



CITY OF GOODLAND
PLANNING COMMISSION AGENDA
TUESDAY, MAY 9th, 2023 AT 6:00P.M.
CITY HALL, 204 W. 11th ST., GOODLAND, KS

- 1. Call to Order**
 - a. Roll Call
- 2. Public Comment**
- 3. Review Current Comprehensive Plan Update October 2000 for the City of Goodland – Chapter 5 – Future Land Use. Also review Articles 5 – Code of Conduct and Article 6 – Ethical Principles, Planning Commission and Staff from the Procedures Manual for the Zoning Regulations.**

With new commissioner on board and a continuation of review from last meeting.
- 4. Request for Comprehensive Plan Update**

Staff will present information to planning commission on potential request to City Commission for the upcoming budget.
- 5. Reports**
 - A. Planning Commissioners
 - B. Staff
- 6. Minutes**
 - a. April 11, 2023 Minutes
- 7. Adjournment**



City of Goodland
204 W. 11th Street
Goodland, KS 67735

MEMORANDUM

TO: Planning Commissioners
FROM: Kent Brown, City Manager
Zach Hildebrand, Building Official
DATE: May 9, 2023
SUBJECT: Agenda Report

Agenda Items

3. Review Current Comprehensive Plan Update October 2000 for the City of Goodland – Chapter 5 – Future Land Use. Also review Articles 5 – Code of Conduct and Article 6 – Ethical Principles, Planning Commission and Staff from the Procedures Manual for the Zoning Regulations.

A continuation of the review – of the comprehensive plan update from October 2000.

4. Request for Comprehensive Plan Update

Staff will present information to planning commission on potential request to City Commission for the upcoming budget.

5. Reports:

A. Planning Commissioners

The Chair will ask each Planning Commissioner for their comments or questions for staff on any other topic not on the agenda at this time.

B. Staff – Upcoming items

6. Minutes:

A. 4-11-2023 Planning Commission Meeting Minutes

Staff recommends approval of the Meeting Minutes with any changes requested by the commission.

RECOMMENDED MOTION: I move that we approve the planning commission meeting minutes of April 11, 2023.

**ARTICLE 5
CODE OF CONDUCT**

In administering the zoning regulations, it is crucial that the decisions are made fairly and that they also have the *appearance* of fairness. The credibility of the Planning Commission, the Board of Zoning Appeals, the Governing Body and public support for zoning regulations in general will erode quickly if there is an appearance of unfairness or impropriety in members of these public bodies. For this reason, it is important that a code of conduct is established and followed as closely as possible.

Conflicts of Interest: In making zoning decisions, members of the Planning Commission, Board of Zoning Appeals, and the Governing Body should be acting in the best interest of the entire community. Whenever a member of any of these bodies is acting on an issue in which he or she also has a personal interest, an important element of fairness is lost. In general, a conflict of interest is any situation in which a member is in a position to act upon or influence a development request, which includes the potential for direct or indirect gain, financial or otherwise. In order to clarify this general rule, the following guidelines are recommended.

No member shall act on or influence any development request when:

1. The member has a potential for direct or indirect profit or financial gain from the development;
2. The member owns or is employed by any company which is an applicant, subdivider, developer or option holder;
3. The applicant, subdivider, developer or option holder is an established and regular client of the member or the member's place of employment;
4. One or more of a member's immediate family (parent, sibling, spouse or child) has a direct financial interest in the development or is an owner or officer of any company which is an applicant, subdivider, developer or option holder; or
5. The member has a potential for indirect financial gain or loss because of related property or business holdings.

Other situations not covered by these guidelines should be left to the judgment of the member involved. Again, the appearance of fairness and impartiality is as important as actual fairness and impartiality.

Ideally, citizens appointed to the Planning Commission and Board of Zoning Appeals should not include those who are likely to have repeated conflicts of interests. When a conflict of interest does occur, however, the following steps should be taken:

1. The member should declare and the record should show that a conflict of interest exists with respect to a particular issue and that the member will not participate in any discussion or action;
2. The member should step down from his or her regular seat and should not speak with any other members during the discussion of the issue at hand; and

3. The member should not represent or speak on behalf of the applicant, but may speak on this or her own behalf as a private citizen during the hearing.

