

**CITY OF ABILENE  
PLANNING COMMISSION  
AGENDA**

July 6, 2022 at 4:00 p.m.  
Abilene Public Library  
209 NW 4<sup>th</sup> St. Abilene, KS 67410

<b>Agenda Item</b>
1. Call to Order
2. Roll Call: ___ Bill Marshall, Chair ___ Brenda Finn-Bowers, Vice Chair ___ Rod Boyd ___ Matt Mead ___ Diana Miller ___ Helen Pugh ___ Travis Sawyer
3. Approval of Agenda
4. Approval of the Meeting Minutes – June 7, 2022
<b>Business</b>  5. Public hearing for a proposed text amendment to Section 29-1402 of the zoning regulations of the City of Abilene pertaining to the membership requirements of the Heritage Commission. *Staff report *Open public hearing *Public comments *Close public hearing *Commission discussion and action
6. Planning Commission Comments and Staff Updates
7. Adjournment

**Abilene Planning Commission Minutes**  
**Abilene Public Library**  
**209 NW 4<sup>th</sup> St., Abilene, KS**  
**June 7, 2022 at 4:00 p.m.**



**1. Call to Order** by Chair Marshall

**2. Roll Call**

Planning Commissioners Present: Chair Bill Marshall, Vice Chair Brenda Finn Bowers, Rod Boyd, Travis Sawyer, Matt Mead

Absent: Helen Pugh, Diana Miller

Staff Present: Community Development Director Kari Zook, Administrative Assistant Kelsey Briand

**3. Approval of Agenda**

Motion by Sawyer to approve the agenda, seconded by Boyd. Motion carried unanimously 5-0.

**4. Minutes**

Motion by Finn Bowers to approve the May 3, 2022 minutes as written, seconded by Mead. Motion carried unanimously 5-0.

**Business**

**5. Golden Belt Heights updates**

Discussion was held regarding updates on the Golden Belt Heights East housing development. Currently seventeen lots have sold; twenty lots have been reserved with a lot reservation agreement. The west side re-plat is in process for multi-family lot sizes. The website for Golden Belt Heights will be live this week and linked from our main City of Abilene website.

**6. Planning Commission Comments and Staff Updates**

Staff are in the pre-planning stages of working towards an update on the Comprehensive Development Plan. Staff are planning a training workshop for all Planning Commissioners and city staff in the near future. The July meeting will be held on Wednesday, July 6<sup>th</sup> because of the holiday and room availability.

**7. Adjournment**

Motion by Boyd to adjourn, seconded by Finn Bowers. Motion carried unanimously 5-0.

ATTEST:

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Bill Marshall, Chair

Brenda Finn Bowers, Vice Chair

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Kari Zook

Community Development Director

# Staff Report

**TO:** Planning Commission  
**FROM:** Kari Zook, Community Development Director  
**SUBJECT:** Heritage Commission code amendment  
**DATE:** July 6, 2022

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## BACKGROUND:

There are currently two vacancies on the Heritage Commission with two pending applications from citizens willing to serve. Before city staff present the two applications to the City Commission for appointment, we would like to clean up the conflicting city code which states:

**1-908 Heritage Commission:** The Heritage Commission shall consist of seven (7) members appointed by the Governing Body for three (3) year terms. The Heritage Commission shall be organized in the manner and have the powers and duties provided by Section 29 of the Zoning Code. It shall not be a requirement to reside within the city limits of Abilene, Kansas to serve on said commission, however, the majority of said commission should reside within the city limits of Abilene, Kansas.

**29-1402 Membership:** The Heritage Commission shall consist of seven (7) members, all of whom must reside within the city limits, to be appointed by the City Commission. The membership of the Commission shall include, but not be limited to, one architect, one member of the real estate profession, one city planning commissioner, one representative of the Dickinson County Historical Society, one trained historian or archaeologist, if available, and other individuals that the City Commission may wish to consider.

After consultation with our city attorney, staff prefer the 1-908 version. A draft ordinance with the proposed amendments to 29-1402 is attached for reference.

The notice of this public hearing was published in the Abilene Reflector Chronicle on June 14, 2022.

## COMMENTS:

Departmental comments: None

Citizen comments: None

Upon conclusion of the public hearing, the Planning Commission will render a recommendation to the City Commission.

