs. There is also the problem of signs disappearing during the intended period of notification. If such a sign disappears, then there are the claims that people did not have proper notice and we have to go back through rehearing procedures. We might also be vulnerable in legal proceedings as to the propriety of notice if signs turn up missing, or are alleged to be missing. I assume one response would be for the applicant to pay for the cost of signing, and/or even be responsible for doing the signing. This, of course, will increase costs, and I am sure that we will have objections made from the development industry relative to any increase of costs without appropriate benefit to be gained through better notice procedures. I assume we could probably use porta signs as a device also. I am opposed to the use of signs, permanent, temporary, or other, on the property. I think they will be costly. I don't think that they will add appreciably to the awareness of people in an area as to the zone cases. Our public hearings attest to the fact that once zone cases are known about, that there are adequate responses as indicated by appearances at our public hearings. I can remember only one or two cases in the past where people were notified in such a narrow radius as to not get out to other property owners.

If notification to people is really a problem, i.e., the existing legal publications and mail notices are insufficient to provide adequate notice, then I would offer another suggestion. First of all, make sure that we have our notice requirements so that the distance is a distance not only around the zone case application, but a distance around the ownership of the applicant in the event the application area is surrounded by the owner's own property and therefore depriving adjacent properties of notice. Secondly, I would suggest that we change the newspaper advertisement from an ad in the official legal paper which comes out weekly or daily and is received by only a few thousand people in Wichita to an ad which would appear in the Eagle-Beacon that would have a map similar to that which is passed out to the Planning Commission and CPO. This would give people a better idea of location than the legal descriptions contained currently in notices and in publications. The same notice could actually be developed and included along with the mail notice. It is my feeling that this would be more effective in providing real and meaningful notice than the sign proposal.

Metropolitan Area Planning Commission  
January 25, 1982  
Page 3

4. The area notification process still is bothersome to me. There is no way that you can deal with blocks and block faces and those which are immediately adjacent and be consistent over time due to the enumerable different configurations of land, street systems and blocks within the community. Unplatted land provides additional problems using this process. I would suggest that if getting adequate numbers of people notified is a problem that the distances be reexamined. We now have, of course, a sliding scale of tracts up to one acre being notified within 200 foot; 1 to 6 acres, 350 foot, etc., up to 1,000 foot notification. It may be that the 200 foot for the smaller tracts is somewhat limited.

In summary, if better notification procedures are needed, I would encourage, 1) a resolution of the meeting dates; 2) individual notice by CPO members and staff at their discretion; and 3) a revised notification form and process, using maps.

---

Robert A. Lakin  
Director of Planning

RAL:rme  
Attachment (Mast to Lakin memo)

January 25, 1982

**Metropolitan Area Planning Commission**

Robert A. Lakin, Director of Planning

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Robert A. Lakin  
Director of Planning

RAL:rme  
Attachment (Mast to Lakin memo)

THE CITY OF WICHITA  
OFFICE OF CITIZEN PARTICIPATION

DATE November 18, 1981

*File  
DR 82-1*

TO Jack Galbraith, Chief Planner

FROM Shirley Mast, Administrative Aide III

SUBJECT CPO Zone Change Notification  
Committee Proposals

The CPO Zone Change Notification Committee met and discussed concerns regarding the notification procedure on zone change request and possible alternatives and/or supplemental notification methods. The alternative notification methods that were proposed by the Committee are provided below. Also attached is a copy of the CPO Neighborhood Councils responses to the Committee proposals.

1. Increase the notification period from two to three weeks minimum. This would allow residents of the area and the CPO Councils more time to study the proposed zone change as well as eliminate the occasional scheduling problems which occur with those CPO Councils that meet on the first and third Thursdays of each month.
2. The CP Office, upon receipt of zone change notices, immediately notify the area Chairperson. The Chairperson will then notify the other Council members. Council members will notify area residents through the use of door hangers. The notice would contain a statement to the effect "if you are renting property please forward notification to your landlord".
3. Placement of signs on property to be rezoned (responsibility of applicant). The City could lease the signs, the applicant would be required to pay a deposit. The signs size would be dependent on the property area to be rezoned. The sign would be visible to both directions of traffic.
4. Area notification rather than distance notification.  
(See attached diagram)

The Committee would like to hear your comments on proposals Numbers 1, 3, and 4, and request that you attend their next Committee meeting on Monday, November 30th at 7:00 p.m. in the Board Room, First Floor of City Hall.

