

**AGENDA-REGULAR MEETING  
GODDARD PLANNING COMMISSION  
118 NORTH MAIN  
GODDARD, KANSAS**

March 8, 2021  
7:00 P.M.

- A) CALL TO ORDER**
- B) PLEDGE OF ALLEGIANCE AND INVOCATION**
- C) APPROVAL OF THE AGENDA**
- D) CITIZEN COMMENTS**
- E) CONSENT AGENDA:**

Items on the Consent Agenda are considered by staff to be routine business items. Approval of the items may be made by a single motion, seconded, and a majority vote with no separate discussion of any item listed. Should a member of the Governing Body desire to discuss any item, the item will be removed from the Consent Agenda and considered separately.

  - 1. Approval of Minutes**
    - a. Regular Meeting – February 8, 2021
- F) BOARD of ZONING APPEALS**

None
- G) OLD BUSINESS**

None
- H) NEW BUSINESS**
  - 1. Comprehensive Plan Review
- I) CITY PLANNER REPORT**
  - 1. Dove Estates re-plat
  - 2. Agricultural zoning classification
- J) COMMISSIONER COMMENTS**
- K) ADJOURNMENT**

The Next Regular Meeting of the Planning Commission is scheduled for  
April 12, 2021 at 7pm.

**MINUTES-REGULAR SESSION  
CITY OF GODDARD  
118 NORTH MAIN, GODDARD, KS  
February 8, 2021**

The Goddard Planning Commission met in a Regular Session at Goddard City Hall on Monday February 8, 2021. Chair VanAmburg called the meeting to order at 7:03 p.m. Chair VanAmburg led in the Pledge of Allegiance and led the Invocation.

Commission members present were:

Justin Parks, Jamie Coyne, Doug VanAmburg, Shane Grafing, Jody Crow

Commissioners absent were:

Doug Hall, Darrin Cline

Also present were: Micah Scoggan, City Planner; Thatcher Moddie Assistant to the City Administrator

**APPROVAL OF THE AGENDA**

**MOTION:** Commissioner *Grafing* moved to approve the agenda. Commissioner *Coyne* seconded the motion. The motion carried unanimously.  
**5-0**

**APPROVAL OF THE MINUTES**

**MOTION:** Commissioner *Coyne* moved to approve the minutes from January 11, 2021. Commissioner *Crow* seconded the motion. The motion carried unanimously.  
**5-0**

**CITIZEN COMMENTS**

None

**BOARD OF ZONING**

None

**OLD BUSINESS**

None

## **NEW BUSINESS**

### **H.1 Review the subdivision regulations**

**Scoggan** introduced the subject. He stated that according to Article 13.105 of the subdivision regulations, an annual review of the subdivision regulations shall be undertaken by the Planning Commission in January. This will help the Planning Commission give their ideas on how best to improve the regulations that will be used for development moving forward.

Items of note that have come up in the past year can be discussed and were documented for this meeting to help guide the conversation.

He further stated in order to maintain these regulations including the Official Zoning Map(s), the Planning Commission shall annually hold a public review at their first regular meeting in January to consider amendments, if any, to these regulations.

Preceding such a review, the Governing Body and other affected governmental agencies and interested parties should be notified of the intent to review and their ideas requested.

In preparation for such a review, the Community Development Director shall maintain a master copy of the current zoning regulations on which are recorded comments and ideas brought to the attention of the Director during the preceding year in order to maintain the intent and purpose of these regulations under changing conditions and to implement the Comprehensive Plan.

Information on any relevant changes in state statutes shall be compiled for the review.

**Scoggan** explained he split the subdivision regulations into 4 sections for review and to solicit the opinions of the Planning Commission.

**Scoggan** spoke on adopting a new zoning classification and using that new zoning classification for up zoning a portion of “Old Goddard” he described as north of Santa Fe road and west of Goddard road.