Acknowledgment of Outside Information. During any public hearing, it is presumed that all sides will have the opportunity to hear the opposing side's information and arguments and to offer rebuttal. This right is lost when discussions are held or information is provided outside the public hearing. The possibility exists that a decision could be based on information that was never discussed publicly. To avoid this situation, Planning Commission and Board of Zoning Appeals members should not receive any information relating to a case or discuss a case with anyone who has an interest in the outcome. Where such a discussion or information is unavoidable, the member should declare during the hearing, and the record should show, the general nature and content of the discussion or information and the participants in the discussion or the source of the information.

These guidelines also apply to any personal knowledge which is relevant to the issue. If a member has any personal knowledge which will affect his or her decision, such information should be made public during the hearing and should be subject to rebuttal.

Informed Participation. All parties with an interest in a particular development issue have a right to a decision based on all of the available information. Any member who is not informed or aware of the available information should abstain from voting on that issue. This includes the following situations:

1. When a member has not reviewed the application or the information submitted with the application;
2. When a member has missed all or part of a public hearing and has not been able to review a transcript of the hearing; or
3. When a member has missed all or part of the discussion between members prior to the vote.

As a corollary to this policy, it is the duty of each member to attend normally scheduled meetings as regularly as possible. Without regular attendance, informed decision-making and full participation in the regulatory process is unlikely. The By Laws of the Planning Commission establish requirements and rules for attendance.

**ARTICLE 6
ETHICAL PRINCIPLES, PLANNING COMMISSION AND STAFF**

The Goodland Planning Commission has officially adopted the following principles to govern the conduct of its business. These principles should be considered as advisory rather than mandatory. Should any questions arise about the interpretation and application of any of these principles, the City Attorney should be consulted.

1. Serve the Public Interest. The primary obligation of Planning Commission members and planning staff is to serve the public interest.
2. Support Citizen Participation in Planning. Because the definition of the public interest is modified continuously, Planning Commission members and planning staff must recognize the right of citizens to seek to influence planning decisions that affect their well-being. Members should encourage a forum for meaningful citizen participation and expression in the planning process and assist in clarifying community goals, objectives, and policies.
3. Recognize the Comprehensive and Long-Range Nature of Planning Decisions. Planning Commission members and planning staff should recognize and give special consideration to the comprehensive and long-range nature of planning decisions. Planning Commission members and planning staff must seek to balance and integrate physical (including historical, cultural, and natural), economic, and social characteristics of the community or area affected by those decisions. Planning Commission members and the planning staff must gather all relevant facts, consider responsible alternative approaches, and evaluate the means of accomplishing them. Planning Commission members and planning staff should expressly evaluate foreseeable consequences before making a recommendation or decision.
4. Expand Choice and Opportunity for All Persons. Planning Commission members and planning staff should strive to make decisions which increase choice and opportunity for all persons; recognize a special responsibility to plan for the needs of disadvantaged people; and urge that policies, institutions, and decisions which restrict choices and opportunities be changed.
1. Facilities Coordination through the Planning Process. Planning Commission members and planning staff must encourage coordination of the planning process. The planning process should enable those concerned with an issue to learn what other participants are doing, thus permitting coordination of activities and efforts and accommodation of interests. Planning Commission members and planning staff should strive to ensure that individuals and public and private agencies likely to be affected by a prospective planning decision receive adequate information far enough in advance of the decision to allow their meaningful participation.
5. Avoid Conflict of Interest. To avoid conflict of interest and the appearance of impropriety, Planning Commission members who may receive some private benefit from a public planning

decision must not participate in that decision. The private benefit may be direct or indirect, create a material, or personal gain, or provide an advantage to an immediate relation.

6. Render Thorough and Diligent Planning Service. Planning Commission members and planning staff must render thorough and diligent planning service. Should a Planning Commission member or members of staff believe she or he can no longer render such service in a thorough and diligent manner, she or he should resign from the position. If a member has not sufficiently reviewed relevant facts and advice affecting a public planning decision, the member must not participate in that decision.

8. Do Not Seek or Offer Favors. Planning Commission members and members of staff must seek no favor. Planning Commission members and planning staff must not directly or indirectly solicit any gift or accept or receive any gift (whether in money, services, loans, travel, entertainment, hospitality, promises or in some other form) under circumstances in which it could be reasonably inferred that the gift was intended or could reasonably be expected to be intended to influence them in the performance of their duties or that it was intended or could reasonably be construed to be intended as a reward for any recommendation or decision on their part. Individuals must not offer any gifts or favors intended to influence the recommendation or decision of Planning Commission members or planning staff.

