

A SURVEY OF PUBLIC OFFICIALS'
ATTITUDES TOWARD COUNTY ZONING IN KANSAS

by

PETER H. OLSON

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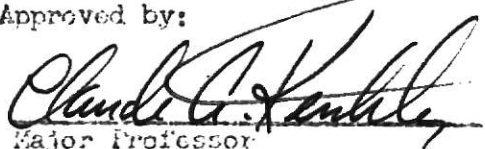
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Approved by:


Major Professor

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TABLE OF CONTENTS

| <u>CHAPTER</u> | <u>CHAPTER TITLE</u> | <u>PAGE</u> |
|----------------|--------------------------------------|-------------|
| - | List of Tables | iii |
| 1 | Introduction | 1 |
| 2 | The Legal Base of Zoning | 4 |
| 3 | Design of the Survey Questionnaire | 11 |
| 4 | Analysis of the Survey Questionnaire | 19 |
| 5 | Recommendations | 39 |
| - | Bibliography | 43 |
| - | Appendix | 44 |

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LIST OF TABLES

| <u>Table Number</u> | <u>Title</u> | <u>Page</u> |
|---------------------|-------------------------------------------------------------------------------------------------------|-------------|
| 3-1 | Table of Major Hypotheses and Related Sub-Hypotheses | 17 |
| 4-1 | Frequency of Response to Survey Questions | 20 |
| 4-2 | Counties with Zoning by Rural-Urbanness of Counties | 22 |
| 4-3 | Constituent Attitudes Toward Zoning by Rural-Urbanness of Counties | 22 |
| 4-4 | Commissioners' Attitudes Toward Zoning by Commissioners' Place of Residence | 23 |
| 4-5 | Commissioners' Attitudes Toward Zoning by Rural-Urbanness of Counties | 24 |
| 4-6 | Counties with Zoning by Cities with Zoning | 25 |
| 4-7 | Commissioners' Attitudes Toward Zoning by Cities with Zoning (Counties with zoning) | 25 |
| 4-8 | Commissioners' Attitudes Toward Zoning by Cities with Zoning (Controlled for counties without zoning) | 26 |
| 4-9 | County Consideration of Adoption of Zoning by Constituent Attitudes Toward Zoning | 27 |
| 4-10 | Commissioners' Attitudes Toward Zoning by Constituents' Attitudes Toward Zoning | 28 |
| 4-11 | Commissioners' Actions to Promote Zoning by Constituent Attitudes Toward Zoning | 28 |
| 4-12 | How Commissioners Believe Zoning Should be Enforced by Constituent Attitudes Toward Zoning | 29 |
| 4-13 | County Consideration of Adoption of Zoning by Commissioner Belief That Zoning is Fair or Unfair | 31 |
| 4-14 | Commissioners' Attitudes Toward Zoning by Commissioner Belief that Zoning is Fair or Unfair | 32 |
| 4-15 | Commissioner Attitudes Toward Uniform Regional Zoning by Commissioner Attitudes Toward Zoning | 33 |

LIST OF TABLES (continued)

| <u>Table Number</u> | <u>Title</u> | <u>Page</u> |
|---------------------|--------------------------------------------------------------------------------------------------------------------------|-------------|
| 4-16 | Commissioner Attitudes Toward Uniform Regional Zoning by Constituent Attitudes Toward Zoning | 33 |
| 4-17 | Commissioner Attitudes Toward Uniform Regional Zoning by Reasons Why County Has or Has Not Considered Adoption of Zoning | 34 |
| 4-18 | Commissioner Attitudes Toward Uniform Regional Zoning by Reasons for Commissioner Attitudes Toward Regional Zoning | 34 |
| 4-19 | Outcome of Sub-hypotheses in Relation to Major Hypotheses | 36 |
| A-1 to A-10 | ----- | Appendix |

Chapter 1

Since colonial times efforts have been made to regulate the use of land in order to provide protection for the public health and safety. One of the tools available for this endeavor is zoning. Zoning is the regulation of the use of land, population density, and height, bulk, and use of buildings. From the earliest zoning measures, designed to segregate gunpowder mills and storehouses from residential and commercial areas, the exercise of public control over private interests for the protection of public health and safety has led to the development of complex zoning regulations. Zoning within cities has matured in the last fifty years and is now highly refined to meet the various needs of different communities. During the same time that urban areas were developing and refining their zoning regulations, few rural areas were implementing zoning to protect agricultural land from urban encroachment.

The urban-agriculture conflicts resulting from the slow development and acceptance of zoning regulations in rural areas has created complex problems for rural governments and residents. "These conflicts and the problems created may be separated into the following three groups:

1. Problems of excessive taxes resulting from a shifting to farm taxpayers of development and public service costs.
2. Problems that result from adverse effects of nonfarm land uses on agricultural plant and operations.
3. Problems created by objections of nonfarm people to certain farming activities and practices."¹

¹ Erling D. Solberg, "The Why and How of Rural Zoning," Agriculture Information Bulletin No. 196, December, 1958

Many rural residents and the public officials whose duty it is to represent these individuals may not be aware of the benefits of zoning rural lands. Protection from urban encroachment is one of the major benefits zoning provides to rural residents and their property. Zoning of rural land can prevent widespread, piecemeal location of nonfarm residences and subdivisions. Regulation of junkyards and garbage dumps through zoning can protect farmlands from haphazard location of these uses which have detrimental effects on land productivity and livestock. Commercial and industrial uses which are excluded or strictly regulated by most communities can be prevented from locating in these rural areas without meeting certain regulations intended to protect the rural resident and his land.

Unregulated use and development of rural land leads to the three groups of problems cited above. Adoption and implementation of zoning regulations is needed to prevent rural areas from becoming overburdened with excessive service costs. Zoning regulations can help rural areas prevent or regulate commercial and industrial uses of land which are attempting to avoid strict regulations imposed by most urban areas.

The need for zoning of rural land has been recognized and the benefits of zoning rural areas are numerous. The adoption of county ordinances can and has helped solve problems encountered by rural areas in the face of urban encroachment. However, many rural areas do not have zoning regulations. The absence of firm enabling legislation and local initiative combined with conservative attitudes and political considerations are contributing factors that have retarded the development and adoption of zoning regulations in rural areas.

In Kansas, enabling legislation has made it possible for counties to control their rural land through zoning regulations. However, many counties in

Kansas have not adopted zoning regulations. Many counties in the state have the need for and the ability to provide zoning of their rural land. With the need for regulation and the ability to provide such regulation, it is apparent that some attitudes exist among public officials or their constituents which may explain why zoning has not been implemented in many Kansas counties.

It is the intention of this report to identify prevalent attitudes of county officials toward county zoning. Identification of these attitudes will provide an explanation of why many counties in the state have not adopted zoning regulations. The legal base of zoning will be discussed in the following chapter to show that valid enabling legislation exists in Kansas which allows all counties to implement zoning regulations. Subsequent chapters will discuss a statewide survey of County Commissioners' and County Planning Commission Chairmen attitudes toward zoning. Conclusions drawn from this survey will present major reasons which impede the adoption of zoning in many counties. Recommendations of possible steps aimed at encouraging the adoption of county zoning will be presented in an effort to assist state, regional, and county officials in the implementation of a vital tool necessary for the success of orderly growth and development in this state.

Chapter 2

Zoning is a major tool of planning that is available to public officials and planners for use as a means of insuring orderly growth and development of their jurisdiction. Zoning regulations and ordinances offer public administrators the opportunity to regulate the use of land to insure the best possible protection of the public health, safety, and welfare. Zoning as it is known today has become complex since 1916 when New York City adopted the first comprehensive zoning ordinance in this country. Since that time, the legal authority for public control of private land has been questioned and subsequently refined by numerous legal cases. An investigation of this legal history will provide an understanding of the legal authority for adoption and implementation of zoning ordinances. This chapter will discuss the development of the legal base for zoning in this country. The history of Kansas zoning law will then be discussed to demonstrate how county zoning has developed in the state.

Zoning is an exercise of the police power which is inherently a right of the several states. "Police power may be defined as the power of the state to adopt and establish reasonable laws, restricting and regulating the use and enjoyment of property in order to promote the general welfare and the public health, safety, morals, order, convenience, and prosperity."¹ Since zoning is a police power, governmental subdivisions of a state may be authorized by the state to exercise such regulations within the guidelines expressly set forth by the state. The authors of this country's first zoning ordinance, adopted by the New York City Board of Estimate and Apportionment on July 25,

¹Leland Edmonds, Class Lecture in Planning Administration and Implementation, Department of Regional and Community Planning, Kansas State University, 1974

1916, were aware that ".....a zoning ordinance would be upheld only if its relation to the police power could be established to the satisfaction of the courts."² The New York City zoning ordinance was properly related to the police power in two ways. First, an act of the New York legislature granted the Board of Estimate and Apportionment of New York City the power to adopt a zoning ordinance. Secondly, references were made in the ordinance which stated that the regulations were designed to promote the general welfare and the public health, safety, and order. The New York City comprehensive zoning ordinance was subsequently questioned in Lincoln Trust Company v. Williams Building Corporation, 229 NY 313; 128 NE 209(1920). The court held that the ordinance was a proper exercise of the police power.

With legal support from the New York decision by the New York Court of Appeals, the idea of comprehensive zoning spread rapidly. By 1925, nineteen states had enacted enabling legislation for zoning based on the first Standard State Zoning Enabling Act of 1921. The question of whether or not zoning regulations were a legitimate exercise of the police power was yet to be decided by the U. S. Supreme Court but by 1926 many state courts had upheld the constitutionality of zoning.