## ACTION:

The Planning Commission may:

1. Recommend approval of the proposed text amendment to Section 29-1402.
2. Recommend approval of the proposed text amendment with changes to Section 29-1402.
3. Recommend disapproval of the proposed text amendment with findings to Section 29-1402.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AMENDING SECTION 29-1402 OF THE ZONING REGULATIONS FOR THE CITY OF ABILENE, KANSAS CONCERNING MEMBERSHIP OF THE HERITAGE COMMISSION.**

**BE IT ORDAINED, BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:**

**SECTION ONE.** Section 19-1402 of the Zoning Regulations for the City of Abilene, Kansas is hereby amended to read as follows:

**29-1402.** Membership: The Heritage Commission shall consist of seven (7) members, ~~all of whom must reside within the city limits,~~ to be appointed by the City Commission. ~~The membership of the Heritage Commission may include not more than three (3) members who reside outside of the city limits of Abilene, Kansas. The remaining members shall reside within the city limits of Abilene, Kansas. The membership of the Commission shall include, but not be limited to, one architect, one member of the real estate profession, one city planning commissioner, one representative of the Dickinson County Historical Society, one trained historian or archaeologist, if available, and other individuals that the City Commission may wish to consider.~~

**SECTION TWO.** Existing Section 29-1402 of the Zoning Regulations of the City of Abilene, Kansas is hereby repealed.

**SECTION THREE.** This ordinance shall be in full force and effect from and after its adoption and publication once in the official city newspaper by the following summary:

Ordinance No. \_\_\_\_\_ Summary

On \_\_\_\_\_, 2022, the City Commission passed Ordinance No. 22-\_\_\_\_\_. The ordinance amends Section 29-1402 of the Zoning Regulations for the City of Abilene, Kansas concerning membership of the Heritage Commission. A complete copy of the ordinance is available online at [www.abilencityhall.com](http://www.abilencityhall.com) or in the office of the City Clerk, 419 N. Broadway Street in Abilene, Kansas, free of charge. This summary is certified by the City's legal counsel.

APPROVED AND PASSED by the Governing Body of the City of Abilene, Kansas, this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Dee Marshall, Mayor

Attest:

\_\_\_\_\_  
Shayla Mohr, City Clerk

The publication summary set forth above is certified this \_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
Aaron O. Martin, Legal Counsel

## **1-908. Heritage commission.**

The Heritage Commission shall consist of seven (7) members appointed by the Governing Body for three (3) year terms. The Heritage Commission shall be organized in the manner and have the powers and duties provided by Section 29 of the Zoning Code. It shall not be a requirement to reside within the city limits of Abilene, Kansas to serve on said commission, however, the majority of said commission should reside within the city limits of Abilene, Kansas.

## **SECTION 29-14 HERITAGE COMMISSION**

29-1401. The Heritage Commission is hereby created, whose purposes will be to inventory, promote, list, record, protect, preserve and enhance places, areas, features or sites within the city that have special significance in the architectural, archaeological, cultural or historical sense. The Commission shall also advise the City Commission and other groups concerning preservation of the city's historic and cultural heritage.

29-1402. Membership: The Heritage Commission shall consist of seven (7) members, all of whom must reside within the city limits, to be appointed by the City Commission. The membership of the Commission shall include, but not be limited to, one architect, one member of the real estate profession, one city planning commissioner, one representative of the Dickinson County Historical Society, one trained historian or archaeologist, if available, and other individuals that the City Commission may wish to consider.

29-1403. Terms of Office: Appointments to the Heritage Commission shall be for a term of three (3) years. Three (3) members of the first Commission shall serve for three (3) years, two (2) members shall serve for two (2) years and two (2) members shall serve for one year. Thereafter, all members shall serve for three (3) years.

29-1404. Compensation; expenses: The members of the Heritage Commission shall serve without compensation except for necessary expenses sustained in carrying out their official duties. Such expenses shall be paid by the city as authorized by the City Commission.

29-1405. Officers: The Heritage Commission shall annually elect from its membership a chair and vice-chair, whose terms of office shall be one year. The Heritage Commission shall appoint a secretary from the city planning department, who shall keep a record of all minutes, ordinances and proceedings and other actions of the commission.

29-1406. Vacancies: All vacancies on the Heritage Commission shall be filled by the City Commission.

29-1407. Quorum; voting; minutes: The presence of four (4) members of the Heritage Commission shall constitute a quorum, and issues shall be decided by a majority vote of the members present. The minutes of each meeting shall be filed in the office of the City Clerk.