**Scoggan** stated that requests for duplexes and re-zoning is still on going and he stated that a rezoning or a conditional use permit would have to be approved by the Planning Commission first and require public notice.

**Commissioner Crow** asked would the process speed up the rezoning process or pulling the building permit.

**Scoggan** stated if there was a blanket rezoning they would not have to go through the rezoning procedure, and it would speed up this process.

**Scoggan** stated there was a possibility for engaging the public with an open meeting to show how a citizens property value would increase or benefit from the up zoning.

**Chair VanAmburg** asked if this would put the Planning Commission out of the picture which he stated he didn’t necessarily feel was a bad thing. He asked if there was a blanket rezoning anyone could pull a building permit and it wouldn’t need to be reviewed.

**Scoggan** replied there were several ways you could approach it. One was to have a blanket rezoning that did not require a site plan review or you could require a site plan review for any multifamily building inside of that geography.

**Commissioner Crow** asked if the blanket rezoning could just be an existing zoning classification like R-3.

**Scoggan** replied each zoning classification comes with bulk regulations and R-3 has specific bulk regulations that would make it more cumbersome for density building within Old Goddard. If a new zoning classification was created, it would be able to have different bulk regulations custom to that zoning classification.

**Commissioner Crow** said something else to think about was the perception and multi-family was not viewed favorably. If a blanket rezoning is not going to fly with the public could there be a process in place to expedite the re-zoning procedure.

**Scoggan** replied not necessarily due to the fact that rezoning is influenced by state law and requires the Planning Commission to be notified and citizens within 200 feet to be notified.

**Scoggan** mentioned that the industrial zoning classification was prohibitive and exclusive in its application. This was troublesome when businesses wanted to move into Goddard but the only area available was industrial which prohibited other land uses.

**Commissioner Crow** said we would simply be changing the specifications from exclusion to inclusion.

**Scoggan** agreed.

**Scoggan** said with sign regulations a moratorium might want to be considered since December 31, 2021 is the cutoff date for compliance.

**Scoggan** mentioned Wichita has a one-step final platting process. He elaborated that in some situations a one-step final platting process would be beneficial because what would be required on the preliminary plat is either not applicable to the development or it will be repeated on the final plat.

**Chair VanAmburg** asked if the plat would still come before Planning Commission.

**Scoggan** replied all plats at some point must come before Planning Commission, either as a final plat or a pre-plat and final plat.

**Commissioner Coyne** asked would this be another zoning classification for the industrial park or would there be another location for industrial.

**Scoggan** replied it could be a new zoning classification or it could be an amendment to the existing zoning classification which wouldn't require any existing industrial businesses to be changed in their zoning classification.

**Scoggan** further stated without rail and a seaport it is unlikely heavy industrial, like oil or textile manufacturing, would want to locate into the City.

**Commissioner Crow** asked which specific land uses were prohibited.

**Scoggan** replied certain land uses were not necessarily prohibited but they would have to go through a lengthier application process for being allowed to exist in that industrial park.

**Scoggan** asked about having a sign moratorium.

**Commissioner Coyne** stated there should be a sit down to discuss with the Governing Body.

**Commissioner Crow** agreed and said the moratorium would be kicking the can down the road but it would help if we met with the Governing Body and businesses for a design workshop.

**Scoggan** asked if they were in favor of considering a one-step final platting process.

**Commissioner Coyne** asked if it would apply to all plats.

**Scoggan** replied it would apply to certain plats that had either already been platted once and didn't need a preliminary again or smaller lots or plats for developments that also required a site plan where most of the information on the site plan would also be on the preliminary plat.

**Commissioner Grafing** said it made sense to him.

**Scoggan** stated according to the city's subdivision regulations under article 6 home occupation sale of firearms or ammunition was prohibited. He further stated that according to K.S.A 12-16124 the Kansas Attorney General Opined in No. 2012-2, that this provision preempted local zoning regulations that prohibited home-based businesses engaged in the sale of firearms and ammunition. The Attorney General noted that the intention of the enactment was to remove the authority of cities to regulate firearms licensees. Because of this, the Goddard provision that prohibited the sale of firearms and ammunition in the Goddard zoning code is inconsistent with the Kansas statute and was rendered null and void by the enactment of that statute.