If you have questions regarding this matter, please contact me at 4516.

*Shirley Mast*  
Shirley Mast  
Administrative Aide III

SM:dm  
Noted

*Sarah Gilbert*  
Sarah Gilbert  
CP Coordinator

WICHITA SEDGWICK COUNTY

DATE

METROPOLITAN AREA PLANNING DEPARTMENT

November 19, 1981

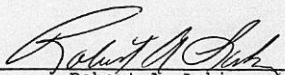
TO Shirley Mast, Administrative Aide III

FROM Robert A. Lakin, Director of Planning

SUBJECT CPO Zone Change Notification Committee Proposals

It has just come to my attention that you have sent Jack Galbraith several proposals involving zone change notification procedures. In a policy area of this nature, I would appreciate at least being copied in on such requests and would prefer that policy issues be directed through me.

Because of the holidays and other meeting commitments, and the need to evaluate the proposals, I would not think that it would be fruitful to meet on the 30th. I would like, prior to meeting with your committee, 1) have further explanation from you concerning what you envision to be the mechanics of item 4 (there appears to be no decision rules) and to discuss some of these policy issues with the MAPC either in informal or formal sessions. As soon as I have this completed I will be happy to arrange a meeting with your committee.

  
 Robert A. Lakin  
 Director of Planning

RAL:rme

cc: Harold Peterson, Human Resources Director  
 Sarah Gilbert, CPO Coordinator  
 Jack H. Galbraith, Chief Planner, Current Plans Division

CITIZENS PARTICIPATION OFFICE

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CITIZENS PARTICIPATION OFFICE

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**THE CITY OF WICHITA**

**OFFICE OF** CITIZEN PARTICIPATION

**DATE** 12 3 1981

**RECEIVED**



DEC 3 1981

METROPOLITAN PLANNING

ROUTE

**TO** Robert Lakin, Director of Planning

**FROM** Shirley Mast, Administrative Aide III

**SUBJECT** CPO Zone Change Notification  
Committee Proposals

Thank you for your response of November 19th regarding the CPO Zone Change Notification Committee Proposals.

The Committee met on November 30th and was advised that staff of MAPD asked for further explanation on the mechanics of proposal #4 "area notification rather than distance", and for time to evaluate and discuss the proposals either in informal or formal session with the MAPC prior to meeting with the Zone Change Notification Committee.

The Committee defined area notification (the property owners to be notified of a zone change) as "all property owners in all directions of all immediately adjacent blocks". They said the intent of the proposal is to notify more property owners that are actually affected by a zone change than those within the established "distance ownership list for the City of Wichita", i.e., up to and including 1 acre, property owners within 200 feet are notified, over 1 acre to 6 acres, property owners within 350 feet are notified, etc.

The Zone Change Notification Committee agreed not to schedule another meeting until you have notified staff of the CP Office that MAPD staff will be available to meet and discuss the proposals with the Committee.

For your reference, I have attached a copy of all the alternative notification methods that were proposed by the Committee as well as the CPO Neighborhood Councils' responses to the proposals. Comments from MAPD staff were requested on proposals numbers 1, 3, and 4.

If you have additional questions about this matter, or would like me and/or a Committee representative to explain the proposals to the MAPC members in informal session, please contact me at 4516.

