

PLANNING COMMISSION MEETING
March 14, 2023

A regular session of the Edgerton Planning Commission (the Commission) was held in the Edgerton City Hall, 404 E. Nelson Edgerton, Kansas on March 14, 2023. The meeting convened when Chairperson John Daley called the meeting to order at 7:00 PM.

1. ROLL CALL

Jeremy Little	absent
Charlie Crooks	present
Adam Draskovich	present
John Daley	present
Jordyn Mueller	present

With a quorum present, the meeting commenced.

Staff in attendance: Chris Clinton, Planning and Zoning Coordinator/Deputy City Clerk
Zachary Moore, Development Services Director

2. WELCOME Chairperson Daley welcomed all in attendance to the meeting.

3. PLEDGE OF ALLEGIANCE All present participated in the Pledge of Allegiance.

CONSENT AGENDA

4. Approve Minutes from the February 14, 2023 Planning Commission Meeting.

Commissioner Crooks moved to approve the consent agenda. Commissioner Mueller seconded the motion. The consent agenda was approved, 4-0.

REGULAR AGENDA

5. DECLARATION

Chairperson Daley asked the Commissioners to declare any correspondence they have received or communication they have had regarding the matters on the agenda. If they have received correspondence or have had any communication, he asked if it may influence their ability to impartially consider the agenda items.

The Commissioners did not have anything to declare at this time.

BUSINESS REQUIRING ACTION

NEW BUSINESS

6. **UDCA2023-01: AMENDMENTS TO ARTICLE 8 (ADMINISTRATIVE AUTHORITIES, DUTIES AND PROCEDURES) AND 11 (PERMITTED CHANGES AND DOWNZONINGS) OF THE UNIFIED DEVELOPMENT CODE**

Chairperson Daley opened the public hearing. There were no public comments made. Commissioner Crooks moved to close the public hearing. Commissioner Draskovich seconded the motion. The public hearing was closed, 4-0.

Mr. Zachary Moore, Development Services Director, addressed the Commission. He explained in his review of the Unified Development Code (UDC), there are two (2) sections that need to be updated. The first is Article 8, Section 8.1.F.2 which outlines the order of a public hearing. He said that procedure is not appropriate to be in the UDC as they are already in the bylaws of the Commission. No changes to the current procedures that the City has established are proposed, removing those procedures from the UDC would allow greater flexibility in the procedures in the future, if needed.

Mr. Moore stated the second section is Article 11. This Article allows the Commission to make changes to a zoning request for a more restrictive district than requested. The change can be done during the meeting without renotification of the public. He said the City Attorney recommended that if the Commission wanted to recommend a more restrictive zoning designation, they would table the application and renotify the public for a new public hearing. He explained City staff recommends deleting Article 11 of the UDC and have it be reserved for future use.

Commissioner Draskovich stated by removing Article 11 it would make it more restrictive on the Commission as they would no longer be able to make changes to an application during the first meeting it is presented to them. Mr. Moore answered that is correct. He explained if an application came forward for a district, the public could look into those requirements for the requested zoning and not have any qualms with that district. But if the Commission changes the request to a different district, the public would not know that change is occurring prior to the meeting and not have time to research the new district. Mr. Moore explained it would be increasing the transparency of the Commission. Commissioner Draskovich stated some people might not like that the City is deleting an entire Article of the UDC without realizing the change is more restrictive to the Commission. He inquired if a reason can be added in the UDC as to why the removal of the Article was needed. Mr. Moore explained a proposed redlined draft was not provided to the Commission but will be presented to the Governing Body. He added the City could do research to see if other municipalities have reasons why codes have been changed listed in their codes. Mayor Donald Roberts stated he believes the UDC should be black and white and having a reason as to why a code has been amended makes it grey. He stated the public may be supportive of one rezoning, but if the Commission sees a less intense rezoning district would be better, renotification is not currently required but it should be. Mr. Moore said adding a justification into the UDC could be seen as an over justification and if anyone requested as to why the UDC was amended, he would direct them to the minutes to show what was discussed.

Chairperson Daley inquired as to why the change is needed in Article 8. Mr. Moore replied that the section that outlines the conduct of meetings is what is being proposed to be removed. He stated that Mr. Chris Clinton, Planning and Zoning Coordinator/Deputy City

Clerk, researched other Johnson County municipalities and Edgerton is the only one with these procedures outlined in the UDC. The procedure is in the bylaws and states the same thing as this section of the UDC. Chairperson Daley asked if this was a housekeeping item and no changes would be made to the Commission meetings. Mr. Moore answered that is correct and verified no changes would be made to the procedures of the Commission meetings.

Commissioner Crooks moved to recommend approval of Application UDCA2023-01, amendments to Article 8 and 11 of the UDC. Commissioner Draskovich seconded the motion. UDCA2023-01 was recommended for approval, 4-0.

7. FUTURE MEETING REMINDERS

Chairperson Daley stated the next Planning Commission meetings are scheduled for April 11, May 9, and June 13, 2023.

8. ADJOURN

Commissioner Crooks moved to adjourn the meeting. Commissioner Draskovich seconded the motion. The meeting was adjourned at 7:11 PM, 3-0.