In Village of Euclid, Ohio v. Ambler Realty Company, 272 U.S. 365, 47 S.Ct. 114, 71 L.Ed. 303(1926), the U. S. Supreme Court upheld the constitutionality of zoning by ruling that the comprehensive zoning ordinance was a valid exercise of the police power because the ordinance had the intent of regulating the use of land to provide for the equal protection of the public health, safety, and general welfare. With this decision the validity of

²Robert M. Anderson, American Law of Zoning, vol. 1, (San Francisco: The Bancroft-Whitney Company, 1968), p. 45

zoning was firmly stated and the acceptance of zoning regulations and ordinances increased. "The Euclid Case firmly established the constitutionality of comprehensive zoning. It determined that the main features of the orthodox type of zoning ordinance - the division of the community into districts, the restriction of the use of private land in such districts, and the exclusion of certain residential districts - were within the reach of the police power. In addition, the Euclid decision tipped the judicial scales so heavily in favor of approval of this kind of land use control that the courts of all of the states finally approved it."³

Kansas, however, had passed legislation in 1921 authorizing cities to enact a zoning ordinance. Chapter 100 of the Laws of 1921 authorized any city in Kansas to divide itself into zones and to regulate the use of land and buildings within those zones. The constitutionality of this law was subsequently raised in 1923 in the case of Ware v. City of Wichita, 113 Kan. 153 (1923). In deciding this case, the Supreme Court of Kansas held that the establishment of reasonable zoning districts under the authority of Chapter 100 of the Laws of 1921 was a valid exercise of the police power. In this decision, the Supreme Court of Kansas related zoning to the police power as defined earlier in this chapter by saying: "It cannot be denied, however, that a reasonable zoning ordinance has some pertinent relation to the health, safety, morals and general welfare of the community."⁴

Kansas cities were granted the authority to zone in 1921 and the constitutionality of this delegation of the police power was accepted by the Supreme Court in Kansas in 1923. The Euclid decision handed down in 1926

³Ibid., p. 53

⁴William A. Dumars, Reports of Cases Argued and Determined in the Supreme Court of the State of Kansas, vol. 113, (Topeka: State Printing Plant, 1923), p. 153

by the U. S. Supreme Court reinforced the Kansas decision and zoning became an accepted tool of land use regulation in this state. At this time zoning became an important regulatory device for cities but there were no provisions made for the regulation of land use in Kansas counties. Legislation enabling adoption of county zoning regulations developed slowly over the next forty-five years.

Chapter 165 of the Laws of 1939 was the first enabling legislation relative to county zoning. This law authorized the zoning of unincorporated territories of townships in counties with a population of between 30,000 and 100,000. Additionally, such counties authorized to develop zoning under this law were to be adjacent to either another county with a city of more than 100,000 population, or adjacent to another state. This law was subsequently amended in 1941, 1945, 1947, 1953, 1961, and 1963 so that Chapter 19, Article 29, Section 1 of the General Statutes of Kansas now reads in part ".....the county commissioners of all counties in this state may by resolution provide that all lands within any township in said county which lie outside the limits of any incorporated city may be zoned according to the provisions of this act....."⁵ It was not until later that amendments to Chapter 19 authorized all counties to implement zoning regulations.

Chapter 164 of the Laws of 1939 originally authorized the establishment of county planning boards which could make recommendations to county commissioners regarding the development, regulation, and enforcement of a county plan. This law originally applied to counties of more than 70,000 population. The law was subsequently amended in 1941 and 1953. The 1953 amendment extended this authority to all counties with a population of between 10,000 and

⁵Kansas Statutes Annotated 1974, 19-2901

250,000. Amendments in 1965 and 1970 extended this authority to all counties in the state. As a result of the above mentioned amendments, Chapter 19, Article 29, Section 19 of the General Statutes of Kansas authorizes any county to adopt, amend, and implement zoning regulations. Jurisdictions are defined in this authorization. "Such resolution shall define the area to be governed by such zoning regulations and may include the entire unincorporated area of the county, or the unincorporated area of any township containing or adjoining a city now having or which may hereafter adopt a zoning ordinance, or the unincorporated area lying within three (3) miles of any city having adopted a zoning ordinance....."⁶

With the adoption of Section 9, Chapter 71 of the Laws of 1970, authority for counties to adopt zoning regulation became complete. Chapter 19, Article 29, Section 19 of the General Statutes extends zoning authority to all counties on a county wide basis as a result of the 1970 amendment. This authority includes zoning of county territory within three miles of any incorporated city. The development of county zoning enabling legislation has taken nearly fifty years. During this period many counties have not implemented this power of regulation. Problems occurring in county territory adjacent to incorporated cities resulted from this lack of zoning by county governments. It became apparent that cities should be allowed to control territory adjacent to their boundaries if the county government did not deal with problems in these areas.

Chapter 76 of the Laws of 1969 was enacted so that Chapter 12, Article 7, Section 15b of the General Statutes now authorizes cities to establish zoning of territory within three miles of its city limits, provided that the county does not have a zoning ordinance. This law is not used extensively but it

⁶Ibid., 19-2919.

does give zoning power to cities in the event county governments have not availed themselves of the authority to zone their county.

Township zoning, county wide zoning, county zoning of the three mile territory around cities, and city zoning of the three mile territory have all been authorized to date. Each enabling law has certain specifications but every county now has the opportunity and authority to provide regulation of the use of its land. As county zoning authority developed over the years, few questions were raised related to the legality of county zoning. Ware v. City of Wichita, 113 Kan. 153, and Euclid v. Ambler Realty Company, 272 U.S. 365, settled the question of the constitutionality of zoning for Kansas. These cases, however, dealt with city zoning ordinances. The constitutionality of county zoning is not questionable as it operates in the same manner as municipal zoning. In Spurgeon v. Board of Commissioners, 181 Kan. 1008(1957), a case related to county zoning, Mr. Justice Hall wrote: "These and similar objections to zoning ordinances have been previously before this court. Most of the cases have arisen under the city zoning laws but the same principles are involved and the law of these cases would be applicable to the more recent county zoning resolutions."⁷ This statement reflects the legal relationship between city and county zoning. Zoning based on enabling legislation and written within the guidelines of such legislation is legitimate regardless of the size of political jurisdiction.

The legal base of zoning has been tested and refined by legal cases before the U. S. Supreme Court and many state Supreme Courts. The Supreme Court of Kansas was one of the courts which early accepted the constitutionality of

⁷William A. Dumars, Reports of Cases Argued and Determined in the State Supreme Court of the State of Kansas, vol. 181, (Topeka: State Printing Plant, 1959), p. 1013

zoning. Since the decision in 1923, zoning in Kansas has developed into a regulatory device available to both cities and counties. Recent legislation described above indicated that cities may now zone adjacent county territory if the county government has not adopted zoning regulations. The appearance of this legislation indicates that many counties in Kansas have not exercised the authority to adopt zoning regulations. This chapter has discussed the legal base and authority for zoning regulations. The next chapter of this report will discuss the development of a survey questionnaire designed to provide information related to the adoption, or lack thereof, of county zoning regulations.

Chapter 3

The preceding chapters have shown that zoning is a beneficial and legitimate tool of land use regulation. In spite of the enabling legislation which authorizes county zoning, many counties in this state have not adopted zoning regulations. In order to determine reasons which may contribute to the absence of zoning regulations in Kansas counties, a survey of County Commissioners and County Planning Commission Chairmen was conducted in February, 1975.

This statewide Survey of Public Officials' Attitudes Toward County Zoning was conducted to provide data which would prove or disprove three major hypotheses. The major hypotheses were developed in order to provide an explanation of the lack of county zoning in Kansas counties. The first major hypothesis, HA, stated that ruralness of counties is more influential in Commissioner opposition to zoning than is rural residence of Commissioners. This hypothesis is designed to provide information which will indicate if rural residence or ruralness of counties best explains zoning opposition. The second hypothesis, HB, contended that Commissioners of Kansas counties tend to evade the issue of county zoning because to propose such regulations would be politically unwise. The last major hypothesis, HC, stated that Kansas Commissioners oppose zoning on the basis that zoning is an unfair regulation of an individual's rights. These hypotheses were formulated as they relate to Kansas counties which are primarily rural in nature as it was assumed that urban counties tend to have zoning and therefore the people favor zoning.

The survey questionnaire was designed with the primary intent of providing information on existing attitudes toward county zoning as they relate to

the major hypotheses. Evaluation of the major hypotheses is intended to show the main reason why county zoning has not been adopted by many Kansas counties. A secondary intent of the questionnaire was to provide information on the number of counties with zoning and the method of enforcement of zoning regulations used by these counties. A combination of closed and open ended questions was employed to allow respondents to provide personal answers to further explain their responses. The use of these open ended questions allowed further identification of respondents' attitudes toward county zoning. The survey questionnaire was designed to provide data responsive to sub-hypotheses which were formulated in order to establish whether or not the three major hypotheses (HA, HB, and HC) should be accepted or rejected. Sub-hypotheses are identified as H_1 . A copy of the survey questionnaire is included in the Appendix.

The respondents to the questionnaire were first asked the name of their county and the state planning region in which they are located. Planning regions used in the analysis of the survey are organized regional planning commissions and planning councils in Kansas identified by the Kansas Department of Economic Development in "Regionalism and Regional Planning In Kansas," in Kansas Planning for Development Report Number 60, August, 1974. This information allowed survey data analysis by state planning region, providing identification of prevalent attitudes toward zoning in each of the established planning regions in Kansas.

Respondents were then asked their occupation and whether they reside in a community of 2,500 population or more or in a rural area of their county. These questions were asked because it was believed that these variables influence commissioners' attitudes toward zoning. Since farmers and rural

residents are traditionally conservative it was believed they oppose zoning because it infringes on their freedom. (H₁: Commissioners who are rural residents, farmers and ranchers are opposed to zoning.)

In an effort to determine how many counties in Kansas contain zoned cities, Commissioners were asked to identify the number of cities in their county having zoning regulations. The existence of zoned cities in counties was expected to be related to whether or not counties have zoning ordinances. Relating this to hypothesis H_B, it was believed that Commissioners tend to favor zoning when it exists within their county. Favoring zoning when cities are zoned was believed to be related to the fact that Commissioners will favor zoning because it is used and accepted among the population in a county. (H₂: Commissioners are influenced favorably toward zoning when there are zoned cities in their county.) Proof or disproof of this sub-hypothesis would determine if there is an indirect influence on Commissioners' attitudes toward zoning when some of their constituents reside in zoned areas.

In order to obtain information on the number of counties with zoning and their means of enforcement, respondents were asked if their county had adopted zoning regulations and, if so, who enforces those regulations. These questions were designed to provide general information about respondents' counties. The remainder of the questions on the survey questionnaire were designed to elicit answers related to the major hypotheses.

If a county does not have an adopted zoning ordinance the respondents were asked if their county has considered adoption of zoning regulations and the reason why they have or have not considered such regulations. It was believed that non-consideration of zoning is related to whether or not the Commissioners believe zoning is a fair regulation. (H₃: Commission action on

zoning is avoided because Commissioners believe zoning is an unfair regulation.)

