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NOTICE OF BUSINESS DEVELOPMENT TASK FORCE MEETING

A meeting of the Business Development Task Force of the Unified Government of Wyandotte County/Kansas City, Kansas, will be conducted in person only on Monday, March 10, 2025, at 3:00 pm. in the Fifth-floor conference room of the Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas 66101.

We invite you to view the meeting in person in the 5th-floor conference room, Suite 515, 701 N. 7th Street, Kansas City, Kansas,

Business Development Taskforce
March 10, 2025, rescheduled meeting of February 24, 2025,
3:00 pm
City Hall
5th Floor Conference Room
701 N 7th Street
Kansas City, Kansas 66101

AGENDA

Commissioner Tom	Burroughs	Chair
Commissioner Chuck	Stites	Co-Chair

Nate	Brungardt
Stephanie	Cashion
Edgar	Galicia
John	Handley
Lynn	Holcomb
Greg	Kindle
Gabe	Munoz
Richard	Napper
Mindy	Rocha
Jim	Schraeder
Renee	Hadley

- 1. Call to Order/Roll Call of members**
- 2. Review of February 10, 2025, Meeting Minutes**
- 3. New Business**
 - a. Central Business District Parking Requirements:
 - b. Review of Prior Topics for Recommendations from Taskforce
- 4. Public Comment**
- 5. Adjourn**

Mayor's Business Development Taskforce

Monday, February 10, 2025

City Hall

701 N 7th Street KCK

5th Floor Conference Room

Meeting Minutes

Introduction: Chair: Commissioner Tom Burroughs opened the meeting at 3:03 pm **Members Present:** Nate Brungardt, Edgar Galicia, John Handley, Greg Kindle, Mindy Rocha, Jim Schraeder. and Renee Hadley.

Members Excused: Commissioner Chuck Stites, Stephanie Cashion, Lynn Holcomb, Gabe Munoz, and Richard Napper.

UG staff and advisors present: Chelsea Chism, Gunnar Hand, Alan Howze, Wendy Green, Greg Talkin, Jim Neath and Rodney Lucas.

1. Commissioner Burroughs opened the meeting and asked ACA Howze for an update on Accela. There will be an early April launch with additional testing. There is a request from Accela team for employees utilizing the system to be part of the testing for that launch. Commissioner Burroughs explained we are aware there were a lot of comments regarding expediting shared information and hopes we are on target as Accela is to help us get through some of the bottlenecks that have occurred.
2. **Presentation by Gunnar Hand, Director of UG Director of Planning + Urban Design:**
 - I. Mr. Hand passed out a handout of the presentation titled From Comprehensive Plans to Landscape & Screening Standards (Attached)
 - II. Mr. Hand was asked to speak today about Landscaping and Screening Standards. He asked questions to be asked at a stopping point and he was allowed to get through the first few slides because there are landscaping screening standards in our comprehensive plan, in our land use categories, in our design guidelines AND in Chapter 27. They are in all of those to get down to 8 pages of just division 10 landscape and screening standards.
 - III. **Understanding Why:** The values our codes are supposed to embody are specifically our communities values. Some of these slides are repeated from other presentations done, to give a context here. Top row in planning terms, transect, everything from most urban to most rural and suburban and everything else in between. While not unique to a metropolitan area, it is incredibly unique in a single municipality. It is even more uncommon if you get all transects on a single corridor. For example, where you see all transects lined up with State Ave.
 - IV. **Land Use and Transportation:** Important to understand, land use and transportation are inherently interlinked. For generations we have been building cities to facilitate the automobile and not the person. So, in response we get stroads, streets on highway as opposed to walkable communities. It is important we understand the design decisions we make today with landscaping and screening standards will live with us for generations. It is not just how we develop but standards we hold those developments to and where we develop.
 - V. **Greenfield Development:** Greenfield development increases our debt burden by spending on our infrastructure and liability. Infill development is what we hear from our commissioners and what we should be focusing on or some level of equal focus on and repairs agency infrastructure we have already paid for. He Illustrated this with two maps: right to left in picture white to dark blue. This shows sewer pipes each decade. Downtown to West, the pipes get farther and farther apart, longer and longer, more and more. To the point in 2010, we have 30 feet of pipe per person, compared to 1 feet of pipe per person in 1910. See most pipes network as road, because most pipes are under our roads. We have dense pipes in our urban network to the east and go through suburban expansion down State Ave. and gets more suburban and rural on the other side of 435. It

is important to note our population grew 2.8%, in that same period (100 years), our miles of road per person grew 10 times that. This is a huge reason why we cannot afford to maintain our roads today.

- VI. **Urban 3:** In 2020, before Mr. Hand joined the Unified Government, a group called Urban 3 did an analysis, and that analysis is still on our website. This analysis basically generated the next few slides in the presentation. They tried to equalize how you view taxable value of land per acre. These are large generalizations, showing you for example, an acre in Strawberry Hill or close by area vs acre in Midtown, not most suburban development topology. These areas produce more taxes with less infrastructure cost.
- VII. We hear a lot in our justifications for subdivisions that go through planning commission, that we need to create more valuable parcels that we can tax and increase our tax base. Urban 3 study determined that if you build a common single-family subdivision, it does not make you any tax money. While they build the infrastructure up front, the city maintains that infrastructure in perpetuity, adding on all the other services, police, fire, etc., so you don't make money off single family development. So, every time we hear to create more single-family parcels to increase tax base, we have an elected body that says to focus on development, we have 10,000 vacant parcels in our urban core and the vast majority are single family homes. Of those 10,000 homes, approximately 4,000 are under our control. (landbank)
- VIII. For example, now take an acre in downtown KCK (in heart of downtown) vs big box development, efficient wise this produces more sales taxes revenue than big box development. That is not to say the Legends do not produce the most sales tax revenue, it does. Legends also takes up a lot of land and infrastructure whereas two blocks downtown generate quite a bit itself. Not to mention downtown has local businesses, most out west are chain retailers and take money outside region. The difference is density and downtown produces a lot more for a lot less. This is not an either/or, this is a both/and! We can continue to do projects like Legends 267 that infills on surface parking lots around the legends, creating a more walkable neighborhood in that part of town, while focusing on urban core.
- IX. **How We Develop-** Development for development sake is not always a good thing. From a Planner and Urban designers perspective, we are not in charge of maintaining the ordinances, we administrate it but not updating and maintaining it. That is Board of Commissioners job. How we design, build, operate and maintain our developments, i.e. landscaping and screening standards, matters.
- X. **PlanKCK:** updated 2023, before that comprehensive master plan was updated in 2008, when updated in 2023 we carried over a lot of the policies of 2008 city wide master plan, including 2008 commercial guidelines, which are in our zoning code citywide. Any commercial project, no matter what it is follows commercial guidelines. That 2008 masterplan and updated 2023 PlanKCK also carried over mixed use guidelines and multifamily guidelines. Our land use categories include language about landscaping and screening standards. Specifically, they talk a lot about the transition between higher intensity to lesser intensity and using buffering for landscaping. This was part of the effort just as we did in GoDotte countywide Mobility strategy to consolidate a dozen of corridor plans into a single vision, this was our attempt to create a single land use table that in the future all area plans could utilize.
- XI. **Commercial Design Guidelines City Wide:** If we look at all those other design guidelines mentioned before Mised Use and Multi-Family, they all have standards as it relates to landscape and screening. The presentation shows the page image of code section just for the landscape and screening for the commercial design guidelines. In these guidelines are anything from increasing

the amount of landscaping above code, to mix use design, street trees planted at certain intervals, to how to buffer more intense uses. And down to required screening for park units.

- XII. **Area Plans:** Four of our six area plans have their own design guidelines embedded within them and beyond commercial, multi-family, mixed use guidelines. These vary widely. Each area plan design guidelines are unique to fit the neighborhood. One example from an area plan, sophisticated design guidelines and this is an example of what they require for infill, single family housing is the Downtown area plan. It has an entire appendix as long as all area plan guidelines put together, just for downtown. Prairie Delaware Piper Area Plan is our oldest area plan, not to savvy in showing diagrams and illustrating what they mean, but there are design guidelines. Including garage and carports and certain landscaping for front yards. The Northeast Area plan does not have design guidelines of their own but points to other design guidelines. Land use categories in area plans that say if you are this commercial type of development, you must go through commercial design guidelines. In their lower to medium density residential “any project in that land use category, even if it is not a narrow lot (less than 50 ft wide), it still must go through the narrow lot design guideline standards.” Even the method we use these design guidelines from area plan to area plan.
- XIII. The point is all the design guidelines we just talked about and all the different facets, all the way up to comprehensive plans have landscaping and screening standards attached to them. In the spirit of consolidation, the two area plans that do not have design guidelines are the two area plans that have been adopted since Mr. Hand became Director of Planning. We are working towards one area plan at a time, trying to consolidate all these plan documents, all these policies, into something more manageable for the public and planners.
- XIV. This is where it gets complicated, if it is the narrow lot design guideline or if in division 10, i.e. a standard in the zoning code, if you deviate from that must go through the Board of Zoning Appeals (BOZA) and get a variance. The way they are written elsewhere, whether an area plan or commercial design guideline which is in the code, but code says this and applied to all design guidelines in the area plans, you can deviate from a standard but must get approval from the city planning commission. They are a little unequal and basically two ½ ways based on what design standard or design guidelines you are looking at. That is annoying to say the least and confusing for applicants. Yet, there are a couple of paths that can be cleaned up.
- XV. Mr. Hand has two options he would recommend: 1) Everything should be in the code and if deviate from seek a variance or 2) None should seek a variance and give the planning director the discretion to apply those design guidelines and any appeal of those design guidelines after the director used their discretion to meet their intent, could be appealed to BOZA. There are a lot of places in the code where if you do not like the Directors interpretation you can appeal to BOZA and BOZA makes the decision on the interpretation. You could handle design guidelines that same way. There have been a lot of conversations about discretion in the code. The Planning Director has a lot of responsibility to maintain the code ordinances as it relates to Chapter 27, so a bit of a tossup and does not have a recommendation for but ultimately Board of Commissioners can give directive or discretion. Most people want him to use discretion when it benefits their project.
- XVI. **Sign Code Screening and Buffering Standards-** The last set of slides are the standards in Division 10 for landscaping and screening. Highlights:
- Definitions listed: Includes small shrubs, small trees, turf grass
 - Intent: 3 of 6 that are highlighted are important:
 - i. To integrate the project with the site, to natural topography and existing vegetation.
- The intent of the landscape standards are to not grade a site down to zero and then

build on top of it. Use Natural topography. This is why staff ask to maintain tree stands on site and use those tree stands as part of buffering screen

