



KANSAS
ASSOCIATION OF
COUNTIES

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Senate Federal and State Affairs Committee
March 17, 2022
HB 2688

Kansas Association of Counties
Opponent Testimony

Chairman Olson and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer testimony regarding HB 2688, which would restrict zoning enforcement on farm wineries.

The language of concern to the Kansas Association of Counties is contained in Sections 2, 3, and 4 of the bill. This language would invalidate any zoning requirements, as it requires that a license be issued “notwithstanding any zoning or other regulations, resolutions, or ordinances of any city or county.”

Zoning regulations are an important part of the land use outline for local governments. The language of HB 2688 would essentially eliminate this requirement, as the license would have to be granted, allowing a use that does not otherwise meet the zoning requirements of the county. There are many reasons why zoning may not have been approved. There may be issues with ingress/egress from the property for the new use. The site or structure may not support the additional foot traffic. Requiring licensure prior to addressing these issues could result in safety concerns.

While KAC is not taking a position on the other sections of this bill, KAC would oppose this invasion on local control, and in particular this invalidation of local land use provisions. Thank you for your time and consideration.

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