The next question asked if the respondent believes that in general his constituents favor or oppose zoning. The respondent was then asked why he believes his constituents favor or oppose zoning. Response to this question was expected to be related to whether or not the county has considered adoption of zoning. It was believed that the Commissioners are responsive to their constituents' attitudes toward zoning and therefore do not consider zoning if the people do not favor it. (H_4 : Constituent opposition to zoning influences Commissions to not consider zoning.) Response to this question was also expected to be related to whether or not the Commissioners favor zoning. This question was related to the major hypothesis that Commissioners evade the issue of zoning because it is politically unwise. (H_5 : Negative attitudes toward zoning by constituents causes Commissioners to be opposed to zoning.)

Commissioners were asked what they have done to promote their views on zoning within their county. Response to this question is related to the second hypothesis (H_B). It was expected that a Commissioner's efforts to promote his views on zoning is related directly to whether or not his constituents favor zoning. (H_6 : Commissioners do not promote their views on zoning if their constituents are opposed to zoning.)

In order to determine what level of government should encourage the adoption of zoning regulations, the respondents were asked to identify the level of government they believe should take the lead in the establishment of uniform zoning regulations. This question was designed primarily to obtain information related to future efforts to encourage zoning in Kansas counties.

Respondents were asked if they believe that zoning regulations should be

enforced strictly, mildly, or not at all. It was anticipated that response to this question is related to the Commissioners' perception of their constituents' feelings about zoning. (H_7 : Commissioners oppose zoning enforcement if their constituents are opposed to zoning.)

The next question asked the respondents if they favored zoning regulations and why they do or do not favor such regulations. This question was asked in order to identify existing attitudes toward county zoning among the public officials who have the authority to implement zoning regulations. Response to this question was desired primarily to determine the amount of support zoning has among Kansas County Commissioners and County Planning Commission Chairmen. It was anticipated that Commissioners favor or oppose zoning in relationship to their constituents' view of zoning regulations. This question was used in the analysis of sub-hypotheses H_1 , H_2 , H_5 , and H_9 .

The establishment of planning regions in the past several years presents the possibility of establishing region wide, uniform zoning ordinances. The survey questionnaire included a question designed to determine if there is support for the implementation of uniform zoning regulations for the planning region of which their county is a member. Reasons for their response to this question were requested in order to provide information useful in future endeavors aimed at further unification within planning regions. It was expected that response to this question would be related to responses to questions on whether or not constituents favor zoning, whether or not the Commissioner favors zoning, and reasons why counties have or have not considered adoption of county zoning ordinances. (H_8 : Uniform regional zoning attitudes of Commissioners are related to their attitudes and their constituents' attitudes toward zoning and are related to reasons why Commissioners have not considered

adoption of zoning regulations.) This question was not related to the major hypotheses but was intended to provide information for future planning use at the state and regional level.

The final question posed to the respondents asked if they believe zoning is a fair regulation of an individual's rights and why they feel as they do. This question was directly related to the third hypothesis that Commissioners oppose zoning on the basis that it is an unfair regulation of an individual's rights. (H_9 : Commissioners oppose zoning because they believe zoning is an unfair regulation of an individual's rights.) This sub-hypothesis, supported by the outcome of sub-hypothesis H_3 provided the basis for acceptance or rejection of the third major hypothesis, HC.

The last sub-hypothesis was related to HA. Sub-hypothesis H_{10} stated that Commissioners whose counties are primarily rural are opposed to zoning.

The survey questionnaire for the statewide Survey of Public Officials' Attitudes Toward County Zoning was designed to identify prevalent attitudes that affect the status of county zoning in Kansas. Analysis of the data provided by the survey questionnaire was expected to prove or disprove the major hypotheses on the basis of the acceptance or rejection of the ten sub-hypotheses. Sub-hypotheses H_1 and H_{10} were evaluated to determine the effect rural residence and rural-urbaness of counties have on Commissioners' attitudes toward zoning. Sub-hypotheses H_2 , H_4 , H_5 , H_6 , and H_7 were related to the second major hypothesis (HB) which contended that Commissioners evade the zoning issue because to do so is politically unwise. Sub-hypotheses H_3 and H_9 were related to the third major hypothesis (HC) which stated that Commissioners oppose zoning because it is an unfair regulation of an individual's rights. The acceptance or rejection of the sub-hypotheses provided a

basis for the acceptance or rejection of the major hypotheses of this report. H_8 was analyzed to determine if there is support for uniform regional zoning and why or why not. Table 3-1 shows the relationship of the sub-hypotheses to the major hypotheses.

Table 3-1. Table of Major Hypotheses and Related Sub-hypotheses

| H_n | Hypothesis |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| HA: | Ruralness of counties is more influential in Commissioner opposition to zoning than rural residence of Commissioner. |
| H_1 : | Commissioners who are rural residents, farmers and ranchers are opposed to zoning. |
| H_{10} : | Commissioners whose counties are primarily rural are opposed to zoning. |
| HB: | Commissioners of Kansas counties tend to evade the issue of county zoning because to propose such regulations would be politically unwise. |
| H_2 : | Commissioners are influenced favorably toward zoning when there are zoned cities in their county. |
| H_4 : | Constituent opposition to zoning influences Commissioners to not consider zoning. |
| H_5 : | Negative attitudes toward zoning by constituents causes Commissioners to be opposed to zoning. |
| H_6 : | Commissioners do not promote their views on zoning if their constituents are opposed to zoning. |
| H_7 : | Commissioners oppose zoning enforcement if their constituents are opposed to zoning. |
| HC: | Commissioners oppose county zoning on the basis that zoning is an unfair regulation of an individual's rights. |
| H_3 : | Commission action on zoning is avoided because Commissioners believe zoning is an unfair regulation. |
| H_9 : | Commissioners oppose zoning because they believe zoning is an unfair regulation of an individual's rights. |

In addition to proving or disproving the major hypotheses, analysis of the survey questionnaire provided useful information that may be helpful in guiding future state, regional and county efforts in their pursuit of strengthening land use control in this state. Analysis of the survey data in Chapter 4 provides statewide attitudes toward county zoning as well as attitudes toward regional zoning within the state planning regions identified earlier.

The survey questionnaire was sent to all County Commissioners and County Planning Commission Chairmen in the state. These public officials were determined to be the appropriate sample for a questionnaire related to county zoning because they have the authority to provide for the adoption, implementation, and enforcement of county zoning regulations. The survey was conducted in February, 1975 to insure that all Commissioners elected in the November, 1974 election were in office. This was done to insure an up to date analysis of attitudes toward county zoning.

There are 315 County Commissioners and 70 County Planning Commission Chairmen in the state, providing a total sample size of 385. It has been determined that the actual response of 164 (42.5%) provides survey data that allows conclusions to be drawn from the survey data which are within a 90% confidence level. It can be concluded that the sample will not vary from the true population more than 10% of the time, indicating a relatively low sampling error.

Chapter 4

This chapter provides analysis of the data obtained from the survey questionnaire. The survey data was manipulated by computer using a program available in the Statistical Package for the Social Sciences (SPSS Manual). Crosstabulations between the variables were tested by Chi square to prove or disprove a significant relationship between variables. Application of the Chi square test to variables of the various sub-hypotheses provided the basis for acceptance or rejection of the three major hypotheses. A copy of the computer program used in data analysis is shown in the Appendix.

164 (42.5%) of the 385 survey questionnaires mailed were returned. In the previous chapter it was explained that this response provides data for analysis within the 90% confidence level. Of the returned questionnaires, 79.3% (130) were from County Commissioners and 20.7% (34) were from County Planning Commission Chairmen. The analysis did not distinguish between the two kinds of respondents. Response was received from 86 of the 105 Kansas counties. The following counties are not represented in the survey data: Cherokee, Clay, Comanche, Gove, Graham, Harper, Jewell, Lane, Logan, Lyon, Morton, Ottawa, Pratt, Rawlins, Seward, Stafford, Stanton, Stevens, and Woodson.

Table 4-1 (next page) indicates the frequency of response to questions included in the survey. Although a majority of the respondents favor zoning, most respondents' counties do not have zoning nor have they considered adoption of county zoning. Evaluation of major hypothesis HB provided information which explains the difference between positive attitudes toward zoning and the noted lack of zoning and lack of zoning consideration. A majority of the

Table 4-1. Frequency of Response to Survey Questions

| <u>Question</u> | <u>Frequency of Response</u> | | <u>Total Cases</u> |
|-----------------------------------------------------------|------------------------------|-----------|--------------------|
| | <u>Yes</u> | <u>No</u> | |
| Does your county have zoning? | 29.3% | 70.7% | 164 |
| Do you favor zoning? | 75.6 | 24.4 | 164 |
| Has your Commission considered adoption of county zoning? | 44.4 | 55.6 | 117* |
| Are there zoned cities within your county? | 26.8 | 73.2 | 164 |
| Do you believe your constituents favor zoning? | 50.0 | 50.0 | 164 |
| Do you believe zoning is a fair regulation? | 78.7 | 21.3 | 164 |
| Do you favor uniform regional zoning? | 47.0 | 53.0 | 164 |
| Have you promoted your views on zoning? | 45.7 | 54.3 | 164 |

*Includes only Commissioners from counties which do not have county zoning.

Commissioners also believe zoning is a fair regulation. Hypothesis HC explains the relationship between this attitude and lack of consideration of county zoning. Table 4-1 shows that most Commissioners are opposed to regional zoning in spite of the fact that a majority of the Commissioners favor zoning. Sub-hypothesis H₃ discusses attitudes toward regional zoning.

Data on response to survey questions for each region generally reflected similar attitudes to those of the entire state. However, in two regions, the Greater Southwest Planning Region and the Bluestem Planning Region, a majority of the respondents are opposed to zoning (See Table A-1, Appendix). Additionally, most Commissioners in the Northwest Kansas Planning Region, Mid-America Planning Region, and non-member counties are in favor of regional zoning (See Table A-2, Appendix). In statewide data, most Commissioners oppose regional zoning but Table A-2 indicates support does exist for possible efforts aimed

at implementing uniform regional zoning. Frequency of response by planning region to questions shown in Table 4-1 for each planning region are given in the Appendix.

Sub-hypotheses H_1 and H_{10} provided data by which H_A was accepted. H_A stated that ruralness of counties is more influential in Commissioners' opposition to zoning than rural residence of Commissioners. Evaluation of sub-hypotheses H_2 , H_4 , H_5 , H_6 , and H_7 provided the basis for acceptance or rejection of major hypothesis H_B which stated: Commissioners of Kansas counties tend to evade the issue of county zoning because to propose such regulations would be politically unwise. Sub-hypotheses H_3 and H_9 provided the basis for the acceptance or rejection of the third major hypothesis, H_C , which stated: Commissioners oppose zoning on the basis that it is an unfair regulation of an individual's rights.