- ii. To minimize the environmental effect of development on a particular site and surrounding area by providing shade, erosion control, air purification, groundwater, recharge, oxygen regeneration, noise glare and heat abatement, etc. This part of the code was updated in 1988. Even back then we were discussing reducing pollution, stormwater management, etc. which are still germane topics today.
- iii. To buffer or screen uncomplimentary land uses and their service areas, equipment and appurtenances.
- iv. Landscape plans are required.
- v. General requirements and guidelines are applied to all projects and later in the standards pages 5-6 down, there are different standards for each known category. These are all general: Landscaping: The area between the curb of a public street and property line shall be brought to finish grade and planted grass. This is immediate between curb and sidewalk. This section was last updated in 1988. This is one of the top five points in the GoDotte countywide mobility strategy, getting back to basics, our streets are street, curb and sidewalk. You would be amazed how we have not done that well. Also, intervals for street trees and how the director of parks is to maintain a street tree list. The current Parks Director is working on this now.
- vi. All the landscaping was to be continuously maintained.
- vii. Screening of outside trash bins or trash containers, Screening of mechanical equipment and screening of parking areas, Outdoor Storage,
- viii. Lighting: The source of lights shall be hooded or controlled

- **Standards in the District Requirements**

- i. R-1, R-2s says one tree per 7,000 square feet
- ii. R-3, R-4, R-5, R-6 one shade tree and three shrubs for each 30 feet
- iii. District M-3 Auto salvage yards shall be enclosed by a minimum eight-foot-tall architectural screening fence. Chapter 27 then references fences in chapter 8 building codes. This is an example if you pull on one thread it pulls other threads in other chapters. Another example if you look at what happen last summer for Food Trucks could not look at just Chapter 27 had to look at Chapter 27 and Chapter 32 at the same time because some Food trucks parked in parking lots, some parked on the street.
- iv. **Existing plant material-** Such plant material may be credited toward the minimum number specified for each zoning category. Here is the dreaded discretion for the director. What of the existing tree stands that are on a parcel count for the number of trees. Still must meet intent, code says i.e. sod on the grass, trees screened from the street, bushes in front of the parking lot, etc. If you leave that tree stand or have an old oak tree, you want to maintain you can count those and are credited to landscaping.
- v. Planting requirements have all items about two-inch caliper as measured 12 inches above the ground. Seventy-five percent coverage after two full growing seasons. Areas subject to erosion must be sodded, Complete coverage must be established in the first growing season.
- vi. **Maintenance-** the owner, developer, their agents and successors shall be responsible for all maintenance. Plant material that has died or has been severely damaged by insects, diseases, vehicular traffic, acts of God, vandalism, etc. must be

replaced by the next planning period. Mr. Hand can go out with the code officer to inspect a 20-year development project, look at their landscaping plan and force them to replant all the trees that have died. If you go through a developed site and go by a few months after, typically 40% of landscaping dies in the first year. If they do not enforce that, they are not planning that stuff. Hard to maintain this section of the code in perpetuity. Even though it is the responsibility of that landowner.

- vii. Installation prior to final occupancy: all landscape elements and screening must be in place and in proper condition prior to issuance of a final certificate of occupancy. In instances where adverse weather or seasonal restrictions preclude planting, a temporary certificate of occupancy may be issued upon written commitment by owner, developer or subsequent agents to complete the planning when conditions are appropriate.

XVII. Members Questions and Comments

Chair Burroughs asked for questions and comments from the members.

- Greg Kindle, WYEDC, indicated part of the challenge with screening and landscaping was first half of this presentation which was editorial, and he can only agree with 1/2 of the presentation. What often happens is that same style comes through in the Development review committee, conversations with developers and planning department, where this idea we are going to move your project over here, this is the right spot for it, we are going to do some of these projects. Even the landscaping piece of it, projects get nickel and dimed throughout the entire process. Often these projects do not even know what they missed until maybe time to get TCO or CO. This gets drug out and I realize department may be understaffed but we end up in this total process of can't get a response of why I got this report that says I need all this extra landscaping or screening or signage or any number of these things. Typically, it happens really close to the end of these projects being done, when same requirements were months and months ago. They get big bills at the end and suddenly it is like sky is falling and still adhering to our codes and ordinances that are on the books today, which frankly is easy to glaze over because the print is tiny. If you don't look at everything in those chapters, and the inconsistencies of how these plans play together comes across in presentation itself, it is almost impossible to understand what our processes are. Whether its anyone's fault or not, but reality is so many of these little pieces and parts add up to big dollars that roll out at the end of a project and just get hammered. Then it takes a while to get a response, to get meetings and pull people together and end up falling back to the directors, County Administrator, Assistant County Administrator. Developers ask Commissioners why I didn't know about this months ago when I started the project. Sometimes we have phenomenal people in our organization as partners, but their opinions are not necessarily ordinances, because those opinions begin to sound like ordinances as they go through the process. Even maintaining rows of trees has become an issue. Developers buy a piece of property, this is what I want to develop and get hung up because they took out trees, but it is their property to develop but have to replant row of trees that backs up to a line or whatever location may be. Those were in place to begin with so project after project we are met with these challenges around screening, landscaping, etc. and it is very frustrating. This material and some of the presentations that was not mitigating screening and lighting and landscaping comes through so often in how we are addressing people looking to invest in our community.
- Jim Schraeder What I got out of the first half of the presentation is I am sure glad I don't work for you because how do you even figure out what governs and last page you did not show on screen speaks to the Comprehensive Zoning code redo, how will that help? Will it help us not to

have 4-5 different things that everyone must look at before anyone knows what you must do to develop something. Mr. Hand, Director, Planning + Urban Design, suggests a comprehensive planning update is our chance to rethink how we administer all these things. We have had a couple of presentations about trying to on the back end or front-end realigning how we do long range planning. Mr. Shrader mentioned a process to update the zoning code which was put on hold because of the pandemic. Mr. Hand advocated for holding this because he realized none of the staff had participated in that process. The people charged with administering a new zoning code did not know what or why it was created and that was a big misstep. If we find conflicting code section in another part of the code, typically you go with the most restrictive. There are some conflicts and we always back into that by going with the most restrictive requirement. Comprehensive zoning code update could potentially change how we even think what a zoning code is. Our current zoning code is Euclidean, called that because the city of Euclid, supreme court case that justified the reason for zoning and set precedent for zoning in USA. The way they did it was if you're really intense use you can have everything under that intense use, but if restrictive use like single family you can't have smokestacks. Simple view. Our code acts the same way and has many authors over many years. While some things use different words, and say a lot of the same intended things, these standards could be clarified and be reduced if we focus on, for example, form base code. Form base codes don't care what we use if they are designed to look like how everyone wants it to look, so predesign community and developers come and build those pieces of that community. You miss a lot of stuff by doing pure base codes but can't get to a form base code without comprehensive review of design codes. It will take a lot of time, staff focus, and more money over a few years. We have effectively been doing what has been asked for of this department and taskforce for the last couple of years.

