

WICHITA-SEDGWICK COUNTY
METROPOLITAN AREA PLANNING COMMISSION

Zoning Hearing

The Kansas Supreme Court has defined rezoning as a quasi-judicial function. To protect the rights of all parties involved and in order to create an opportunity for everyone to speak their opinions and present information to assist the Planning Commission in reaching a decision, the Planning Commission follows a fact finding procedure, which follows:

Opening Instructions by Chairperson.

Opening Hearing

- Staff Report
- Applicant speaks (10 minutes maximum, may be extended by vote of Commission.)
Please state name and address before speaking.
- Public speaks (3 minutes maximum, may be extended by 2 minutes by the Chairman.)
Please state name and address before speaking.
- Applicant Rebuttal
- Public Hearing Closed
- Planning Commission Questions
- Commission Action Taken

All speakers are requested to state his or her name and address for the record when beginning to speak. When you are finished speaking, please write your name and address on the sheet provided at the counter in the anteroom. This will enable staff to notify you if there are any additional proceedings concerning the matter on which you have spoken.

The Planning Commission is interested in hearing the views of all persons who wish to express themselves on our agenda items. However, we ask all speakers to please be as concise as possible, and to please avoid long repetitions of facts or opinions which have already been stated.

For your information the Wichita City Council has adopted a policy for zoning requests and amendments to the zoning ordinance which is listed below. They rely on the written record of the Planning Commission hearings and do not conduct their own additional public hearings for such cases.

It is the policy of the Metropolitan Area Planning Commission that the following items shall be considered in deliberations during public hearings for the purpose of making zone change recommendations to the Wichita City Council and the Board of County Commissioners:

- 1) The zoning, uses and character of the neighborhood;
- 2) The suitability of the subject property for the uses to which it has been restricted;
- 3) The extent to which removal of the restrictions will detrimentally affect nearby property;
- 4) The length of time the subject property has remained vacant as zoned;
- 5) The relative gain to the public health, safety and welfare as compared to the loss in value or the hardship imposed upon the applicant;
- 6) The conformance of the requested change to the adopted or recognized comprehensive plan or other plans or policies being utilized by the City;
- 7) The impact of the proposed development on community facilities;
- 8) Opposition or support of neighborhood residents; and
- 9) Consideration of the recommendations of professional staff.