*Shirley Mast*  
Shirley Mast  
Administrative Aide III

SM:mw  
cc: Jack Galbraith, Chief Planner, Current Plans

Noted:

*Sarah Gilbert*  
Sarah Gilbert  
CP Coordinator

#### CPO ZONE CHANGE NOTIFICATION COMMITTEE PROPOSALS

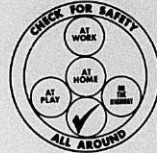
1. Increase the notification period from two to three weeks minimum. This would allow residents of the area and the CPO Councils more time to study the proposed zone change as well as eliminate the occasional scheduling problems which occur with those CPO Councils that meet on the first and third Thursdays of each month.
2. The CP Office, upon receipt of zone change notices, immediately notify the area Chairperson. The Chairperson will then notify the other Council members. Council members will notify area residents through the use of door hangers. The notice would contain a statement to the effect "if you are renting property please forward notification to your landlord".
3. Placement of signs on property to be rezoned (responsibility of applicant). The City could lease the signs, the applicant would be required to pay a deposit. The signs size would be dependent on the property area to be rezoned. The sign would be visible to both directions of traffic.
4. Area notification rather than distance notification. The Committee defined area notification (the property owners to be notified of a zone change) as "all property owners in all directions of all immediately adjacent blocks". The intent of this proposal is to notify more property owners that are actually affected by a zone change than those within the established "distance ownership list for the City of Wichita", i.e., up to and including 1 acre, property owners within 200 feet are notified, over 1 acre to 6 acres, property owners within 350 feet are notified, etc.

Extend notification, 3 wks. minimum	Council notify area residents/ door hangers	Sign Notification	Area Notification
A - endorsed	did not endorse	endorsed	endorsed a broader notification area
B - endorsed	did not endorse	endorsed-provided easily seen, includes zone change	endorsed
C - endorsed	did not endorse	endorsed	endorsed
D - endorsed	MAPC should be responsible for notifying area residents directly	endorsed	ask for area definition
E - endorsed	endorsed with deletion of Council members notifying residents through use of door hangers	endorsed	endorsed
F - endorsed	took no action	took no action	did not endorse - favor if "area" determined by MAPD
G - endorsed	endorsed	endorsed	endorsed
H - did not endorse	did not endorse	requested more information on item	endorsed, suggested that definition of area and its limits should be clear
I - endorsed	did not endorse	endorsed	endorsed a broader notification area
J - endorsed	did not endorse	endorsed	asked that MAPD look into expanding the present distance notification
K - endorsed	took no action	took no action	supported, area definition should be specific
L - endorsed	did not endorse	endorsed	endorsed
M - endorsed	did not endorse	endorsed, cost should be part of fee, opposed deposit	endorsed
N - endorsed	endorsed	endorsed	endorsed
O - endorsed	endorsed	endorsed, should establish time	endorsed

**THE CITY OF WICHITA**

**OFFICE OF** CITIZEN PARTICIPATION

**DATE** December 30, 1981



**TO** Robert Lakin, Director of Planning  
**FROM** Shirley Mast, Administrative Aide III

**SUBJECT** Staff Appearance at CPO  
Zone Change Notification  
Committee Meeting

Thank you for consenting to meet with the CPO Zone Change Notification Committee on Tuesday evening, January 12, 1982 to discuss the alternative zone change notification methods that are proposed below.

1. Increase the notification period from two to three weeks minimum. This would allow residents of the area and the CPO Councils more time to study the proposed zone change as well as eliminate the occasional scheduling problems which occur with those CPO Councils that meet on the first and third Thursdays of each month.
2. Placement of signs on property to be rezoned (responsibility of applicant). The City could lease the signs; the applicant would be required to pay a deposit. The sign size would be dependent on the property area to be rezoned. The sign would be visible to both directions of traffic.
3. Area notification rather than distance notification. The Committee defined area notification (the property owners to be notified of a zone change) as "all property owners in all directions of all immediately adjacent blocks". The intent of this proposal is to notify more property owners that are actually affected by a zone change than those within the established "distance ownership list for the City of Wichita", i.e., up to and including 1 acre, property owners within 200 feet are notified, over 1 acre to 6 acres, property owners within 350 feet are notified, etc.