- Rodney Lucas, Interim Assistant County Administrator, apologizes and would like to work to make it more efficient. Can we get there? He asked Wendy Green, legal counsel: how do legally take bit by bit so Greg can satisfy developers with a quicker process? If we start with signs, screening and buffering standards. Wendy mentioned you would have to see for example where signage is mentioned in all codes, and update every single part of our zoning code, may not be just zoning code, if we talk about signage anywhere else in our code of ordinances, we will need to make sure that it is updated every place it is spoken about signage.
- Rodney Lucas asked Commissioner Burroughs what is the biggest complaint from the constituency regarding our process for planning? Commissioner Burrough's mentioned by borrowing from others, the process is not consistent, there are exceptions, and the conflicts. He does not disagree with Mr. Kindle's comments. For a long time, we could not get TCO's, that has been remedied, but signage is a small piece of this zoning issue, until it is the issue. This is no different than screening and landscaping. It is a little of everything. You asked a great question, what could be do if we for example pick landscaping let's get into the codes, find out what it is in landscaping, anything tied to landscaping put it out there and address it. We do not have to eat the whole apple but take it one bite at a time. We can devour it piece by piece, by section. If zoning is not able to get through this due to time, let's take it piece by piece. It may not be the piece you want today, but if signage, parking, variances, those can be pulled piece by piece within Chapter 27
- Wendy Green commented that the only thing we are limited to is variances. Variances are statutorily driven, the code says under 12-759, Kansas Statue, if you want to have a planning commission you have to have a Board of Zoning Appeals (BOZA) and if you have a Board of

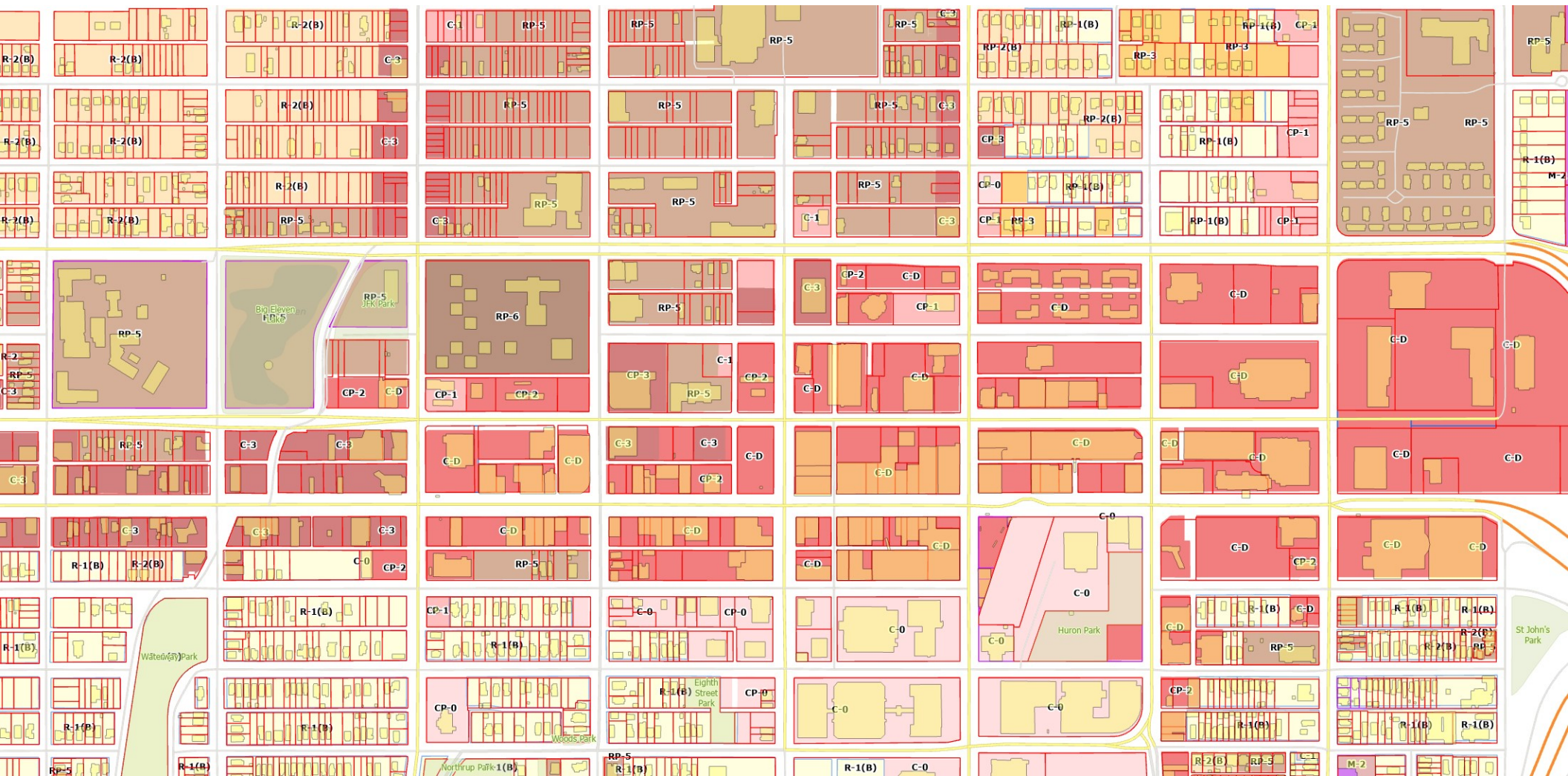
Zoning Appeals because you have a planning commission, variances are what the BOZA hears and this is where cases from the planning commission are appealed to. Unfortunately, variances are directly to BOZA and the only right of appeal is to the district court. We will need legislative approval for changes with variances.

- Commissioner Burroughs mentioned Landscaping with an example. If trees are put in every 20-30 feet whatever ordinance calls for. Those trees must be mature and shade trees must grow rapidly then within 10 years we in city have foliage clogging sewage lines because leaves get in street and down sewers and back up or have to have BPU trees trimmed back or contract with third party. Some of these ordinances are 50 years old and need to be addressed. These old ordinances put planning department in a box, but it should not mean discretion to planning and zoning, paint colors, banners, shield trash cans. Those are calls Commissioner often get, small stuff when running a government, but it is big stuff to others. Section 27 needs to be looked at, look at what the committee wants to review, whether signage, buffering, shielding aspect. Today there was to be signage code but got into other things and got in landscaping and screening and buffering standards. We did not drill down into signage. There are pieces that we can change and make them work. I take offense to fact we are asking planning to give consideration to individual developers. That is not what we should be doing nor the perception of how we operate here. He has conflict with developers and one answer here and another there and the same issue is not consistent or fair. It must be consistent and equitable. Because these are 50 years old, we must start somewhere with the zoning.
- Alan Howze, follow up to Mr. Kindles question. At what point in planning and review process would someone get a landscaping plan review, so they understood what they needed to do to meet the guidelines. Why not come early in the process? Mr. Hand responded and said it does. Landscaping plans are required and reviewed at land entitlement up front as part of the application process. Generally, some landscaping standards are given, but incumbent of the applicant and design team to define and know what the restraints of a project are and design to them. What should happen, if you have a good designer, is review all designs, what code requires or come to the planning director with an application and say I was not able to get x, y and z done, so I need these variances and staff does the work for them, but that rarely happens. So, developers give what they want on a site, staff reviews to all standards, equitably and consistently, but because project different every time and different zoning code and each category has different standards it will not look the same. No two projects are the same. The problem often seen is we tell them what they can or can't do, approve plan, goes to commission and commission takes those and sends them to Board of Commissioners. We have general conversations with people at the beginning but the person who applies for land entitlement is very rarely same person who construct project, very rarely even same designer who does building codes. There is a long chain of custody that is not Planning Directors responsibility. It is the owner's responsibility to make sure all requirements and approved conditions are met. But what happens is that they get to the end of the project, get to building and permits, with same landscaping plan and do not want to plant trees. They are given the option to redesign and submit a new plan to see if it matches code, or if it does not match code. Now I am trying to get a contract closed, but Director Hand has code standards he is beholden to.
- ACA Howze states what then gets approved by the commission is a landscaping plan that was agreed to and approved by the planning commission.

- Mr. Kindle mentioned he disagreed with some of the response. There are two sides to every story. If it were as simple as every time a developer calls and complains that a staff member did not want to do their job and lazy would make his job easier. But that is not always the case. There is room for figuring out a way, maybe in Accela that protects everyone and makes the process better in these projects. What was approved and who was responsible for getting it done must be improved. We spend way too much time on customer service for the Unified Government. As your partner and paid contractor, we are ambassadors to the Unified Government, but we spend too many hours every week responding to customer service issues around these issues and not wanting to spend the money, or lazy people is not the cause but there are miscommunication breakdowns somewhere in the process and do not know exactly where they are and some in between. We have got to figure out a better way because these issues today are at the heart and soul of the problem. It seems like little things but holding up from moving forward and clearly inconsistent from one part of the city to the other because of plans. Which makes it hard to say with any certainty this is how it should be done because now I will question everything, I know about being an armchair planner, based on number of years he has been here and say oh wait maybe that plan does not pertain to you that way and just having consistency among plans will be helpful. He is hopeful that Accela is a big help so you can see where things are held up.
- Commissioner Burroughs discussed these are not life and safety issues that cause our developers angst that some of this does. If it means going back in and looking at some of the ordinances: signage codes, see what we can do to change. With the planning departments assistance and input from the committee we should be able to tackle those small issues quickly. We do not have an abundance of staff to do it and can't do a 50-year-old document in 3 weeks to a month. It is just not going to happen, but we must start somewhere. The issues that have been brought up are why everyone is around the table. This is an opportunity to educate ourselves initially, so when it comes to the board, it will hopefully provide us guidance. Please know in this room, we must be able to speak freely, not take personal, no be angry with one another because we must get through this. We are all bullish about Economic Development in our community. We are a first-class city and deserve first class amenities. The only way we are going to get there is if we have tough discussions at times. This is an opportunity for us to do just that
- Jim sent the Chair a message and we will address the parking issue downtown in the next meeting. Commissioner will have Council help work on that, to target an area and run it through planning to see if we can do this in an expediated manner. Question like how a major development can take parking spots given to them in the development and put pads on them and not have to meet a parking demand that was already in place within the development. How is that happening but you must have enough parking when you build your project to begin with. Willing to extend meetings to 1 ½ hours, but an hour good until we get into nuts and bolts.
- I appreciate Jim and Greg being in the room because of the expertise they have, and the knowledge and skills that can help guide this. I look forward to hearing from you and working with you all to help move forward.
- Edgar Galicia, CABA: He is against reinventing the wheel. Can we find some places where regulations are being implemented in other cities (Gold cities). Let's look at cities we want to become like and see what they are doing to be successful. Let's review what we have and what we don't have from those cities. Commissioner Burroughs mentioned commission can always

request a moratorium on policies. The Board of Commission has that authority. We can come in and ask the council to give a MOU or moratorium on and get it passed if we must make things work. Getting back to what you said Egar but not sure we are there yet, and Chapter 27 is a great starting point and appreciate Rodney for bringing forward. Hope we continue to have these discussions moving forward. If anyone has an issue to bring forward, please send them to Ms. Caudillo, and she will get them to Co-Chairs and they will do their best to get it addressed in a timely manner.