A Federal Firearms License (FFL) was applied for from a gentleman in the City Limits of Goddard. The Kansas City Department of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) reached out to City to see if there were any limitations to prohibit the issuance of the license.

**Scoggan** reiterated to say that the existing Home Occupation rule was rendered null and void by the Attorney General of Kansas.

**MOTION:** None required

**CITY PLANNER REPORT**

*Scoggan* stated that as the City grows, land adjoining the City limit will go through the annexation process involving the Planning Commission, as necessary, to consider the advisability of annexing certain lands. If the property owner of the land is petitioning the City to be annexed, no review is necessary. The Governing body would sign an ordinance annexing the land and the City would inform the Register of Deeds and the County Clerk.

If the property owner does not want to be annexed the City will unilaterally annex the property and it will trigger a review process involving the Planning Commission and other interested parties.

*Commissioner Coyne* asked when this would begin.

*Scoggan* replied it would first require a resolution to be adopted by the Governing Body.

*Commissioner Coyne* asked would you ask the property owners to petition first before they are unilaterally annexed.

*Scoggan* replied yes, they would be asked first if they want to be annexed and it is at the discretion of the Governing Body.

*Commissioner Crow* stated that even if the property owner did not want to be annexed the City could annex them anyway.

*Scoggan* replied that was correct.

*Chair VanAmburg* asked if the Dillon's warehouse was in the City limits.

*Scoggan* replied it was in the City limits.

*Scoggan* stated Baughman Company has submitted a revised site plan for the Dove Estates memory care patio homes. After the site plan has been approved the pre-plat and final plat will need to be approved for the re-plating of the patio homes. The new patio home builder wants to sell the homes individually instead of having them as a buy back policy. This requires individual parcels for taxing purposes.

The site plan can be approved by the City Planner but the plats, both the preliminary and the final plat, must be approved by the Planning Commission. The Final plat must be approved by the Governing Body.

*Scoggan* mentioned it was originally one large lot for patio homes and now it is being considered for individual lots for tax purposes and to do away with a buy back policy.

**PLANNING COMMISSIONER COMMENTS**

None

**ADJOURNMENT**

**MOTION:** Commissioner *Grafing* moved to adjourn the regular meeting.  
Commissioner *Crow* seconded the motion.  
The motion carried **5-0**

*Meeting adjourned at 7:47 pm.  
Micah Scoggan, City Planner*

**City of Goddard  
Goddard Planning Commission  
March 8, 2021  
7:00 PM**

**TO:** Planning Commission  
**SUBJECT:** Comprehensive Plan Review  
**PREPARED BY:** City Planner  
**AGENDA:** New Business

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**Background:** A comprehensive plan is a plan which outlines the goals and ideals of a city. The comprehensive plan has state guidelines for what needs to be entailed in the plan, but it is not limited to this as a city can add more for guiding purposes. Comprehensive plans are legislative in nature meaning the comprehensive plan is by in large a set of regulatory laws that are to be used for zoning purposes, land use regulating, and even the placement of new public buildings.

The City of Goddard adopted the Comprehensive Plan in 2015.

[2015 Comprehensive Plan](#)

**Analysis:** K.S.A 12-747 (d) *At least once each year, the planning commission shall review or reconsider the plan or any part thereof and may propose amendments, extensions or additions to the same. The procedure for the adoption of any such amendment, extension or addition to any plan or part thereof shall be the same as that required for the adoption of the original plan or part thereof.*

- Annual review is required but it can be a portion of the comprehensive plan like the subdivision regulations.