The meeting will be held at 7:00 p.m. in the Board Room, first floor of City Hall. The Committee looks forward to hearing your comments on the proposals.

If you have questions about the meeting, please contact me at 4516.

*Shirley Mast*  
Shirley Mast  
Administrative Aide III

**RECEIVED**

DEC 31 1981

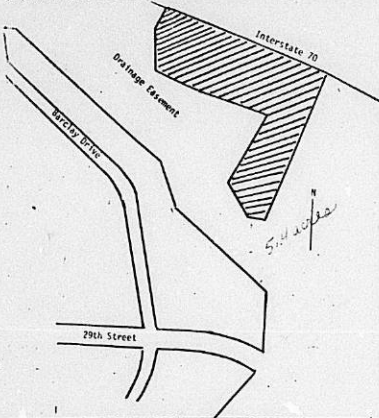
METROPOLITAN PLANNING

ROUTE  \_\_\_\_\_  
 \_\_\_\_\_

Noted

*Sarah Gilbert*  
Sarah Gilbert  
CP Coordinator

Canterbury Drive  
 As provided in the Zoning Resolution of the County of Ellis and the City of Hays, the above application will be discussed and considered by the Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes; and any protest against any of the provisions of the proposed changes to the Zoning Resolution will be considered by the Commission.



(Published in The Hays Daily News September 26 and September 29, 1960)

OFFICIAL NOTICE

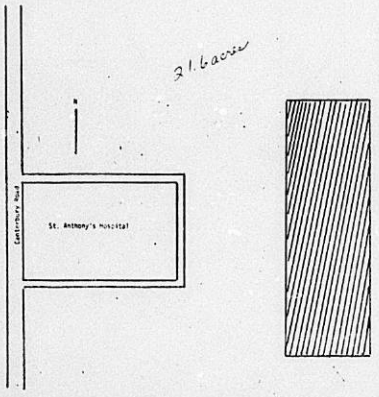
TO WHOM IT MAY CONCERN AND TO ALL PERSONS INTERESTED: NOTICE IS HEREBY GIVEN that on October 20, 1960, the Hays-Ellis County Planning Commission, in City Hall, 16th and Main Streets, Hays, Kansas, at 7:30 P.M., will consider the following:

CASE NO. 80-82

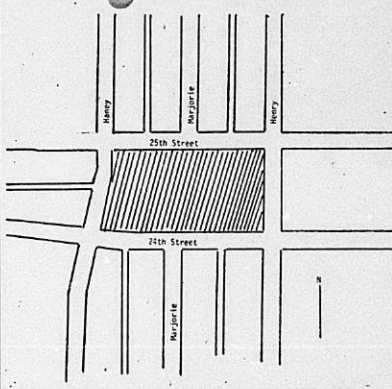
Zone change from "A-L" Agricultural District to "C-O" Office and Institution District

A tract of land situated in the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 35, Township 13 South, Range 18 West of the Sixth Principal Meridian, in Ellis County, Kansas and more particularly described as follows:  
 Beginning at the center of Section 35, Township 13 South, Range 18 West, said point being monumented with a one-half inch rebar in a concrete cylinder; THENCE on an assumed bearing of N 90° 00' 00" W along the south line of the Northwest Quarter (NW $\frac{1}{4}$ ) of said section 35 a distance of 570.00 feet; THENCE on a bearing of N 0° 23' 21" E a distance of 1650.00 feet; THENCE on a bearing of N 90° 00' 00" E a distance of 370.00 feet to a point on the East line of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section 35; THENCE on a bearing of S 0° 23' 21" W along the East line of the Northwest Quarter (NW $\frac{1}{4}$ ) of said Section 35 a distance of 1650.00 feet to the point of beginning. Said tract contains 21.590 acres more or less. More generally located east of Canterbury Road between 27th and 22nd Streets.  
 As provided in the Zoning Resolution of the County of Ellis and the City of Hays, the above application will be discussed and considered by the Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes; and any protest against any of the provisions of the proposed changes to the Zoning Resolution will be considered by the Commission.