Meeting Adjourned at 4:05 pm. **Next meeting is February 24, 2025, at 3:00 pm.**



Removing Regulatory Barriers to Business in Wyandotte County

The Institute for Justice is a national nonprofit organization that has been advocating on behalf of entrepreneurs and small business owners for over 30 years. Our Cities Work team partners with city officials across the country to identify and rectify regulatory barriers that reduce access to entrepreneurship, particularly for those from historically disadvantaged communities.¹ In 2022, we published *Barriers to Business: How Cities Can Pave a Cheaper, Faster, and Simpler Path to Entrepreneurship*, a 20-city study that quantified the regulatory barriers facing common small business types across the country.²

Our team has expanded this research into our partnership with the Unified Government of Wyandotte County and Kansas City by mapping out the processes to start a variety of small businesses in Wyandotte County. Additionally, we have gathered local insights through conducting department stakeholder interviews across multiple departments and entrepreneurial ecosystem stakeholder interviews. As a synthesis of this research and insights gathering, we have formulated a series of reform recommendations designed to make it cheaper, faster, and simpler to start a business in Wyandotte County. This is the first of two recommendation reports, with the recommendations categorized under who will be leading the efforts, with recognition that many will require both administrative and legislative action. While the scale and timeline of these recommendations vary, the overarching goal is to make substantial progress on each recommendation before the end of 2024. This list is not comprehensive of all reform opportunities available, but rather it is an opportunity for the UG to make a significant step towards a thriving entrepreneurial community.

Lead: Administrative, in coordination with the Accela onboarding project

1. *Encourage small business growth by creating a pre-permitted plan initiative.* Develop community-reflective pre-permitted plans for a variety of small businesses, including a small restaurant, coffee shop, retail space, and small retail storefront development. The process to obtain permits for building a small commercial space can take months and cost thousands of dollars. Not only can this dissuade developers from investing in Wyandotte County, but this unaffordability can prevent emerging entrepreneurs from being able to build their business and intergenerational wealth. With pre-permitted plans, the UG can encourage the development of small commercial spaces by increasing the affordability of building and renting small commercial spaces.

1.1. See [Addendum A](#) for details on similar initiatives in South Bend, Indiana, and Kalamazoo, Michigan.

¹ For more information on IJ's work to support entrepreneurs, see <https://ij.org/citieswork>.

² Meleta, A. & Montgomery, A. (February 2022). *Barriers to business: How cities can pave a cheaper, faster, and simpler path to entrepreneurship*. Arlington, VA: Institute for Justice. <https://ij.org/report/barriers-to-business/>

The UG can make Wyandotte County a national leading innovator in pre-permitted plans for small commercial spaces.

2. *For internal use, develop an organization chart, FAQ documents, and email templates.*

- 2.1. Publish an internal contact organization chart with expertise areas. Referring the applicant to the correct contact the first time saves both employees and entrepreneurs' valuable time.
- 2.2. Create FAQ documents and email templates to address the FAQs and confusing processes. If there is a pattern of entrepreneurs asking the same questions, the team should create an email template explaining the answer to the question, clarification for the process, resources to understand the process better, and what next steps to take if still confused.

3. *Create a small business one-stop shop.* Develop an online one-stop shop that incorporates a requirement navigator. All requirements should be available in the one-stop shop in a checklist or guide format for each permit, license, and inspection. Additionally, all applications and payments should have an online submission option through the Accela portal.

3.1. The UG's one-stop shop should satisfy the following criteria:

- 3.1.1. Connecting city requirements with processes from other levels of government.
- 3.1.2. Completing forms and registrations through the portal, not through each agency's own website.
- 3.1.3. Covering all city requirements, not just requirements for getting a business license.
- 3.1.4. Providing a single log-in opportunity so entrepreneurs can organize information and track progress in one location.
- 3.1.5. Guiding entrepreneurs effectively through the process.

3.2. Establish a Permit Navigator Tool that details the required permits and licenses for an entrepreneur based on their specific business. See Philadelphia's new permit navigator for an example of a strong, comprehensive tool and [Addendum B](#) for recommended features.³

Cities Work is happy to work with the UG to pinpoint specific adjustments to strengthen the user experience such as including a data dashboard and fee estimate calculators.

4. *Increase financial transparency in the small business regulatory process by enumerating and publishing all fees and formulas.* For all fees related to the permitting and licensing processes, including plan reviews, application reviews, inspections, taxes, revisions, and re-inspections, the city should publish the fee schedule including formulas used to calculate the fees that are

³ See the City of Philadelphia's new permit navigator tool: <https://permits.phila.gov/>

dependent on project factors such as mechanical permits, BPU (Board of Public Utilities) fees, and plumbing permits.

- 4.1. See Mountain View, California and Aurora, Colorado as examples.⁴
5. *Establish metric tracking and publish a public data dashboard.* Publish a data dashboard with regularly updated metrics such as average timelines including reapplications/reinspection for the most common permits, licenses, and inspections based on data collected by the departments; real-time wait times for various services; department backlog times; and average processing times.
 - 5.1. See Dallas, Texas; Portland, Oregon; and El Paso, Texas for data dashboard capabilities.⁵
 - 5.2. See Kansas City, Missouri for a data collection resolution.⁶
6. *For both internal and external use, develop and publish guides that include process maps and checklists for all permits and licenses.* Publish guides that include process maps and checklists for all permits and licenses. These guides should include all levels of regulatory requirements in chronological order with application instructions. There should be a checklist to make sure the entrepreneur goes through each step to satisfy the necessary requirements. By having this information readily available internally, city employees can provide more accurate and efficient information to entrepreneurs navigating the steps. By providing this information externally, entrepreneurs can be better prepared for the process and decrease the amount of application revisions needed.
7. *Establish internal communication practices through Accela, including application sharing, notifications, and follow-up reminders.* One of the most prominent themes from the department stakeholder meetings is the challenging nature of efficiently processing applications due to the poor system of communication between departments. Currently, the UG relies on email to send all communications and requires that individuals remember to follow up on emails. When an

⁴ See Mountain View's Fee Formulas <https://developmentpermits.mountainview.gov/about-permits/fees/building-fees>; and Aurora, Colorado's Estimate Fee Calculator https://www.auroragov.org/business_services/building_division/permit_fee_calculator.

⁵ See the following cities' dashboards as examples of certain recommended capabilities. Dallas, Texas for the number of revisions per permit, the median issued days, and permits in queue by stage: https://dallascitydata.dallascityhall.com/views/SingleFamilyResidentialPermits_16747435220440/SingleFamilyResidentialPermits?%3AshowAppBanner=false&%3Adisplay_count=n&%3AshowVizHome=n&%3Aorigin=viz_share_link&%3Arefresh=yes&%3AisGuestRedirectFromVizportal=y&%3Aembed=y. See Portland, Oregon for nuanced processing time metrics that divide time spent between stages and caused by applicant versus city department: https://public.tableau.com/app/profile/bds.metrics/viz/PermitMetricDashboard_top_public/PortlandPermitMetricDashboard. See El Paso, Texas for current queue and ability to join the line online before arriving in-person: <https://www.elpasotexas.gov/planning-and-inspections/>.

⁶ See Kansas City's Resolution 240632 for an example of a data collection resolution: <https://kansascity.legistar.com/LegislationDetail.aspx?ID=6804139&GUID=8918D438-37A5-45CC-8B34-CFA0DACF6BF9&FullText=1>

application moves from one department to another, the new department is emailed to notify them that it is one of their team members' turns to review the application rather than only emailing the person responsible. This results in overcrowded inboxes for people who are not working on the application. Additionally, individuals are left to remember which emails and applications to follow up on because there is not a notification system to provide reminders to the assigned individual.

- 7.1. After onboarding all departments and teams involved in the processing of permits and licensing applications onto Accela, the UG should establish communication and note-taking standards that ensure all are conducted via the online platform. This will allow for clear, centralized communication to occur in the same place as the application is in review and for only those assigned to be notified and reminded of their tasks.

