

KANSAS OFFICE of  
**REVISOR of STATUTES**

LEGISLATURE of THE STATE of KANSAS  
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**MEMORANDUM**

To: Chairperson McGinn  
Members of the Senate Committee on Local Government

From: The Office of Revisor of Statutes

Date: February 6, 2024

Subject: SB 346 – Specifying who can propose rezoning amendments to city and county zoning regulations.

Senate Bill No. 346 (SB 346) would amend K.S.A. 12-757 regarding amendments to existing zoning regulations enacted by a city or county. Under current law, amendments to zoning regulations can be proposed by the governing body or the planning commission. If the proposed amendment is not a general revision of existing regulations and affects specific property, then the proposed amendment may be initiated by an affected landowner.

SB 346 proposes to differentiate between general revisions, labeled upzoning or downzoning amendments, and property-specific changes, labeled rezoning amendments. Upzoning and downzoning amendments are defined by the bill to be changes within an existing zone or district that affects the developmental capacity of such zone or district. For example, amendments to building square footage limits, height limits, and setback distances would be considered upzoning or downzoning amendments depending on whether such amendments allowed more development in the zone or discouraged additional development. SB 346 would continue to allow such changes to zoning regulations to be proposed by the governing body or the planning commission.

Rezoning amendments are defined in SB 346 to mean those amendments that change the zone or district classification of a zoned property. These amendments generally allow for a change in usage of a specific property from what would have been allowed under its previous zoning classification. Under SB 346 such amendments could only be proposed by an affected landowner.

If enacted, SB 346 would become effective on July 1, 2024.