*At Chamber*



As provided in the Zoning Resolution of the County of Ellis and the City of Hays, the above application will be discussed and considered by the Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes; and any protest against any of the provisions of the proposed changes to the Zoning Resolution will be considered by the Commission.



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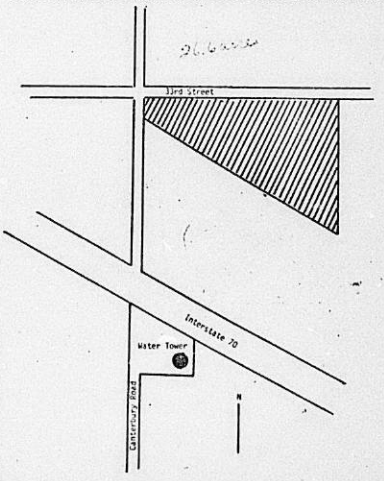
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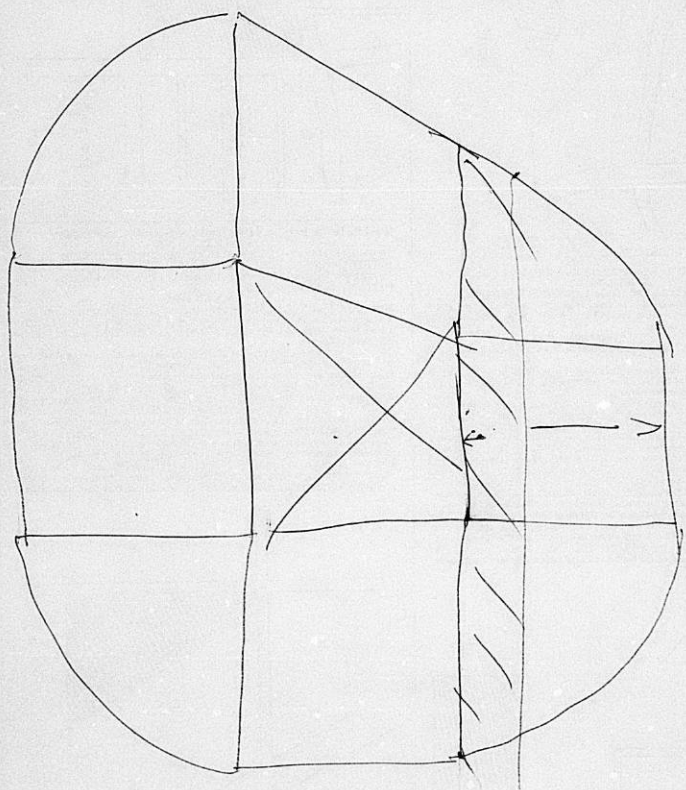
CASE NO. 80-82

Zone change from "A-L" Agricultural District to "I-1" Light Industrial District  
 A tract of land in the Southwest One-Quarter of Section 26, Township 13 South, Range 18 West of the Sixth Principal Meridian, Ellis County, Kansas, more fully described as follows:

Beginning at the Northwest corner of the Southwest One-Quarter of said Section 26; thence East, along the North line of the Southwest One-Quarter of said Section 26, a distance of 1,167.53 feet; thence South, parallel to the West line of the Southwest One-Quarter of said Section 26, a distance of 765 feet; thence Northwesterly parallel to the North Right-of-Way line of Interstate I-70, a distance of 1,207.33 feet; to the West line of said Section 26, a distance of 1,207.33 feet; to the West line of said Section 28, thence North along the West line of said Section 26, a distance of 87.52 feet to the point of beginning. (Contains 26.64361 Acres)  
 As provided in the Zoning Resolution of the County of Ellis and the City of Hays, the above application will be discussed and considered by the Planning Commission, and all persons interested in said matter will be heard at this time concerning their views and wishes; and any protest against any of the provisions of the proposed changes to the Zoning Resolution will be considered by the Commission.



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DR- 82-1 - CPO Zone Change  
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