8. *Establish external communication practices through Accela, including feedback notifications, renewal reminders, important deadlines, and impact notices.* All permit and license applications should be available and submitted online through Accela. Not only will entrepreneurs be able to use Accela as a centralized platform to see their submissions and application feedback, but the UG can use Accela to communicate with the entrepreneurs. The Accela platform should be configured to notify applicants when they receive feedback on their applications, need to renew their permits and licenses, have an upcoming important deadline, or will be impacted by change in legislation or process on the local or state level.
9. *Increase Language Access.* Translate city webpages, documents, and other resources into more languages spoken by residents, including Spanish. Hire reputable translators to do this work so that translations are culturally appropriate and make sense to non-English speakers, rather than rely on automated services such as Google Translate.
 - 9.1. Specifically, provide all application information in Spanish and other languages.
 - 9.2. Include a question on applications and meeting requests for the individual to note what language they speak and whether they will require a translator so employees can be adequately prepared for the meeting.
 - 9.3. Ensure employees are aware of and trained on using Propio (or any other real-time language translation service the UG uses).
10. *Streamline Sign Permits.* Streamline sign permitting processes to give clarity and reduce wait times for entrepreneurs. [See Addendum C](#) for more details.
 - 10.1. Ensure all applications and materials are available online.
 - 10.2. Provide drawing templates and accessible standards required for sign renderings.
 - 10.3. Publish frequently asked questions or commonly missed materials on the city website.

- 10.4. Provide notary services for entrepreneurs to certify property owners' permission to construct signs.

11. *Ensure Comprehensive Transition and Instruction Materials for Employees.* High employee turnover and role changes can cause bottlenecks in service due to incomplete knowledge onboarding. To provide a better foundation for the employees and better service for entrepreneurs, comprehensive transition and instruction materials are crucial. For all processes involved in serving small business entrepreneurs, create and compile comprehensive transition and instruction materials such as documents and videos.

12. *Create a small business liaison position.* Create a small business liaison position that is dedicated solely to helping small business entrepreneurs navigate regulatory processes and resources. The individual in this position will be well versed in the comprehensive regulatory process to address communication silos between departments. Larger development projects often get priority treatment at the expense of small businesses—leaving small business entrepreneurs waiting for responses, instructions, and crucial information. By creating this position, the UG can ensure there is always someone to navigate small businesses through the UG's processes.

- 12.1. See Kansas City, Missouri's KC BizCare office for a great example of small business navigation.⁷

Lead: Legislative

13. *Simplify home-based business requirements.* Ease outdated regulatory burdens that get in the way of home-based entrepreneurs. See [Addendum D](#) for a full memo on the importance of home-based businesses and a draft model ordinance which includes initial ideas from conversations between the Cities Work team and the UG Planning Department.

- 13.1. Maintain home occupation nuisance standards under Sec. 27-609. - Districts R-1, R-1(B), R-2, R-2(B).

13.2. Remove unnecessary restrictions on how businesses can operate inside of the home. Employee and client restrictions restrict the normal operations of many businesses.

- 13.2.1. Other cities, such as Detroit and New Orleans, do not limit the number of clients permitted at one time or in one day. The UG's no-client limit prohibits home-based businesses such as group tutoring.

- 13.2.2. Many other cities permit at least one to two non-resident employees. These employees can be crucial in helping with administrative tasks or other normal business operations.⁸

⁷ For an example of strong small business navigation assistance, see KCBizCare: <https://bizcare.kcmo.gov/>

⁸ McDonald, J. (Jan. 2022). *Entrepreneur from home: How home-based businesses provide flexibility and opportunity—and how cities can get out of their way*. Arlington, VA: Institute for Justice.

- 13.3. Allow for flexibility in where activities related to home occupations take place. Home-based businesses should be permitted to operate, or at least store supplies and merchandise, in an accessory unit on the property or in a backyard out of sight of the street. For example, craftspeople such as woodworkers or potters are often harmed by these restrictions as many use sheds to store kilns or other equipment for their work.
- 13.4. Loosen restrictions on signs. Home-based business signs should not be subject to stricter regulations than those pertaining to non-commercial signs permitted to be on the property (such as campaign or political signs).
- 13.5. Eliminate the unreasonable need for special use permits. While most cities justifiably limit home-based occupations that impose negative externalities on a neighborhood, such as vehicle repair, the UG's restrictions essentially require special use permit for undetectable businesses, which is unusually restrictive. Compared to the cities we have studied, the UG has some of the strictest restrictions on home occupations.
 - 13.5.1. Home occupations that can happen either inside the home or within an enclosed accessory unit, such as a barn, should be permitted because these activities are not visible from the street and do not negatively impact neighborhoods.
 - 13.5.2. Retail sales are quite common in cities across the country, especially when it comes to the sale of homemade foods. There is no reason why a client should not be able to come to a private home to purchase a loaf of bread or custom birthday cake.⁹
- 13.6. Continue streamlining small business regulatory processes. As home-based entrepreneurs often want to expand their businesses, the city can promote this growth by reducing the regulatory barriers associated with moving into mobile (such as food trucks) or brick-and-mortar spaces.

14. *Reduce Regulatory Barriers to Affordable Childcare.* The State of Kansas has a severe shortage of affordable childcare—with the average price of an infant in center-based childcare costing

<https://ij.org/report/entrepreneur-from-home-how-home-based-businesses-provide-flexibility-and-opportunity-and-how-cities-can-get-out-of-their-way/>. See Table 1 for a comparison of home-based business laws in 20 large US cities.

⁹ Home-based food businesses are increasingly popular and incredibly important paths to entrepreneurship to lower-income women. McDonald, J. (2017). *Flour power: How cottage food entrepreneurs are using their home kitchens to become their own bosses*. Arlington, VA: Institute for Justice. <https://ij.org/report/cottage-foods-survey/>; McDonald, J. (2018). *Ready to roll: Nine lessons from ending Wisconsin's home-baking ban*. Arlington, VA: Institute for Justice. <https://ij.org/report/ready-to-roll/>. For additional information on laws regarding the sale of homemade foods, see www.ij.org/foodfreedom.

approximately \$15,000 annually—more than 20% of the median household income of \$68,925.¹⁰ According to Childcare Aware of Kansas data, Wyandotte County is potentially lacking over 7,000 childcare slots for children under the age of six.¹¹ To increase childcare capacity, the Unified Government must reduce the regulatory barriers to opening and operating childcare businesses through:

- 14.1. Permitting by-right childcare centers and facilities in all residential zones.
- 14.2. Removing the special use permit requirement for home-based childcare businesses.

15. *Reduce Compliance Costs for Emerging Businesses.* Reduce fees for emerging businesses whose owners have a self-certified personal net worth of less than \$500,000. Reduce the business license, sign permit, certificate of occupancy, and all building and trade permit related fees on a sliding scale across four years, with a waiver of 100% of the value of these fees the first year, 75% the second year, 50% the third year, 25% the fourth year, and resuming full payment amounts the fifth year and on. This will increase access to entrepreneurship for emerging entrepreneurs by making entrepreneurship more affordable. The sliding scale across the first four years of business is designed to address the large five-year failure rate of new businesses.

- 15.1. See [Addendum E](#) for a model ordinance.

16. *Establish Reciprocal Contractor Licensing.* To encourage development in Wyandotte County, offer reciprocal contractor licensing to individuals licensed in surrounding counties. The surrounding counties have more rigorous requirements to obtain a contractor license than Wyandotte County, so contractors successfully licensed in the surrounding counties are qualified to serve in Wyandotte County. Cities Work stands ready to draft legislation to make this amendment.

17. *Bring clarity and accountability into the inspection process to better prepare applicants and inspectors and reduce subjectivity in inspections.* Publish inspection checklists for all inspections that detail in plain language what the inspector will be checking for and the code reference for the requirement.

- 17.1. Inspection checklists should be created with the departments or teams responsible for issuing the inspections, published in an easily accessible online format, and required by city code rather than simply implemented by department policy.

¹⁰ For more information on childcare costs, see Childcare Aware’s Kansas state profile: https://info.childcareaware.org/hubfs/2023%20Price%20Fact%20Sheet/Kansas%202023_Price%20of%20Care.pdf; For household income data, see the Census’s Kansas state profile: <https://data.census.gov/profile/Kansas?g=040XX00US20>

¹¹ For more information on childcare in Wyandotte County, see Childcare Aware of Kansas’s Wyandotte County profile: <https://stage.worklivesystems.com/Kansas?county=Wyandotte>

- 17.2. Establish comment standards for inspections. The inspector will use a corresponding checklist to fill out the comments, clearly noting the reasons why an individual fails an inspection and what the individual needs to do to meet the respective requirement for the re-inspection. Comment standards should be established with a team of stakeholders (inspectors, team or department leads, entrepreneurs).
- 17.3. Collect data on inspections, including the identity of the inspector; rates of passing and failing inspections on the first round; the marked reason for failure; the rates of passing and failing inspections on follow-up rounds; and the general demographics of the business owner. Conduct regular internal analyses of the data to address any problematic or inefficient patterns.

18. Adopt a “spring cleaning” ordinance to establish ongoing streamlining and efficiency reviews.

Adopting the “Spring Cleaning” ordinance will encourage departments to identify and address inefficient or confusing permits, licenses, and processes. See [Addendum F](#) for a model ordinance.