Each of the sub-hypotheses were analyzed and their effect on their respective major hypothesis was noted. A discussion of the major reasons relative to sub-hypotheses which determined the acceptance or rejection of the major hypotheses is included to lend understanding to the outcome of major hypothesis acceptance or rejection.

In formulating H_B and H_C it was assumed that urban counties have zoning and constituents of urban counties favor zoning. In Table 4-2 (next page), counties with no community over 2,500 population were considered rural and counties with the largest population between 2,500 and 10,000 were considered rural-urban in nature. Counties with the largest community of 10,000 population or more were considered urban. Table 4-2 shows there is a significant relationship (Chi square significance = 0.0002) between rural urbanness and if counties have zoning. It can be seen that a majority of the rural and

Table 4-2. Counties with Zoning by Rural-Urbanness of Counties

| | Rural-Urbanness of Counties | | | | |
|--------------------------|-----------------------------|------------|-------------|------------|------------------|
| | | Rural | Rural-Urban | Urban | Percent of Total |
| Does county have zoning? | Yes | 21.4% | 20.4% | 55.0% | 29.3% |
| | No | 78.6% | 79.6% | 45.0% | 70.7% |
| | Cases | 100% 70 | 100% 54 | 100% 40 | 100% 164 |

Chi square significance = 0.0002

rural-urban counties do not have zoning. Table 4-3 shows a significant relationship (Chi square significance = 0.0000) between rural-urbanness and how respondents believe their constituents feel about zoning. It is noted that this relationship is not linear due to the fact that communities with population between 2,500 and 10,000 show constituents most opposed to zoning.

Table 4-3. Constituent Attitudes Toward Zoning by Rural-Urbanness of Counties

| | Rural-Urbanness of Counties | | | | |
|------------------------------------------------|-----------------------------|-------|-------------|-------|------------------|
| | | Rural | Rural-Urban | Urban | Percent of Total |
| Do you believe your constituents favor zoning? | Yes | 48.6% | 29.6% | 80.0% | 50.0% |
| | No | 51.4% | 70.4% | 20.0% | 50.0% |
| | Cases | 100% | 100% | 100% | 100% |
| | | 70 | 54 | 40 | 164 |

Chi square significance = 0.0000

It is possible that the non-linearity of the relationship in Table 4-3 is due to the fact that no immediate decision on zoning is necessary and this may influence perceived constituent attitudes toward zoning. The most rural counties are not facing the zoning issue so favoring or opposing zoning is not of current importance. In rural-urban counties the issue is more prominent and it appears that a negative decision is predominant when constituents realize the effect zoning has on their use of their land.

Tables 4-2 and 4-3 confirmed the assumption made in the formulation of HB and HC. In relating this assumption to the major hypotheses, it can be seen that respondents' beliefs on how their constituents feel toward zoning is based on factors other than the respondents own feelings toward zoning. This information allows reliance on Commissioners' perception of their constituents' attitudes toward zoning in proving or disproving the sub-hypotheses. Additionally, more than one response was received from 48 counties and of these, respondents from 37 counties agreed on how their constituents feel about zoning. Tables 4-2 and 4-3 showed there is a relationship between rural-urbaness and zoning attitudes. Evaluation of the major hypothesis HA indicates the influence rural-urbaness has on Commissioners' attitudes toward zoning.

Sub-hypotheses H_1 and H_{10} were evaluated to determine if HA was acceptable. HA stated that ruralness of counties is more influential in Commissioners' opposition to zoning than rural residence of Commissioners.

H_1 : Commissioners who are rural residents, farmers and ranchers are opposed to zoning.

Table 4-4. Commissioners' Attitudes Toward Zoning by Commissioners' Place of Residence

| | Commissioners' Place of Residence | | | |
|---------------------------------|-----------------------------------|------------|-------------|------------------|
| | | Urban | Rural | Percent of Total |
| Does Commissioner favor zoning? | Yes | 85.7% | 71.3% | 75.6% |
| | No | 14.3% | 28.7% | 24.4% |
| | Cases | 100% 49 | 100% 115 | 100% 164 |

Chi square significance = 0.0770

Data from Table 4-4 shows there is a greater tendency for Commissioners who reside in urban areas of their county to favor zoning than those who reside

in rural areas of their county. Commissioners who reside in rural areas of their county have a greater tendency to oppose zoning than Commissioners who reside in urban areas. The significance of the relationship between residence and attitudes toward zoning is not high but it does show that rural residence supports negative attitudes toward zoning.

H_{10} : Commissioners whose counties are primarily rural are opposed to zoning.

Table 4-5. Commissioners' Attitudes Toward Zoning by Rural-Urbanness of Counties

| | Rural-Urbanness of Counties | | | | |
|---------------------------------|-----------------------------|------------|-------------|------------|------------------|
| | | Rural | Rural-Urban | Urban | Percent of Total |
| Does Commissioner favor zoning? | Yes | 67.1% | 77.8% | 87.5% | 75.6% |
| | No | 32.9% | 22.2% | 12.5% | 24.4% |
| | Cases | 100% 70 | 100% 54 | 100% 40 | 100% 164 |

Chi square significance = 0.0517

Table 4-5 shows that there is a more significant relationship between ruralness of counties and Commissioners' attitudes toward zoning than the relationship of rural residence (Table 4-4). There is a slight tendency for Commissioners of rural counties to be opposed to zoning. H_{10} is therefore accepted, supporting H_A .

Acceptance of sub-hypotheses H_1 and H_{10} shows that both rural residence and ruralness of counties have an influence on opposition to zoning. The relationship between ruralness of counties and Commissioner opposition was greater than the relationship of rural residence to zoning opposition, indicating that H_A was accepted because ruralness of counties is the more significant reason Commissioners oppose zoning. However, the differences between the two relationships is probably not significant. It is possible the effects on Com-

missioners' attitudes toward zoning of ruralness of county and rural residence of the Commissioner are cumulative. It should also be noted that Commissioner attitudes toward zoning (Table 4-5) differs greatest from constituent attitudes toward zoning (Table 4-3) in the rural-urban counties, possibly reflecting the fact that these counties are faced with a more predominant issue of zoning than are counties in the rural or urban categories.

The following evaluation of the sub-hypotheses related to HB will provide reasons for acceptance or rejection of HB.

H₂: Commissioners are influenced favorably toward zoning when there are zoned cities in their county.

Table 4-6. Counties with Zoning by Cities with Zoning

| | One or more zoned cities in county | | | |
|--------------------------|------------------------------------|-------------|------------|------------------|
| | | Yes | No | Percent of Total |
| Does county have zoning? | Yes | 37.5% | 6.8% | 29.2% |
| | No | 62.5% | 93.2% | 70.8% |
| | Cases | 100% 120 | 100% 44 | 100% 164 |

Chi square significance = 0.0001

Table 4-7. Commissioners' Attitudes Toward Zoning by Cities With Zoning
(Controlled for counties with zoning)

| | One or more zoned cities in county | | | |
|---------------------------------|------------------------------------|------------|-----------|------------------|
| | | Yes | No | Percent of Total |
| Does Commissioner favor zoning? | Yes | 95.5% | 66.7% | 95.8% |
| | No | 4.5% | 33.3% | 4.2% |
| | Cases | 100% 45 | 100% 3 | 100% 48 |

Chi square significance = 0.0122

Table 4-6 shows that respondents' counties with zoning tend to have one or more zoned cities within their boundaries while counties without zoning

have a stronger tendency to have no zoned cities. This suggests that city zoning precedes county zoning. Because of the small number of Commissioners opposed to zoning in counties with zoning (Table 4-7), it is not possible to evaluate the effects of zoned cities on attitudes toward zoning in zoned counties.

Table 4-8. Commissioners' Attitudes Toward Zoning by Cities with Zoning
(Controlled for counties without zoning)

| | One or more zoned cities in county | | | |
|---------------------------------|------------------------------------|------------|------------|------------------|
| | | Yes | No | Percent of Total |
| Does Commissioner favor zoning? | Yes | 70.6% | 60.9% | 67.2% |
| | No | 29.4% | 39.1% | 32.8% |
| | Cases | 100% 75 | 100% 41 | 100% 116 |

Chi square significance = 0.1777

Although Table 4-8 is not significant (Chi square significance = 0.1777) it can be seen that in counties without zoning, there is a slight tendency for the existence of city zoning to positively affect Commissioners' attitudes toward zoning. Thus, zoned cities within counties has some impact on Commissioners' attitudes toward zoning.

On the basis of the survey data in Tables 4-6, 4-7, and 4-8, H_2 is accepted because it has been shown that the existence of zoned cities has a positive influence on Commissioners' attitudes toward zoning. Additionally, it has been indicated that city zoning precedes county zoning and that zoned counties tend to have one or more zoned cities within their boundaries.

H_4 : Constituent opposition to zoning influences Commissions to not consider zoning.

The data in Table 4-9 (next page) shows there is a significant relationship (Chi square significance = 0.0001) between constituents' attitudes toward

Table 4-9. County Consideration of Adoption of Zoning by Constituent Attitudes Toward Zoning (Includes only respondents' counties without zoning)

| | Do you believe your constituents favor zoning? | | | |
|-------------------------------------------|------------------------------------------------|------------|------------|------------------|
| | | Yes | No | Percent of Total |
| Has county considered adoption of zoning? | Yes | 70.7% | 30.3% | 44.4% |
| | No | 29.3% | 69.7% | 55.6% |
| | Cases | 100% 41 | 100% 76 | 100% 117 |

Chi square significance = 0.0001

zoning and whether or not respondents' Commission has considered adoption of county zoning. It can be seen that public opinion is related to Commission action on zoning and public opposition does cause Commissions not to consider adoption of county zoning. H_4 is therefore accepted, giving support to major hypothesis HB.

The survey data shows that 55.6% of the respondents' Commissions of counties without zoning have not considered zoning regulations (See Table A-9, Appendix). Of these respondents, 52.3% did not indicate why they believe their constituents oppose or favor zoning. However, 18.5% of the respondents whose Commission did not consider adoption of zoning feel their constituents oppose zoning because it is another form of government intervention. Additionally, 10.8% of these respondents believe their constituents feel there is no need for county zoning.

H_5 : Negative attitudes toward zoning by constituents causes Commissioners to be opposed to zoning.