2. Do Not Disclose or Improperly Use Confidential Information for Financial Gain. Planning Commission members and planning staff must not disclose or use confidential information obtained in the course of their planning duties for financial or other gain. A Planning Commission member or staff must not disclose to others confidential information acquired in the course of their duties or use it to further a personal interest. Exceptions to this requirement of non-disclosure may be made only when (a) required by process of law, (b) required to prevent a clear violation of law, or (c) required to prevent substantial injury to the public. Disclosure pursuant to (b) and (c) must not be made until after the Planning Commission member or member of staff has made reasonable efforts to verify the facts and issues involved, obtain reconsideration of the matter, and obtain separate opinions on the issue from other planners or officials.

9. Ensure Access to Public Planning Reports and Studies on an Equal Basis. Planning Commission members and planning staff must ensure that reports and records of the public planning body are open equally to all members of the public. All non-confidential information available to a member or planning staff must be made available in the same form to the public in a timely manner at reasonable or no cost.

CITY OF GOODLAND, KANSAS - PROCEDURES MANUAL

Article 6 – Ethical Principles, Planning Commission and Staff

10. Ensure Full Disclosure at Public Hearings. Planning Commission members and staff members must ensure that the presentation of information on behalf of any party to a planning question occurs only at the scheduled public hearing on the question, not in private, unofficially, or with other interested parties absent. The official must make partisan information regarding the question (received in the mail, by telephone, or other communication) part of the public record.

11. Maintain Public Confidence. A Planning Commission member or member of staff must conduct himself/herself publicly so as to maintain public confidence in the public planning body, the City of Goodland and the official's performance of the public trust.

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City of Goodland Planning Commission Minutes

4/11/2023

1. CALL TO ORDER:

The April 11, 2023 meeting of the Planning Commission was called to order at 7:00 p.m. Planning commissioners in attendance: Grady Bonsall, Wallace Hansen and Matt McKenzie. Dennis Snethen was absent. Staff in attendance: Kent Brown, City Manager and Zach Hildebrand, Building Official. Julica Oharah, Sherman County Community Development Executive Director.

2. Public Comment

There was no public comment

3. Discussion on Site Plans. Sec. 19-1302. – Applicability - The Building Official shall require that all applications for building permits for new buildings or expansion of any existing buildings in multifamily, commercial and industrial zoning districts be subject to Site Plan Review in accordance with these regulations.

- a. Welcome Center – 524 E. Hwy24 – redesign and add bathrooms with exterior access.

Matt McKenzie, MJJC LLC, stated he was the general contractor for this project and was presenting the plans of this remodel since it was the city's property. The restrooms will have exterior access for the public and ADA compliant. There is one bathroom in use today for staff. One of the interior partition walls will be moved. Two doors will be inserted on the exterior wall and the plumbing will be moved in order to have 2 bathrooms. Matt continued to review the plans for the commission.

A material list and concerns about locking systems was discussed.

There was no formal site plan review by the building official to be approved by the Planning Commission since there was no addition to the building.

4. Review Current Comprehensive Plan Update October 2000 for the City of Goodland – Chapters 4

City Manager Brown reviewed Chapter 4, Goals, Objectives and Action Agenda from the 2000 Comprehensive Plan Update. Commissioners Bonsall and McKenzie reviewed the changes that have been completed since the Comp Plan Update. There was discussion on housing and zoning districts for residential, economic development objectives and parks and trails projects. Commissioner Hansen remarked on city staffing for water and other utilities and also regarding street projects including school zones. Commissioner Hansen also remarked regarding the police department location.

5. Reports

A. Planning Commissioners

Chairman McKenzie asked if Commissioners Bonsall and Hansen had anything to report. Commissioner Bonsall had nothing to report. Commissioner Hansen had nothing to report. Chairman McKenzie stated he had nothing to report.

B. Staff

City Manager Brown introduced new Building Official Zach Hildebrand.

6. Minutes

a. February 13, 2023 Minutes

Commissioner Hansen moved, seconded by Commissioner Bonsall, to approve the minutes as presented. Motion carried unanimously.

7. Adjournment

Chairman McKenzie motioned to adjourn, seconded by Commissioner Hansen. Motion passed unanimously. The meeting was adjourned at 8:20 p.m.