- 18.1. All departments will be required to submit to the board of commissioners a report of inefficient, confusing, costly, or unnecessary processes, steps, or requirements their department teams are responsible for administering and solutions that are suggested by the responsible parties. Teams will implement a metric and feedback system to track pain points, bottlenecks, or commonly failed processes and employee-suggested solutions to these issues. The commissioners will go through each report to accept or reject these items, and the items accepted will be added to the annual “spring cleaning” efficiency bill. This can be thought of as similar to the sunset review process conducted at the state level.
- 18.2. All team employees should be encouraged to suggest items and solutions. As the experts in administering their respective processes, their suggestions should be thoughtfully considered. The feedback system should include optional anonymity for employees concerned about speaking up.

19. Eliminate Parking Minimums. The current ordinances and regulations that dictate parking minimums for new construction in Wyandotte County, including requirements on landscaping and detailing for new parking lots, increase the cost of building new businesses and housing, discourage development, and make for less walkable or public transit friendly neighborhoods. These regulations have the largest impact on low-income residents. Conventional parking minimums can increase the rent or mortgage required for an apartment or house by \$200-\$500 per month.¹²

- 19.1. Many cities like Lansing, Kansas have eliminated parking minimums to reduce costs and encourage housing and small business development. Eliminating parking

¹² For more data on parking minimum costs, see the Parking Reform Network: <https://parkingreform.org/what-is-parking-reform/>



minimums will allow for denser development and mixed-use properties creating vibrant downtown areas. See [Addendum G](#) for a parking reform table.

In Conclusion

These reforms are the first of two installments of immediate opportunities for the UG to expand access to entrepreneurship for all residents, and particularly for those who have been unable to afford the government-imposed costs to start a small business. We are prepared to assist with drafting ordinances and generating grassroots support to implement any of these reform recommendations and look forward to working with the UG, city departments, and board of commissioners to adopt these much-needed reforms.

ADDENDUM A: PRE-APPROVED AND PRE-PERMITTED HOUSING INITIATIVES

Introduction

In many cities across the country, developers face a slew of regulatory hurdles that disincentivize building new housing: layer upon layer of development delays, permit requirements, arcane zoning rules, and more. These hurdles create a time and cost burden that excludes many developers and families from potential housing.

South Bend, Indiana and Kalamazoo, Michigan are two cities that lead as examples in innovative building initiatives that drive down cost and time burdens on small developers, while simultaneously aiming to increase the city's density and affordability. These cities hope that a catalog of pre-approved plans will give infill developers a jump start. If a developer uses these plans (with minor architectural variations permitted) they will avoid the need to hire an architect and have access to speedy and simple building and development approval. The city, in return, gets a predictable form of development that is aesthetically compatible and can be replicated at scale.

SOUTH BEND, INDIANA

Program Overview

In 2022, as part of their "Build South Bend" toolkit, the city began offering a set of pre-approved building types at no cost to assist with small to middle scale housing development in South Bend neighborhoods. These high-quality architectural plans come with contingent building and site development approval. Each plan has been vetted specifically for South Bend with careful consideration given to current zoning regulations, typical lot configurations, common construction techniques, and market conditions. In exchange for significant time and cost savings, the buildings must be built to match the building design, including all architectural details, with minor variations permitted. There is no cost associated with obtaining and using these construction sets. The catalog includes templates ranging from single-family houses of varying sizes and bedroom counts to a carriage house, a duplex, and a six-unit apartment building that can fit on a typical urban lot.¹³

Program Details ¹⁴

Pre-approved buildings are permitted in any zoning district that allows the selected building type. This process offers high-quality architectural plans with contingent building and site development approval. In exchange for time and cost savings, the building must be built to match the floor plans and facade designs, including all architectural details with only minor deviations allowed.

Developer Process: Developers must follow a process outlined in the City's process map, which involves locating and approving a site, selecting a building type from the catalog of pre-approved plans, deciding on and budgeting for any desired deviations from the plans, and finally submitting a site plan,

¹³ See South Bend, Indiana's home catalog for an example of template plans: https://southbendin.gov/wp-content/uploads/2022/08/SBBT_Catalog_22-0112-lowres.pdf

¹⁴ See here for details of the pre-approved plans process: <https://southbendin.gov/bsb/preapprovedplans/>

application, and associated fees to the Building Department, which will review each application within two business days of submittal.¹⁵

Variations: Execution of pre-approved buildings shall meet the design of the provided plans to the greatest extent possible. However, these designs allow for a number of deviations that meet a range of cost considerations (e.g., construction and home value) and preferences.¹⁶ Unless otherwise noted, exterior dimensions shall not be increased or decreased. Interior finishes, fixtures, and appliances may be determined at the discretion of the applicant. The contractor must confirm that any modifications are code compliant, appropriate, and complete before construction. The following design deviations are allowed by administrative approval:

Variations to Reduce Construction Costs:

- Windows: The location, proportion, and approximate size of windows may not be changed. However, the following revisions are acceptable:
 - Windows on side and rear elevation that are not required for egress or ventilation may be removed.
 - Windows may not be removed from any front facade or corner facade facing a street.
 - Simulated divided lights (SDL) muntins may be removed or changed as desired.
 - Double-hung windows may be replaced with single-hung.
 - A transom type window may be used in any bathroom location.
- Materials & Details: All buildings shall install the prescribed trim, eave, and porch details. However, exterior details may be adjusted as followed:
 - Vinyl or cement board siding may be used in any color. Other materials may be approved by staff.
 - Porch columns may be simplified to 6" x 6" posts with no detail
 - Railing design may be change or removed in accordance with the Building Code
 - Side entry awnings or eave brackets may be removed
 - Rafter tails may be falsely applied rather than an extension of the roof rafter.
- Foundation & Walls. Any deviations to design or structure must comply with all applicable codes and regulations. Possible adjustments include:
 - Foundation walls left unfinished concrete instead of parge coat
 - Exterior walls may be constructed using 2x4 structure or other pre-engineered wall system that meets design intent
 - Basement may be replaced with a slab on grade foundation
 - Interior layouts may be adjusted if no exterior structure or window location is affected

Variations to Increase Value:

¹⁵ See the South Bend Pre-Approved Buildings Process memo for more details: https://southbendin.gov/wp-content/uploads/2022/08/SBBT_Process_22-0812.pdf

¹⁶ See the South Bend Pre-Approved Buildings Process memo for more details: https://southbendin.gov/wp-content/uploads/2022/08/SBBT_Process_22-0812.pdf

- Basement Unit. To create a lock-off basement unit, an exterior door may be added at the top of the basement stairs.
- Master Suite. A ground floor master suite may be added per the pre-approved plan layout
- Carriage House. A second residential unit, located above the garage, may be added within the rear yard of the lot.

Program Benefits ¹⁷

Neighborhood Infill: The pre-approved buildings are a tool to encourage infill development on vacant lots, calibrated especially for urban neighborhoods where social and economic factors may be unfavorable to new investment. The architecture and scale of each building is intended to fit seamlessly into existing residential neighborhoods, filling in the gaps created by vacant lots and gently increasing the density where possible. This type of development plays a critical role in supporting locally serving retail and public transportation options while also providing key solutions for housing affordability.

Variations to Increase Value & Reduce Construction Costs: This combination of flexibility and variation in style results in a wide array of buildings to meet the needs of different applicants in every neighborhood.

The Value of Design: The design of the pre-approved buildings carefully considers the context and scale of South Bend's oldest neighborhoods. These house designs prioritize simplicity, utilizing architectural styles and details that are functional, cost-effective, and stand the test of time. They are meant to be easy and straight-forward to build by both experts and novices alike. Architectural elements were used strategically, recognizing the cost constraints of new constructions. The details selected are functional and add value, for both the owner and the neighborhood, that outweighs the cost of implementation.

Providing a Starting Point: In addition to providing ready-to-go plans, these drawings are meant to be a resource that may be built upon. The pre-approved building sets can be used "as is" to get construction going quickly or they may simply provide a starting off point for projects that choose to follow the standard building permit process, providing a building envelope that can be adapted for alternative construction methods or other architectural styles.

Partners and Initiatives

- The City of South Bend (Mayor James Mueller)¹⁸
 - "Build South Bend" program (City)¹⁹

¹⁷ Herriges, D. (2022) Pre-Approved House Designs Jump-Start Infill Development in South Bend, Strong Towns. Available at: <https://www.strongtowns.org/journal/2022/10/6/pre-approved-house-designs-jump-start-infill-development-in-south-bend>.

¹⁸ See initiative partner, Mayor James Mueller: <https://southbendin.gov/official/mayor-james-mueller/>

¹⁹ See initiative, "Build South Bend" program: <https://southbendin.gov/BSB/>

- The City removed mandatory parking minimums (2021), eliminating a huge barrier to infill development.²⁰
- The Sewer Lateral Reimbursement Program (July 2022), which reimburses up to \$20,000 in sewer hookup fees for infill development, addressing another cost barrier that falls prohibitively heavily on small-scale projects versus large ones.²¹
- Near Northwest neighborhood (NNN) Housing Program²²
- South Bend Neighborhood Development Department²³
 - Kathy Schuth, Executive Director
- South Bend's Department of Engagement & Economic Empowerment²⁴
- Developers

Pre-approved Plans

The pre-approved plans are presented in a catalog which includes plans for carriage, narrow, and standard houses; stacked and side-by-side duplexes; and six-plex apartments.²⁵

KALAMAZOO, MICHIGAN

Program Overview²⁶

The City of Kalamazoo followed South Bend's lead in 2022, taking the concept of pre-approved plans a step further by adding all required permits and inspections to the process. But even after those efforts, the market wasn't conducive to private investors, so they demonstrated the proof of concept by building a duplex with a standalone ADU (Accessory Dwelling Units), in partnership with Kalamazoo Neighborhood Housing Services (KNHS). They showcased this new housing project as a model for their [portfolio](#) of pre-approved and pre-permitted plans that can be used to build housing on often-tight city property lots. Overall, KNHS says that in 2022, it helped 106 residents buy or substantially improve their

²⁰ Guevara, S. (2021) South Bend City Council votes to end parking space minimum for businesses, WSBT 22. Available at: <https://wsbt.com/news/local/south-bend-city-council-votes-to-end-parking-space-minimum-for-businesses>.