Evaluation of the survey data in Table 4-10 (next page) shows that the majority of the Commissioners favor zoning. The Chi square significance of 0.0000 indicates there is a strong positive relationship between constituents'

Table 4-10. Commissioners' Attitudes Toward Zoning by Constituents' Attitudes Toward Zoning

| | Do you believe your constituents favor zoning? | | | |
|---------------------------------|------------------------------------------------|------------|------------|------------------|
| | | Yes | No | Percent of Total |
| Does Commissioner favor zoning? | Yes | 95.1% | 56.1% | 75.6% |
| | No | 4.9% | 43.9% | 24.4% |
| | Cases | 100% 82 | 100% 82 | 100% 164 |

Chi square significance = 0.0000

attitudes and Commissioners' attitudes toward zoning. Respondents in favor of zoning tend to believe their constituents favor zoning while most respondents opposed believe their constituents oppose zoning. H_5 is therefore accepted because Table 4-10 shows that constituent opposition causes respondents to be opposed to zoning.

H_6 : Commissioners do not promote their views on zoning if their constituents are opposed to zoning.

Table 4-11. Commissioners' Actions to Promote Zoning by Constituent Attitudes Toward Zoning

| | Do you believe your constituents favor zoning? | | | |
|----------------------------------------|------------------------------------------------|------------|------------|------------------|
| | | Yes | No | Percent of Total |
| Commissioner action to promote zoning. | None | 41.5% | 67.1% | 54.3% |
| | Work with the public | 31.7% | 18.3% | 25.0% |
| | Hold public hearings | 23.2% | 13.4% | 18.3% |
| | Hire consultants | 3.7% | 1.2% | 2.4% |
| | Cases | 100% 82 | 100% 82 | 100% 164 |

Chi square significance = 0.0115

The survey data indicates there is a significant relationship (Chi square

significance = 0.0115) between the constituents' attitudes toward zoning and if the respondent has done anything to promote his views on zoning. Table 4-11 shows that most Commissioners have done nothing to promote their views on zoning and a majority of these respondents believe their constituents are opposed to zoning. It can be seen that very few of the Commissioners who believe their constituents oppose zoning have made efforts to promote county zoning. The data does show that Commissioners who have worked with the public tend to believe their constituents favor zoning. H_6 is accepted because the data shows that Commissioners who believe their constituents oppose zoning tend not to promote zoning.

Of the 54.3% of the respondents who have not promoted zoning, 16.9% feel their constituents think zoning is more government intervention and 6.7% believe their constituents feel there is no need for zoning (See Table A-10, Appendix). Although more than 50% of the respondents gave no reasons for why their constituents favor or oppose zoning, fear of government intervention and the lack of need for zoning appear as major reasons why constituents oppose zoning and these fears apparently influence the action of Commissioners on zoning.

H_7 : Commissioners oppose zoning enforcement if their constituents oppose zoning.

Table 4-12. How Commissioners Believe Zoning Should Be Enforced by Constituent Attitudes Toward Zoning

| | Do you believe your constituents favor zoning? | | | |
|------------------------------------------------------|------------------------------------------------|-------|-------|------------------|
| | | Yes | No | Percent of Total |
| How Commissioner believes zoning should be enforced. | Strictly | 79.3% | 46.3% | 62.8% |
| | Mildly | 20.7% | 42.7% | 31.7% |
| | Not at all | 0.0% | 11.0% | 5.5% |
| | | 100% | 100% | 100% |
| | Cases | 82 | 82 | 164 |

Chi square significance = 0.0000

Data in Table 4-12 (preceding page) reveals that the majority of the Commissioners believe zoning should be enforced strictly. The data shows that Commissioners who believe zoning should be enforced strictly tend to believe their constituents favor zoning. However, all of those opposed to zoning enforcement believe their constituents oppose zoning. The Chi square significance of 0.0000 shows there is a relationship between constituents' attitudes toward zoning and support of or opposition to zoning enforcement. H_7 was confirmed because the belief that zoning should not be enforced was related to constituent opposition to zoning.

The sub-hypotheses discussed above provided the basis for acceptance or rejection of the major hypothesis (HB) that Commissioners of Kansas counties evade the issue of zoning because to do so would be politically unwise. Sub-hypotheses H_2 , H_5 , and H_7 show that Commissioners' attitudes are affected by how they believe their constituents feel about zoning. It has been shown that the existence of zoned cities has a positive influence on Commissioners' attitudes toward zoning. It has also been shown (Table 4-12) that all of the respondents who are opposed to zoning enforcement believe their constituents oppose zoning. Additionally, if Commissioners favor zoning there is a greater tendency for them to perceive their constituents as favoring zoning than if they oppose zoning (See Table 4-10). Sub-hypotheses H_5 and H_7 show that Commissioners' attitudes toward zoning are affected by their constituents' attitudes toward zoning.

Analysis of sub-hypotheses H_4 and H_6 provided evidence which supports HB in that constituent opposition to zoning does affect visible action by the Commissioners in relationship to zoning. There is a strong positive relationship between consideration of adoption of zoning and whether or not the respondents believe their constituents favor zoning (See Table 4-9). Table 4-11

indicated there is a relationship between the belief that constituents favor zoning and whether or not the Commissioner promoted his views on zoning. It can be seen that where action visible to the public might occur, the majority of the respondents do not act in favor of zoning. Therefore, the hypothesis that Commissioners of Kansas counties evade the issue of zoning on political grounds is accepted because it has been shown that Commissioners' actions and attitudes are influenced negatively by their perception of their constituents' attitudes toward zoning.

Evaluation of sub-hypotheses H_3 and H_9 provided the basis for the acceptance or rejection of the third major hypothesis (HC) which contended that Kansas Commissioners oppose county zoning on the basis that zoning is an unfair regulation of an individual's rights.

H_3 : Commission action on zoning is avoided because Commissioners believe zoning is an unfair regulation.

Table 4-13. County Consideration of Adoption of Zoning by Commissioner Belief That Zoning is Fair or Unfair (Respondents' counties without zoning)

| | Is zoning a fair regulation? | | | |
|-------------------------------------------|------------------------------|-------|-------|------------------|
| | | Yes | No | Percent of Total |
| Has county considered adoption of zoning? | Yes | 53.5% | 19.4% | 44.4% |
| | No | 46.5% | 80.6% | 55.6% |
| | | 100% | 100% | 100% |
| | Cases | 86 | 31 | 117 |

Chi square significance = 0.0022

Survey data in Table 4-13 shows there is a significant relationship (Chi square significance = 0.0022) between Commissioner belief that zoning is a fair or unfair regulation and whether or not their Commission has considered adoption of zoning. Table 4-13 indicates that respondents whose Commission has not considered adoption of zoning tend to believe zoning is an unfair

regulation. H_3 is therefore accepted because it has been shown that Commission action is avoided if Commissioners believe zoning is an unfair regulation.

H_9 : Commissioners oppose zoning because they believe zoning is an unfair regulation of an individual's rights.

Table 4-14. Commissioners' Attitudes Toward Zoning by Commissioner Belief that Zoning is Fair or Unfair

| | Is zoning a fair regulation? | | | |
|---------------------------------|------------------------------|-------|-------|------------------|
| | | Yes | No | Percent of Total |
| Does Commissioner favor zoning? | Yes | 89.1% | 25.7% | 75.6% |
| | No | 10.9% | 74.3% | 24.4% |
| | Cases | 100% | 100% | 100% |
| | | 129 | 35 | 164 |

Chi square significance = 0.0000

A significant relationship (Chi square significance = 0.0000) is shown between Commissioners' attitudes toward zoning and their belief that zoning is a fair or unfair regulation. Table 4-14 indicates that a majority of the Commissioners in favor of zoning believe it is a fair regulation. A majority of those respondents opposed to zoning believe it is an unfair regulation. H_9 is accepted because the data shows a significant relationship between the belief that zoning is unfair and Commissioner opposition to zoning.

The acceptance of H_3 has shown that Commissioners perceive zoning to be an infringement on their freedom and that the belief that zoning is an unfair regulation is a factor causing Commissions to not consider the adoption of county zoning. Acceptance of this sub-hypothesis indicates that some Commissioners believe zoning is an unfair regulation. Combining this observation with the acceptance of H_9 which showed that Commissioners opposed to zoning believe it is an unfair regulation, it can be seen that H_C is acceptable because Commissioners opposed tend to believe zoning is an unfair regu-

lation of an individual's rights.

Sub-hypothesis H_8 is not related to the major hypotheses but is included to provide information useful for future efforts in this state to promote the concept of uniform regional zoning. Figure A-1 in the Appendix shows the location of the several state planning regions in Kansas.

H_8 : Uniform regional zoning attitudes of Commissioners are related to their attitudes and their constituents' attitudes toward zoning and are related to reasons why Commissions have not considered adoption of zoning regulations.

Table 4-15. Commissioner Attitudes Toward Uniform Regional Zoning by Commissioner Attitudes Toward Zoning

| | Does Commissioner favor zoning? | | | |
|--------------------------------------------------|---------------------------------|-------------|------------|------------------|
| | | Yes | No | Percent of Total |
| Does Commissioner favor uniform regional zoning? | Yes | 60.5% | 5.0% | 47.0% |
| | No | 39.5% | 95.0% | 53.0% |
| | Cases | 100% 124 | 100% 40 | 100% 164 |

Chi square significance = 0.0000

Table 4-16. Commissioner Attitudes Toward Uniform Regional Zoning by Constituent Attitudes Toward Zoning

| | Do you believe your constituents favor zoning? | | | |
|--------------------------------------------------|------------------------------------------------|------------|------------|------------------|
| | | Yes | No | Percent of Total |
| Does Commissioner favor uniform regional zoning? | Yes | 63.4% | 30.5% | 47.0% |
| | No | 36.6% | 69.5% | 53.0% |
| | Cases | 100% 82 | 100% 82 | 100% 164 |

Chi square significance = 0.0001

Tables 4-15 and 4-16 show that favorable attitudes toward zoning among Commissioners and their constituents influences Commissioners to favor uniform regional zoning. Comparison of Tables 4-15 and 4-16 shows that Commissioners'

attitudes toward zoning have the stronger influence on favorable attitudes toward regional zoning.