**Financial:** Future changes to the Subdivision regulations will require public notice in the City newspaper

**Legal Considerations:** Approved as to form

**Recommendation/Actions:** Review and inform only

**Attachments:** H.1.a Comprehensive Plan Outline (4 Pages)



**CITY OF GODDARD, KANSAS**

**COMMUNITY COMPREHENSIVE  
PLAN**

**EDITION OF 2015**

**PREPARED FOR THE  
GODDARD CITY PLANNING COMMISSION**

**BY  
RIGGS ASSOCIATES  
PLANNERS • LAND PLANNERS • LANDSCAPE ARCHITECTS  
Lindsborg, Kansas**

**Adopted as the Official Development Guide for the  
Community by Ordinance No. 771**

**EFFECTIVE DATE: April 6, 2015**

**Public Officials**

**City of Goddard, Kansas**

**MAYOR**

**Hon. Marcy Gregory**

**CITY COUNCIL**

**Joe Torske, Council President**

**Larry Zimmerman**

**Clayton Applegate**

**Jamey Blubaugh**

**Chris Hahn**

**PLANNING COMMISSION / BOARD OF ZONING APPEALS**

**Doug VanAmburg, Chairman**

**Darrin Cline**

**Ed Knox**

**Chris Hedrick**

**Shane Graffing**

**Doug Hall**

**Justin Parks**

**CITYADMINISTRATOR**

**Brian W. Silcott**

**CITY CLERK**

**Teri Laymon**

**CITY ATTORNEY**

**Thomas R. Docking**

**Law Offices of**

**Morris Laing**

**Evans Brock & Kennedy, Chtd.**

**PLANNING AND ZONING ADMINSTRATOR**

**Justin S. Givens**

**PLANNING CONSULTANT**

**RIGGS ASSOCIATES**

**Engineers • Planners • Landscape Architects**

**Lindsborg, Kansas**

**ABSTRACT**

**TITLE:** City of Goddard, Kansas, Comprehensive Community Plan,  
Edition 2015

**PLANNING**

**CONSULTANT:** Riggs Associates, Planner, Land Planers, Landscape Architects,  
Lindsborg, Kansas

**AUTHOR:** John W. Riggs, R.L.A. Kansas Certified Planner

**SUBJECT:** Long Range Community Development Planning:

- I Background for Planning
- II. Goals and Objectives
- III. Demographic Patterns
- IV. Land Use
- V. Housing
- VI. Transportation
- VII. Public Facilities
- VIII. Plan Implementation

**DATE:** April 6, 2015

**LOCAL**

**PLANNING**

**AUTHORITY:** Goddard City Planning Commission

**SOURCE**

**OF COPIES:** City of Goddard  
118 N Main St  
P.O. Box 667  
Goddard, KS 67052

**City of Goddard  
Goddard Planning Commission  
March 8, 2021  
7:00 PM**

**TO:** Planning Commission  
**SUBJECT:** Several items of note for informative purposes but not for voting on  
**INITIATED BY:** City Planner  
**AGENDA:** Staff Report

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**Background:** Micah Scoggan, City Planner, compiles a short concise report outlining relevant information and presents it to the Planning Commission.

**1. Dove Estates Re-plat**

Baughman Company has submitted a revised site plan for the Dove Estates memory care patio homes. After the site plan has been approved the pre-plat and final plat will need to be approved for the re-plating of the patio homes. The new patio home building wants to sell the homes individually instead of having them as a buy back policy. This requires individual parcels for taxing purposes.

The site plan can be approved by the City Planner but the plats, both the preliminary and the final plat, must be approved by the Planning Commission. The Final plat must be approved by the Governing Body.

This has been scheduled according to Baughman to be submitted to the City for the April 12<sup>th</sup> Planning Commission meeting.

**2. Agricultural Zoning**

As the City grows if we annex certain land by petition that are currently zoned agricultural it would be in the City's best interest to have a agricultural zoning classification to re-zone these new parcels or else they would be classified as R-1 "Single Family Detached" by default. This would create non-conformity with land uses and violate Chapter 2-116 of the City Code dealing with livestock.