²¹ See Sewer Lateral Program for more details: https://southbendin.gov/wp-content/uploads/2022/08/Sewer_Lateral_Program_Application.pdf

²² See initiative partner, Near Northwest Neighborhood Housing Program: <https://www.nearnorthwest.org/housing/how-to-apply/>

²³ See initiative partner, South Bend Neighborhood Development Department: <https://southbendin.gov/departments/community-investment/neighborhood-development/>

²⁴ See initiative partner, South Bend's Department of Engagement & Economic Empowerment: <https://southbendin.gov/departments/community-investment/engagement-and-economic-empowerment/>

²⁵ See here for details of the pre-approved plans process: https://southbendin.gov/wp-content/uploads/2023/06/SBBT_Catalog_23-0506-lowres.pdf

²⁶ Jones, A. (2022) City of Kalamazoo has a pre-approved plan for new housing development, Second Wave Southwest Michigan. Available at: <https://www.secondwavemedia.com/southwest-michigan/features/City-of-Kalamazoo-has-a-pre-approved-plan-for-new-housing-development-102722.aspx>.

homes and is also working to train residents in the building trades to work on future projects. As of 2024, 48 homes have been built using Kalamazoo’s pre-permitted plans. “Pre-permitted” plans put small developers in a position to have most regulatory hurdles – as well as architectural designs and site plans – out of the way so their projects have less chance to flounder and fail,” said Beth McCam, executive director of KNHS.

Partners and Initiatives

- Kalamazoo City and County, Michigan state
- Housing developers, advocates, and nonprofits
 - The Incremental Development Alliance²⁷
 - Kalamazoo Neighborhood Housing Services (KNHS)²⁸
 - Kalamazoo Foundation for Excellence²⁹
 - Home Builders Association of Southwestern Michigan³⁰
 - Kalamazoo LISC³¹
 - Consumers Energy and ICF³²
 - Kalamazoo County Brownfield Redevelopment Authority³³
 - Electric Housing³⁴
 - JLS Construction³⁵
 - Griffin Design LLC³⁶

Pre-permitted Plans

The pre-permitted plans are presented in a catalog which includes plans for narrow, standard, carriage, and cottage houses; Front to Back, Side by Side, and Stacked Duplexes.³⁷

²⁷ See initiative partner, The Incremental Development Alliance: <https://www.incrementaldevelopment.org/>

²⁸ See initiative partner, Kalamazoo Neighborhood Housing Services: <https://knhs.org/>

²⁹ See initiative partner, Kalamazoo Foundation for Excellence: <https://www.kalamazooffe.org/Home>

³⁰ See initiative partner, Home Builders of Southwestern Michigan: <https://swmhba.com/>

³¹ See initiative partner, Kalamazoo LISC: <https://www.lisc.org/kalamazoo/>

³² See initiative partner, Consumers Energy and ICF: <https://www.icf.com/insights/energy/utility-fleet-electrification-advisory-services>

³³ See initiative partner, Kalamazoo County Brownfield Redevelopment Authority: <https://kalcountybrownfield.com/>

³⁴ See initiative partner, Electric Housing: <https://www.electrichousing.com/>

³⁵ See initiative partner, JLS Construction: <https://jlsconstructioninc.com/>

³⁶ See initiative partner, Griffen Design LLC: <https://www.jgriffindesignllc.com/index.html>

³⁷ See here for details of the pre-approved plans: https://issuu.com/kalamazoocity/docs/preapproved_plans_comp

ADDENDUM B: PERMIT NAVIGATOR TOOLS

Overview

Entrepreneurs face the major obstacle of figuring out how to comply with confusing and complicated local regulations. We have heard from entrepreneurs across the country that they want to comply with regulations but often struggle due to the lack of information around what the city requires. Permit navigator tools make significant progress towards rectifying this obstacle. We recommend looking at Philadelphia's permit navigator tool as a strong example, especially if the additional features recommended below are implemented.

Philadelphia – Permit Navigator Tool, Additional Features Recommendations

Link: <https://permits.phila.gov/>

Recommendations based on other tools:

- Add a tool to check zoning [See Atlanta and Austin].
- Add the option of "I don't know" to the questions, in case business owners who want to understand the permit process/fee estimations do not have all their specific information yet [see Vermont].
- Include an estimated completion time in addition to cost for each required permit [see Nevada].
- Include links to the departments or websites where requirements need to be completed and to other state boards/agencies where more specific licensing can be found [see Nevada].

Atlanta, GA – Permit Navigator

Link: <https://permits.atlantaga.gov/>

Pros of tool:

- The tool has a similar format to Philadelphia format-wise but includes a few differences in options available.
- The "Research Zoning" feature allows users to check their zoning and see if their project type is allowed in the area or if they will require a zoning change request.
- Under "Select Business Type" all restaurants are summarized as "eating and drinking establishments," making it simpler to identify as a business owner.

Output Examples:

GENERATED JULY 25, 2024

Restaurant #1549073

Developing a space that was previously a restaurant that went out of business into a new restaurant

Eating and drinking establishments 127 Centennial Olympic Park Drive Northwest



ZONING OVERVIEW

Address

127 Centennial Olympic Park Drive Northwest, Atlanta, Georgia 30303

Zoning Clearance

Permitted

Land Use

Eating and drinking establishments

Zoning District

Downtown District-Downtown Core (SPI-1 SA1)

Zoning Overlays

Gulch Sign Overlay - Gulch Sign Overlay

Arts and Entertainment Sign - A&E Sign Overlay

REQUIRED PERMITS Follow the instructions for each requirement to proceed with your project.

1. Apply for Building Permits

Building permits must be issued before construction can begin.

TYPE	DEPARTMENT	FEES
Building Permit	Department of City Planning - Office of Buildings, Light Commercial Permits Division	\$494.56

2. Apply for Signs Permits

Obtain a sign permit before placing any signs on the property or attaching them to your structure.

TYPE	DEPARTMENT	FEES
Sign Permit	Department of City Planning - Office of Buildings	\$225.00

Total Fees: \$719.56

ANSWERS (Showing only answers that trigger the above requirements or calculate fees)

Select your building type	Will you do any trade work?
"Restaurant"	No
Commercial > Service > Eating and drinking establishments	Will you remove any trees?
Type of construction	No
Remodeling an existing interior space	Other commercial work:
Project square footage	Signs
1500	Does your buildout or remodel include any structural work?
Will you operate a new type of business at this location?	No
No	Type of construction
Will you request a zoning verification letter?	IIA - Protected Non-Combustible
No	Square footage of existing structure
Will you need new water service at this location?	1500
No	Square footage of sign
	32

The information provided in this tool is subject to final approval by staff. Permit requirements, fees, and zoning information may be altered upon subsequent staff review. If you have additional questions about your zoning determination, please contact city staff.

Vermont – Permit Navigator (Department of Environmental Conservation)

Link: <https://permitnavigator.my.vermont.gov/s/permit-navigator>

Pros of tool:

- There is an option of “I don’t know” for questions. This allows entrepreneurs to obtain permit and license estimations without having all the specific information required to formally start and can help them figure out what they are missing.
 - The output results include links and contact information for confirming the answer to the unknown questions.
- The respondent’s answers are also reviewed. If the answer does not seem to line up with the state’s records, they make note of it and suggest the department to contact for confirmation.
 - Example:

Wetlands



Your response indicates that you do not need this permit, but our information based on location or historical activities on the property indicates that you might. Please contact the permit contact for this permit to receive a definitive answer.

Does your project involve land that is in or near an area that has any of the following characteristics:

- Water is present – ponds, streams, springs, seeps, water filled depressions, soggy ground under foot, trees with shallow roots or

Answer:

×

NO

Output Examples:

Your Permit Navigator Results

PNR-0000007992

On the following page, you will find the following results based on the information that you provided. If the information you provided changes, for example if you change the location or size of your project, you should start over as the results below are no longer valid

Disclaimer: The Permit Navigator Results Summary is based on the information provided, and is not intended as an official or binding permitting determination by the ANR or the NRB. The Agency and the NRB reserve the right to require additional permits and/or approvals depending on the specific details of the project.

☒ By checking this box I confirm that I have read and understood the disclaimer.

☐ Check here if you would like a jurisdictional opinion on whether your project requires an Act 250 permit? If you check this box you will need to provide your contact information (first name, last name, email address, and phone). Otherwise, entering your contact information here is not required, but doing so will make it easier for ANR or Act 250 staff to better assist you in the future.

Disclaimer: Although requesting an Act 250 jurisdictional opinion is not required, it is highly recommended. Commencement of construction on a project (including clearing land or demolishing structures in preparation) that requires an Act 250 permit without securing a jurisdictional opinion could result in penalties and other enforcement actions.