Table 4-17. Commissioner Attitudes Toward Uniform Regional Zoning by Reasons Why County Has or Has Not Considered Adoption of Zoning

| | | Reasons why counties have or have not considered zoning | | | | |
|----------------------------------------------------------|-------|---------------------------------------------------------|------------------------------|--------------------------|----------------------|---------------------|
| | | Insures Orderly De- velopment | Promotes Fair Taxation | No Need For Zoning | Costs Too Much | Percent of Total |
| Does Commissioner favor uniform reg- ional zoning? | Yes | 70.0% | 100.0% | 30.0% | 0.0% | 50.7% |
| | No | 30.0% | 0.0% | 70.0% | 100.0% | 49.3% |
| | Cases | 100% 30 | 100% 5 | 100% 30 | 100% 4 | 100% 69* |

Chi square significance = 0.0003

*This table includes response from Commissioners whose counties do not have zoning and from those who gave reasons.

In relating the reasons given for not considering adoption of zoning (Table 4-17), the belief that there is no need for zoning and that it costs too much are most influential on negative attitudes toward regional zoning. Tables 4-15, 4-16, and 4-17 show significant relationships between regional zoning attitudes and variables stated in H_0 . H_0 can be accepted, thus indicating that constituents need to become informed of the advantages of zoning.

Table 4-18. Commissioner Attitudes Toward Uniform Regional Zoning by Reasons for Commissioner Attitudes Toward Regional Zoning

| | | Reasons for Commissioner attitudes toward regional zoning | | | | |
|------------------------------------------------|-------|-----------------------------------------------------------|-------------------------------------|-------------------------------------|---------------------------|------------------------|
| | | Does not meet similar needs of different counties | No need for region- al zoning | Insure coordinated regulation | Takes local control | Percent of Total |
| Does Commissioner favor regional zoning? | Yes | 3.6% | 5.9% | 100.0% | 4.5% | 40.2% |
| | No | 96.4% | 94.1% | 0.0% | 95.5% | 59.8% |
| | Cases | 100% 28 | 100% 17 | 100% 40 | 100% 22 | 100% 107* |

Chi square significance = 0.0000

*Includes only response from those who gave reasons

Table 4-18 shows that the majority of respondents who favor regional zoning feel regional zoning would provide equal and coordinated administration and implementation of land use regulations. There is a tendency for Commissioners who are opposed to regional zoning to believe that such zoning would take away local control of land use regulation. There is a slightly greater tendency for Commissioners opposed to regional zoning to believe it would not meet similar needs of different counties regulated under a uniform zoning ordinance. The acceptance of H₀ indicates that Commissioners and their constituents must become better informed of the purpose and benefits of zoning.

The data analysis provides information concerning the number of counties with adopted zoning regulations and the means by which those regulations are enforced. The survey data indicates that 25 counties in Kansas have adopted zoning ordinances. The following counties have zoning ordinances which are enforced by a Zoning Administrator: Butler, Crawford, Douglas, Geary, Grant, Jackson, Jefferson, Leavenworth, Lincoln, Phillips, Pottawatomie, Riley, Saline, Sedgwick, Shawnee, Wabaunsee, Wichita, and Wilson. One county enforces its' zoning ordinance through the offices of the County Engineer. That county is Kingman. The following counties enforce their ordinances through the Zoning Board or the County Planning Commission: Harvey, Rocks, Russell, Trego, Washington, and Wyandotte. Counties which have adopted zoning are shown in Figure A-2 in the Appendix.

The survey data indicates that 32.3% of the respondents believe the county should be responsible for the establishment of uniform zoning regulations. 26.1% believe the county and city working together should work for zoning. 12.1% of the respondents think planning regions should encourage zoning and 10.1% believe zoning promotion is the responsibility of the state. Few respondents (2.4%) believe that the federal government should take the lead in establishing zoning.

Table 4-19. Outcome of Sub-hypotheses in Relation to Major Hypotheses

| H_n | Hypothesis | Outcome | Chi square significance |
|------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------|----------------------------|
| HA: | Ruralness of counties is more influential in Commissioner opposition to zoning than rural residence of Commissioner. | Expected | ----- |
| H_1 : | Commissioners who are rural residents, farmers and ranchers are opposed to zoning. | Expected | 0.0770 |
| H_{10} : | Commissioners whose counties are primarily rural are opposed to zoning. | Expected | 0.0517 |
| HB: | Commissioners of Kansas counties tend to evade the issue of county zoning because to propose such regulations would be politically unwise. | Expected | ----- |
| H_2 : | Commissioners are influenced favorably toward zoning when there are zoned cities in their county. | Expected | 0.0001 |
| H_4 : | Constituent opposition to zoning influences Commissioners to not consider zoning. | Expected | 0.0001 |
| H_5 : | Negative attitudes toward zoning by constituents causes Commissioners to be opposed to zoning. | Expected | 0.0000 |
| H_6 : | Commissioners do not promote their views on zoning if their constituents are opposed to zoning. | Expected | 0.0115 |
| H_7 : | Commissioners oppose zoning enforcement if their constituents are opposed to zoning. | Expected | 0.0000 |
| HC: | Commissioners oppose county zoning on the basis that zoning is an unfair regulation of an individual's rights. | Expected | ----- |
| H_3 : | Commission action on zoning is avoided because Commissioners believe zoning is an unfair regulation. | Expected | 0.0022 |
| H_9 : | Commissioners oppose zoning because they believe zoning is an unfair regulation of an individual's rights. | Expected | 0.0000 |

In summary, this chapter has shown that Commissioners of Kansas counties evade the issue of zoning because to do so is politically unwise. It has been shown that the belief that zoning is an unfair regulation influences Commissioners to oppose zoning and ruralness of counties is influential in Commissioners'

opposition to zoning. Table 4-19 (preceding page) shows the outcomes of the sub-hypotheses in relation to their major hypotheses. HA was accepted because some relationship was shown in H_{10} . Table 4-19 indicates that HB and HC were proven acceptable by quite significant relationships shown in the sub-hypotheses. In determining which major hypothesis best explains the lack of county zoning in Kansas, HA will be excluded because ruralness and rural residence could both be influencing factors in HB and HC.

The survey data has shown that most Commissioners favor zoning regulations. HC was accepted because a significant relationship was shown between opposition to zoning and the belief that zoning is an unfair regulation. However, this hypothesis does not fully explain the lack of county zoning because most Commissioners favor zoning and believe it is a fair regulation (Table 4-14) in spite of the fact that opposition is influenced by the belief zoning is an unfair regulation.

HB was accepted because it was shown that perception of constituent attitudes toward zoning is significantly related to Commissioners' action and attitudes related to zoning. Since the data has shown that most Commissioners favor zoning (75.6%) it appears that HB can best explain the lack of county zoning in Kansas because it has been shown the constituents' attitudes are significantly related to zoning actions by Kansas Commissioners (H_4 and H_6). However, HB does not fully explain this lack of county zoning because it only indicates that constituent opposition strongly influences Commissioners. This suggests that reasons for constituent opposition to zoning can better explain the lack of county zoning than can the fact that Commissioners are quite responsive to how they perceive their constituents' attitudes toward zoning. This report has not dealt with data provided by constituents of Kansas counties so further

conclusions are not possible. Further study of constituent attitudes may provide additional useful information on county zoning attitudes in Kansas.

!

Chapter 5

The main intention of this report was to identify current attitudes toward county zoning among public officials of Kansas counties. However it is possible to make some general recommendations which may be of help to Kansas officials in their efforts related to the promotion of land use regulations. These recommendations are not presented as the answer to the lack of county zoning but do present means to solve some of the major problems identified in the survey analysis.

The survey data has shown that a majority of Commissioners favor zoning but the belief that their constituents oppose zoning has deterred them from taking concrete action to promote county zoning. The two major reasons Commissioners believe their constituents oppose zoning are that people believe there is no need for zoning and that zoning is a form of further government intervention.

The solution to these objections to zoning will most likely encourage more of the Commissioners to take action to adopt county zoning if they know their constituents understand zoning and are no longer opposed to zoning. The best way to eliminate these objections to zoning is to develop an educational program that could be effectively administered throughout the state. A publicity program of a series of articles concerned with the need for and benefits of zoning could be developed for distribution to the leading news media in the several planning regions. Education of community and county leaders could be accomplished in a similar campaign through the "Kansas Government Journal" published by the Kansas League of Municipalities. Another means of educating the general public about zoning could be accomplished through the

Education Committee of the Kansas State University Cooperative Extension Service or by the Kansas Department of Economic Development. Explanation of benefits of county zoning could be given to demonstrate that although zoning is a tool of government, it is designed to protect individuals from land use abuse and waste by others.

A number of respondents did show support for regional zoning. It is possible that a pilot program could be established which would encourage and, if necessary, authorize contiguous counties which favor uniform regional zoning to adopt general regional zoning regulations. This could be done on an experimental basis for a period of five years after which time the benefits and drawbacks of regional zoning could be evaluated. It is recommended that a pilot program such as this be undertaken, with state support, by the Northwest Kansas Regional Planning and Development Council because the largest number of respondents (14) in favor of regional zoning in any of the planning regions reside in this planning region. Contiguous counties in this region which agree to this type of zoning could be zoned under a general regional ordinance for the pilot program. Success in this endeavor would most likely encourage other regions and counties to adopt regional zoning, thereby providing a more efficient and equitable means of regulating land use in this state.

The belief that no need exists for county was shown to be a major reason for opposition to county and regional zoning. In some instances this belief may be true. Many of the primarily rural counties of Kansas have a small population engaged mainly in agricultural activities. Few of these rural counties encounter the threat of problems common to areas which have greater population and more active commercial and industrial development. Such counties

may prefer to ignore zoning but they should be encouraged to adopt a very general county zoning ordinance to protect their agricultural activities. However, it must be recognized that there are many counties in Kansas with larger populations and more active economic development and these counties must be encouraged to adopt zoning. The data showed that in counties of this type, mainly the rural-urban counties, constituents are most opposed to county zoning and Commissioners have a greater tendency to favor county zoning (See Tables 4-3 and 4-5). It has been shown that those Commissioners opposed to zoning are mainly opposed to zoning on ideological grounds. With this information available, it is necessary to decide where the recommended educational programs should be directed. Since most Commissioners favor zoning and, those opposed are apparently against zoning on ideological grounds, attempts to further educate or change attitudes of Commissioners would most likely meet with little success. Education of the general public may deserve the greatest effort in the hope that constituents familiar with and in favor of zoning may elect Commissioners who are proponents of zoning. However, it is difficult to recommend ignoring Commissioner beliefs against zoning, so it appears the best method for education on zoning would be for the efforts to be comprehensive, covering public officials as well as constituents.

The Survey of Public Officials' Attitudes Toward County Zoning has provided a great deal of data about Commissioners and their attitudes. A higher percentage of response would have provided a more accurate idea of existing attitudes, especially a higher response from some of the respondents in the several state planning regions. If this survey questionnaire were to be used in the future it would be desirable to determine the number of counties in the state with Comprehensive Plans in order to determine the number of counties which are eligible to adopt county zoning ordinances. Further investigation

of attitudes toward regional planning and zoning may have provided additional useful information for officials of regional planning areas.

It should be noted that it is possible that Commissioner and constituent attitudes toward zoning may also be influenced by the existence of influential County Extension Agents, community leaders, or news media personnel who favor or oppose zoning in particular areas of the state. Their influence as well as that of the relationship between variables discussed in Chapter 4 should be considered in determining attitudes toward zoning. It is possible that County Extension Agents, community leaders, and news media personnel who are influential in areas of the state may strongly influence attitudes toward zoning. Their effect on zoning attitudes should be investigated to determine other methods of promoting county zoning.

Future use of this survey would prove more reliable if a companion survey of a random sample of county residents was also conducted. Acceptance of the second hypothesis (HB) was closely tied to the respondents' perception of their constituents' attitudes toward zoning. In 79% of the cases in which one or more respondents were from the same county, there was agreement on how respondents perceived their constituents' attitudes toward zoning. A companion survey would provide more reliable information related to constituents' attitudes as they affect Commissioners in their action related to zoning. Finally, further analysis of existing data may provide interesting relationships between Commissioners' attitudes toward zoning and other information provided by the survey questionnaire.

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A P P E N D I X

SURVEY OF PUBLIC OFFICIAL'S ATTITUDES TOWARD RURAL ZONING IN KANSAS

COUNTY _____ STATE PLANNING REGION _____

What is your occupation? _____

Do you live in an incorporated city of 2,500 population or more or in
a rural area of your county? 2,500+ _____ Rural _____Is this your first term in this office? Yes _____ No _____. If no, how
many terms have you served? _____Which cities in your county have adopted zoning ordinances? _____

Does your county have an adopted county zoning ordinance? Yes _____ No _____

If no, has your Commission considered adoption of such regulations?

Yes _____ No _____

For what reason? _____

If yes, who enforces those regulations? Zoning Administrator _____

Other(specify) _____

In general, do your constituents favor zoning regulations? Yes _____ No _____

For what major reason? _____

_____What concrete steps have you taken to promote your views on zoning
regulations? _____

_____What level of government should take the lead in the establishment of
uniform zoning regulations? Federal _____ State _____ Regional _____

County _____ City _____ Other _____

How do you believe zoning regulations should be enforced?

Strictly _____ Mildly _____ Not at all _____

(OVER)

Do you favor zoning regulations? Yes ___ No ___. Why? _____

Would you favor a uniform zoning ordinance regulating the region that your county is located in? Yes ___ No ___. Why? _____

Do you believe that zoning is a fair regulation of an individual's rights? Yes ___ No ___. Why? _____

Please feel free to make further comments if you wish. _____

Table A-1. Does Commissioner favor zoning?

| Region | Yes | No | Total Cases |
|------------------------------------|-------|-------|-------------|
| State | 75.6% | 24.4% | 164 |
| Northwest Region | 85.2 | 14.8 | 27 |
| Southwest Region | 40.0 | 60.0 | 25 |
| North Central Region | 66.7 | 33.3 | 12 |
| Big Lakes Region | 100.0 | 0.0 | 9 |
| Flint Hills Region | 71.4 | 28.6 | 7 |
| Mid-State Region | 80.0 | 20.0 | 4 |
| Central Plains Region | 100.0 | 0.0 | 7 |
| Golden Belt-Chikaskia-Indian Hills | 64.7 | 35.3 | 17 |
| Bluestem Region | 40.0 | 60.0 | 5 |
| Southeast Region | 90.0 | 10.0 | 10 |
| Mid-America Region | 80.0 | 20.0 | 5 |
| MoKan Region | 25.0 | 75.0 | 4 |
| Non-member Counties | 93.5 | 6.5 | 31 |

Table A-2. Do you favor uniform regional zoning?

| Region | Yes | No | Total Cases |
|------------------------------------|------|------|-------------|
| State | 47.0 | 53.0 | 164 |
| Northwest Region | 51.9 | 48.1 | 27 |
| Southwest Region | 36.0 | 64.0 | 25 |
| North Central Region | 41.7 | 58.3 | 12 |
| Big Lakes Region | 33.3 | 66.7 | 9 |
| Flint Hills Region | 42.9 | 57.1 | 7 |
| Mid-State Region | 40.0 | 60.0 | 5 |
| Central Plains Region | 42.9 | 57.1 | 7 |
| Golden Belt-Chikaskia-Indian Hills | 47.1 | 52.9 | 17 |
| Bluestem Region | 20.0 | 80.0 | 5 |
| Southeast Region | 40.0 | 60.0 | 10 |
| Mid-America Region | 80.0 | 20.0 | 5 |
| MoKan Region | 50.0 | 50.0 | 4 |
| Non-member Counties | 61.3 | 38.7 | 31 |

Table A-3. Does county have zoning?

| Region | Yes | No | Total Cases |
|------------------------|-------|-------|-------------|
| State | 29.3% | 70.7% | 164 |
| Northwest Region | 29.6 | 70.4 | 27 |
| Southwest Region | 8.0 | 92.0 | 25 |
| North Central Region | 25.0 | 75.0 | 12 |
| Big Lakes Region | 100.0 | 0.0 | 9 |
| Flint Hills Region | 100.0 | 0.0 | 7 |
| Mid-State Region | 100.0 | 0.0 | 5 |
| Central Plains Region | 85.7 | 14.3 | 7 |
| Golden Belt-Chikaskia- | | | |
| Indian Hills | 5.9 | 94.1 | 17 |
| Bluestem Region | 100.0 | 0.0 | 5 |
| Southeast Region | 40.0 | 60.0 | 10 |
| Mid-America Region | 60.0 | 40.0 | 5 |
| MoKan Region | 25.0 | 75.0 | 4 |
| Non-member Counties | 35.5 | 64.5 | 31 |

Table A-4. Has your Commission considered adoption of county zoning?

| Region | Yes | No | Total Cases |
|------------------------|-------|-------|-------------|
| State | 44.4% | 55.6% | 117* |
| Northwest Region | 35.0 | 65.0 | 10* |
| Southwest Region | 50.0 | 50.0 | 10* |
| North Central Region | 50.0 | 50.0 | 8* |
| Flint Hills Region | 16.7 | 83.3 | 6* |
| Central Plains Region | 14.2 | 85.8 | 7* |
| Golden Belt-Chikaskia- | | | |
| Indian Hills | 33.3 | 66.7 | 9* |
| Bluestem Region | 20.0 | 80.0 | 5* |
| Southeast Region | 50.0 | 50.0 | 6* |
| Mid-America Region | 100.0 | 0.0 | 2* |
| MoKan Region | 100.0 | 0.0 | 2* |
| Non-member Counties | 75.0 | 25.0 | 20* |

*Includes only respondents from counties without zoning.

Table A-5. Are there zoned cities within your county?

| Region | Yes | No | Total Cases |
|------------------------|-------|-------|-------------|
| State | 26.8% | 73.2% | 164 |
| Northwest Region | 66.7 | 33.3 | 27 |
| Southwest Region | 48.0 | 52.0 | 25 |
| North Central Region | 66.7 | 33.3 | 12 |
| Big Lakes Region | 100.0 | 0.0 | 9 |
| Flint Hills Region | 100.0 | 0.0 | 7 |
| Mid-State Region | 100.0 | 0.0 | 5 |
| Central Plains Region | 100.0 | 0.0 | 7 |
| Golden Belt-Chikaskia- | | | |
| Indian Hills | 76.5 | 23.5 | 17 |
| Bluestem Region | 20.0 | 80.0 | 5 |
| Southeast Region | 80.0 | 20.0 | 10 |
| Mid-America Region | 100.0 | 0.0 | 5 |
| MoKan | 100.0 | 0.0 | 4 |
| Non-member Counties | 74.2 | 25.8 | 31 |

Table A-6. Do you believe your constituents favor zoning?

| Region | Yes | No | Total Cases |
|------------------------|-------|-------|-------------|
| State | 50.0% | 50.0% | 164 |
| Northwest Region | 48.1 | 51.9 | 27 |
| Southwest Region | 36.0 | 64.0 | 25 |
| North Central Region | 33.3 | 66.7 | 12 |
| Big Lakes Region | 100.0 | 0.0 | 9 |
| Flint Hills Region | 28.6 | 71.4 | 7 |
| Mid-State Region | 60.0 | 40.0 | 5 |
| Central Plains Region | 100.0 | 0.0 | 7 |
| Golden Belt-Chikaskia- | | | |
| Indian Hills | 25.0 | 75.0 | 17 |
| Bluestem Region | 20.0 | 80.0 | 5 |
| Southeast Region | 30.0 | 70.0 | 10 |
| Mid-America Region | 100.0 | 0.0 | 5 |
| MoKan Region | 25.0 | 75.0 | 4 |
| Non-member Counties | 64.5 | 35.5 | 31 |

Table A-7. Do you believe zoning is a fair regulation?

| Region | Yes | No | Total Cases |
|------------------------|-------|-------|-------------|
| State | 78.7% | 21.3% | 164 |
| Northwest Region | 81.5 | 18.5 | 27 |
| Southwest Region | 64.0 | 36.0 | 25 |
| North Central Region | 83.3 | 16.7 | 12 |
| Big Lakes Region | 100.0 | 0.0 | 9 |
| Flint Hills Region | 57.1 | 42.9 | 7 |
| Mid-State Region | 60.0 | 40.0 | 5 |
| Central Plains Region | 100.0 | 0.0 | 7 |
| Golden Belt-Chikaskis- | | | |
| Indian Hills | 82.4 | 17.6 | 17 |
| Bluestem Region | 40.0 | 60.0 | 5 |
| Southeast Region | 70.0 | 30.0 | 10 |
| Mid-America Region | 60.0 | 40.0 | 5 |
| MoKan Region | 75.0 | 25.0 | 4 |
| Non-member Counties | 96.8 | 3.2 | 31 |

Table A-8. Have you promoted your views on zoning?

| Region | Yes | No | Total Cases |
|------------------------|-------|-------|-------------|
| State | 45.7% | 54.3% | 164 |
| Northwest Region | 40.4 | 59.6 | 27 |
| Southwest Region | 20.0 | 80.0 | 25 |
| North Central Region | 75.0 | 25.0 | 12 |
| Big Lakes Region | 66.7 | 33.3 | 9 |
| Flint Hills Region | 28.5 | 71.5 | 7 |
| Mid-State Region | 60.0 | 40.0 | 5 |
| Central Plains Region | 85.8 | 14.2 | 7 |
| Golden Belt-Chikaskia- | | | |
| Indian Hills | 25.0 | 75.0 | 17 |
| Bluestem Region | 20.0 | 80.0 | 5 |
| Southeast Region | 70.0 | 30.0 | 10 |
| Mid-America Region | 100.0 | 0.0 | 5 |
| MoKan Region | 25.0 | 75.0 | 4 |
| Non-member Counties | 51.0 | 49.0 | 31 |

Table A-9. Constituent Reasons for Attitudes Toward Zoning by Counties
Consideration of Zoning

| | | Constituent reasons for zoning attitudes | | | | | |
|------------------------------------------------|-----|------------------------------------------|-------------------------------------------|-------------------------------------|-----------------------------|------------------------|------|
| | | Protects property None | Government Interven- tion values | Do not under- stand zoning | No Need for zoning | Percent of Total | |
| Has county consider- ed adoption of zoning? | Yes | 35.8 | 70.4 | 40.0 | 50.0 | 22.2 | 44.4 |
| | No | 64.2 | 29.6 | 60.0 | 50.0 | 77.8 | 55.6 |
| | | 100% | 100% | 100% | 100% | 100% | 100% |
| Cases | | 53 | 27 | 20 | 8 | 9 | 117* |

Chi square significance = 0.0226

*Includes only response from counties without zoning.

Table A-10. Commissioner Action to Promote Zoning by Constituent Reasons
for Attitudes Toward Zoning

| | | Constituent reasons for zoning attitudes | | | | | |
|-------------------------------------------------|-----|------------------------------------------|-------------------------------------------|-------------------------------------|-----------------------------|------------------------|------|
| | | Protects property None | Government Interven- tion values | Do not under- stand zoning | No need for zoning | Percent of Total | |
| Have you promoted your views on zon- ing? | Yes | 34.2 | 64.0 | 31.8 | 77.8 | 40.0 | 45.7 |
| | No | 65.8 | 36.0 | 68.2 | 22.2 | 60.0 | 54.3 |
| | | 100% | 100% | 100% | 100% | 100% | 100% |
| Cases | | 73 | 50 | 22 | 9 | 10 | 164 |

Chi square significance = 0.0329

Figure A-1. Map of Planning Regions in Kansas

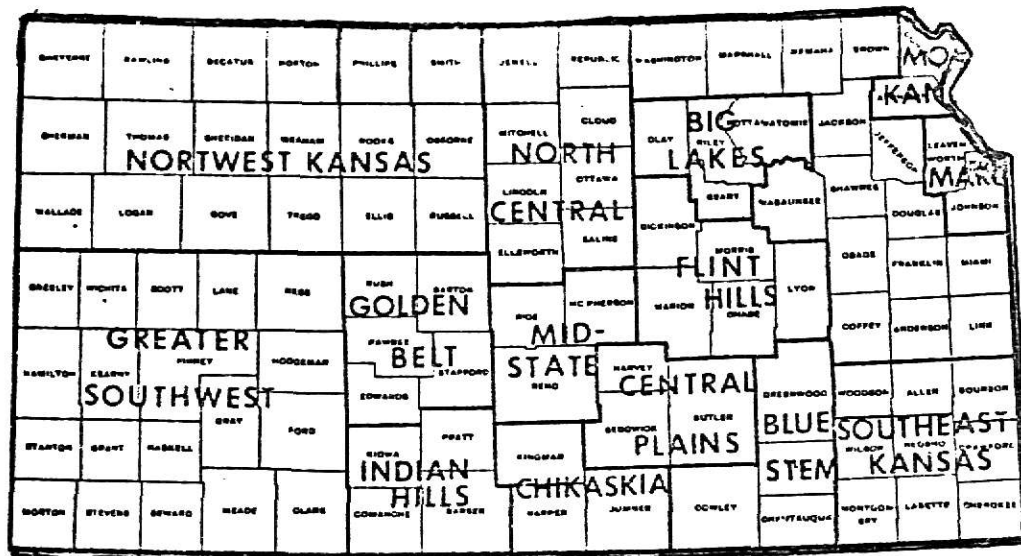
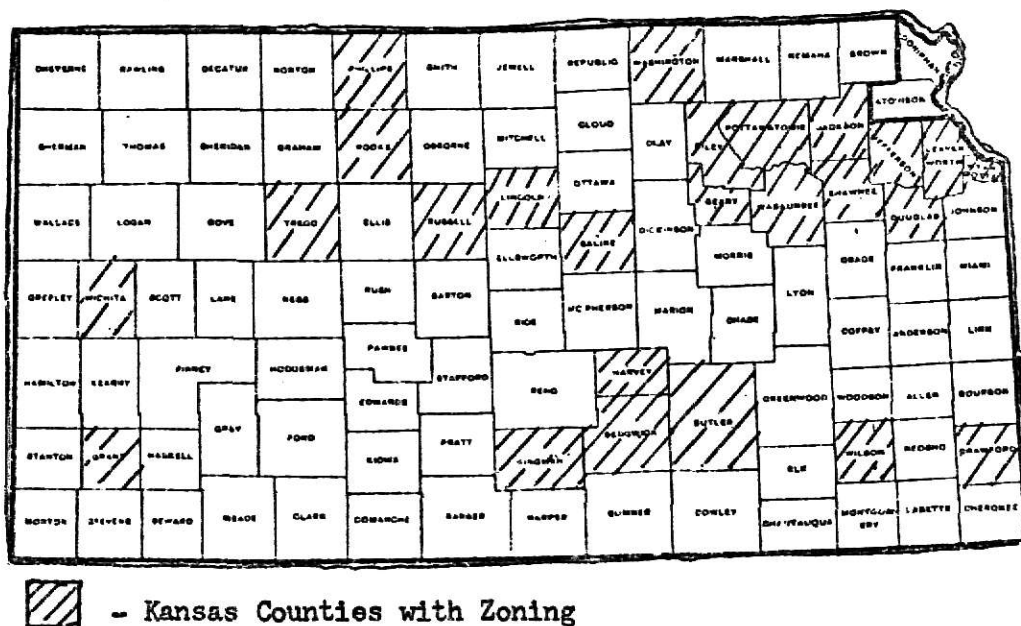


Figure A-2. Map of Counties in Kansas With Zoning Ordinances



**A SURVEY OF PUBLIC OFFICIALS'
ATTITUDES TOWARD COUNTY ZONING IN KANSAS**

by

PETER H. OLSON

B.A., Kansas State University, 1973

AN ABSTRACT OF A MASTER'S REPORT

submitted in partial fulfillment of the

requirements for the degree

MASTER OF REGIONAL AND COMMUNITY PLANNING

Department of Regional and Community Planning

**KANSAS STATE UNIVERSITY
Manhattan, Kansas**

1975

The Survey of Public Officials' Attitudes Toward County Zoning in Kansas was conducted in February, 1975 to identify existing attitudes toward zoning among Kansas County Commissioners and County Planning Commission Chairmen. The survey was designed to provide information relevant to reasons for the lack of county zoning in a majority of Kansas counties.

The historical development of zoning and its legal base were discussed to demonstrate the need for and the legal validity of zoning as an exercise of the police power. Federal and state legal cases on zoning were discussed to show how the legal authority for county zoning in Kansas has developed.

The survey was designed to provide data for the acceptance or rejection of three major hypotheses through the evaluation of several sub-hypotheses related to the three major hypotheses. The first major hypothesis, HA, stated that ruralness of counties is more influential in Commissioners' opposition to zoning than is rural residence of Commissioners. The second major hypothesis, HB, contended that Commissioners of Kansas counties tend to evade the issue of county zoning because to propose such regulation would be politically unwise. The third major hypothesis, HC, stated: Commissioners of Kansas counties are opposed to zoning on the basis that it is an unfair regulation of an individual's rights.

The survey data showed that ruralness of counties is slightly more influential on Commissioners' opposition to zoning than is rural residence of Commissioners. On this basis, the first major hypothesis was accepted. Analysis of the survey data and the related sub-hypotheses indicated that the second major hypothesis was also acceptable. The data indicated that although the majority of the Commissioners favor zoning, positive action on zoning is avoided because they believe their constituents are opposed to zoning. The

data indicated that Commissioners' attitudes toward zoning are influenced by their constituents and their visible efforts in relation to zoning are also affected by how Commissioners perceive their constituents' attitudes toward zoning.

The third major hypothesis was accepted because the survey data indicated that Commissioners of Kansas counties opposed to zoning tend to think it is an unfair regulation of an individual's rights.

Attitudes toward regional zoning were investigated to provide information useful in future efforts to further unify the several organized Regional Planning Commissions in the state. The survey data indicated that attitudes toward regional zoning are related to reasons why county zoning has or has not been adopted and the Commissioners' constituents' attitudes toward zoning. Data relevant to the support of or opposition to regional zoning in each planning region was presented to provide information useful in future efforts of each of the planning regions.

On the basis of the survey data and the acceptance or rejection of the major hypotheses, recommendations for action to encourage adoption of county zoning were presented. Constituent opposition to zoning was identified as a major reason affecting Commissioners' actions related to zoning. The data indicated that constituents believe there is no need for zoning and that zoning is a form of government intervention. This report recommends the development of an educational program designed to explain the need for and benefits of county zoning. This educational program could be initiated and administered by the Cooperative Extension Service of Kansas State University or the Kansas Department of Economic Development. Educational programs through various news media was also recommended.

In order to promote regional zoning it was recommended that a five year pilot program be established by the Northwest Kansas Regional Planning and Development Council. This planning region was identified as the one most likely to promote such a program because a majority of the respondents from this region favor a region wide zoning ordinance. Contiguous counties in this region which agree to this type of zoning could participate in the pilot program to provide information on the benefits and drawbacks of region wide zoning.

The Survey of Public Officials' Attitudes Toward County Zoning in Kansas has shown that public attitudes toward zoning are the major reasons many Kansas counties have not adopted county zoning. These same attitudes contribute to the lack of support for region wide zoning. Implementation of the recommendations of this report may provide the initial basis for statewide programs designed to encourage the adoption and implementation of a useful tool of land use regulation.