Permits Likely Needed

Lake Encroachment Permit

Operational Stormwater Discharge Permit

Wastewater System & Potable Water Supply

Wetlands

Permits are likely needed for your project:

Vermont Department of Environmental Conservation

Lake Encroachment Permit

PERMIT EXPLANATION

Projects encroaching on public waters (from mean water level towards the lake) such as docks, walls, boathouses, bridges, water intakes, cables, dredging, or fill requires a permit. The goals of this program are to minimize the encroachment on public waters as well as ensure that projects do not adversely affect the public good and are consistent with the Public Trust Doctrine. Lake Encroachment jurisdiction includes: • all lakes and ponds that are public waters, • the boatable tributaries Lake Champlain and Lake Memphremagog upstream to the first barrier to navigation, and • Connecticut River impoundments, and upstream to the first barrier to navigation on the boatable tributaries to those impoundments.

Vermont Department of Environmental Conservation

Operational Stormwater Discharge Permit

PERMIT EXPLANATION

An operational stormwater permit is required for new development of 1/2 or more acres of impervious surface; for the expansion of impervious surface by 5,000 square feet when the total resulting surface (new + existing) will be 1 or more acres; for the redevelopment of 1/2 or more acres of impervious surface; and sites with impervious surfaces totaling 3 or more acres, including projects that share a previously issued stormwater permit for 3 or more acres (e.g. residential/commercial subdivisions, and other types of larger campus-type development), unless the entire site was permitted under the 2002 Vermont Stormwater Management Manual. Most projects obtain permit coverage under Stormwater General Permit 3-9050. Some projects may require an Individual Permit.

Vermont Department of Environmental Conservation

Wastewater System & Potable Water Supply

PERMIT EXPLANATION

Regulates the construction or modification of potable water supplies and wastewater treatment and disposal systems in order to protect human health and the environment. Wastewater permit applications are filed by engineers and licensed designers.

💡 Your response indicates that you do not need this permit, but our information based on location or historical activities on the property indicates that you might. Please contact the permit contact for this permit to receive a definitive answer.

Vermont Department of Environmental Conservation

Wetlands

PERMIT EXPLANATION

Permits are required for most activities within a wetland or its buffer zone (50-feet for Class II wetlands, 100+feet for Class I wetlands). Activities in wetlands and buffers likely needing a permit include filling, draining, cutting or removing vegetation, removing soil, or grading. The easiest way to research whether a property has jurisdictional wetlands associated with it is to use the Wetland Screening Tool. The results

for a given property are listed for you to see, with explanations of each layer and recommended next steps. The link for the tool may be found in the Guidance Link below.

PROJECT INFORMATION REVIEW

Project Address

300 HAUPTS RD. MORETOWN, 05660

Category

Individual

Industry / Activity

Adding a Building

YOUR LOCATION SELECTION DATA

Latitude

44.2212

Longitude

-72.6972

SPAN

408-127-10350

Property Owner

BURSTYN-NATKIN FAM
300 HAUPTS RD. MORETOWN,
05660

Location

[View map of your selection](#)
This link may contain valuable
information about this parcel. We
suggest clicking on this link and
viewing it in the ANR Atlas to see
the environmental considerations
(such as wells, existing permits,
and required setbacks) present.

Nevada - New Business Checklist (Silver Flume)

Link: <https://www.nvsilverflume.gov/checklist>

Pros of tool:

- Includes estimated completion time
- Includes links to some of the requirements that need to be completed within other City departments
- Points to other state boards/agencies where more specific licensing can be done

Cons of tool:

- It does not ask for the project's location, so the results might not be tailored.

Output: See below.

New Business Checklist

Congratulations! You've successfully navigated the first steps towards starting your new business. You will be asked to create a SilverFlume Profile when you start your business or save your checklist. For more details use the help icon, and the FAQ section above. ?

* Denotes a task that may be required for your business.

	Status	Est. Cost	Est. Completion time	
☒	* Articles of Organization - LLC, List and State Business License ?	\$25.0	Instant	Start ▶
☒	Common Business Registration ?	\$0	Instant	
☒	Nevada Labor Laws eAffirmation of Compliance ?	\$0	Instant	
☒	Sales & Use Tax / eClearance Receipt ?	\$15/per NV location	3-5 days	
☒	OSHA - Safety Consultation and Training Section (SCATS) ?	\$0	1-3 days	Not Applicable
☒	DMV Permit to Non-Resident Business Vehicles ?	\$0	1-3 days	
	Estimated Total	\$540.0		
Completed: ☒ Pending: ☒ (*) is a required field				

Related Services

[Disadvantaged Business Resources \(Optional\)](#)
[NV Gender Equality in the Workplace Survey](#)
[Patriot Employer Program](#)
[Reserve a Web Domain](#)
[iChallenge 2021](#)

Other Actions

Additional Licensing/Permit Tasks

Do I require any other licensing to do business? After completing the tasks above, SilverFlume can guide you to EXTERNAL agency web sites as listed below. ?

Municipal / County Business Licensing	View ▶
Nevada Regulatory / Licensing Boards	Click here for details
Nevada Gaming Control Board	External Web Site
Nevada Environmental Permitting	Nevada Environmental Permits Checklist
Nevada Employment Security Division	External Web Site

Las Vegas – Permit Fee Estimator

Link: <https://www.lasvegasnevada.gov/Business/Permits-Licenses/Building-Permits/Permit-Fee-Estimator#/Commercial/Commercial>

Pros of tool:

- Simple process – user must “add to cart” from a series of questions about features/elements your project will include, then it adds up the estimated total

Cons of tool:

- It does not ask for the project's location, so it is hard to believe the results could be accurate.

Output:



City of Las Vegas Development Services

Fee Estimator: **Commercial / Commercial**

Permit Type	Code	Qty	Cost	Subtotal	Plan Check
CARPORT, CANOPY, PATIO COVER OR SHADE STRUCTURE (PRE-FABRICATED)	3E_009	1	\$156	\$156	\$93
MISC REPAIR/EXTERIOR UPGRADES (three-coat stucco; one-coat stucco with certified contractor & applicator card, over 32 SQ FT)	3E_087	1	\$151	\$151	\$135
CHANGE OF CONTRACTOR	3E_015	1	\$0	\$0	\$96
PRE APPLICATION MEETING	3E_074	1	\$0	\$0	\$204

Administration Fee: \$55
 Estimated Permit Cost: \$307
 Estimated Plan Check Cost: \$528
Estimated Total Cost: \$890

Please do not use this estimate for your check payment. The final permit fees will be calculated when you submit your application.

Please note that Plan Review fees may or may not apply. Additional fees (such as DCP [Desert Tortoise Conservation Program], Zoning, Sewer Connections, Transportation, Traffic Impact, Residential Construction Tax and additional plan check) may apply when applications are approved for issuance. Many proposed projects impact additional structures beyond the residence such as walls, fences, detached garages, pools, spas, etc. Each separate structure will require a separate permit and the fees for each structure are calculated individually. The separate structures may be submitted in a single submittal. For additional assistance, please visit our Development Services Center at City Hall at 495 S. Main St., Las Vegas, NV

Austin, TX – Property Profile Report (Zoning)

Link: <https://maps.austintexas.gov/GIS/PropertyProfile/>

Pros of tool:

- Gives zoning information in great detail and adds links to relevant ordinances and the neighborhood plan
- Provides political and environmental information about the surrounding area

Cons of tool - NA

Output:



Property Profile Report

Permitting and Development Center | 5310 Withersma DeLoe Drive, Austin, TX 78752 | (512) 979-4000

General Information

Location: 4521 SPEEDWAY

Parcel ID: 0222079810

Grid: MK26

Planning & Zoning

Future Land Use (FLUM): No Future Land Use Map

Regulating Plan: No Regulating Plan

Zoning: SF-3-NCCD-NP

Zoning Cases: C14-04-0196, C14-04-0196.03

Zoning Ordinances: 19990225-6706, 20050818-084, 20120112-087, 940407-J

Zoning Overlays: Neighborhood Conservation Combining District: NORTH HYDE PARK, Residential Design Standards: LDC/25-2-Subchapter F, Selected Sign Ordinances: HYDE PARK

Neighborhood Plan: HYDE PARK

Infill Options: --

Neighborhood Restricted Parking Areas: Hyde Park Neighborhood Assn.

Mobile Food Vendors: --

Historic Landmark: --

Urban Roadways: Yes

Zoning Guide

The Guide to Zoning provides a quick explanation of the above Zoning codes, however, the Land Development Information Services provides general zoning assistance and can advise you on the type of development allowed on a property. Visit Zoning for the description of each Base Zoning District. For official verification of the zoning of a property, please order a Zoning Verification Letter. General information on the Neighborhood Planning Areas is available from Neighborhood Planning.

Environmental

Fully Developed Floodplain: City of Austin Fully Developed 100-Year Floodplain, City of Austin Fully Developed 25-Year Floodplain

FEMA Floodplain: AE

Austin Watershed Regulation Areas: URBAN

Watershed Boundaries: Waller Creek

Creek Buffers: CWGZ

Edwards Aquifer Recharge Zone: No

Edwards Aquifer Recharge Verification Zone: No

Erosion Hazard Zone Review Buffer: No

Political Boundaries

Jurisdiction: AUSTIN FULL PURPOSE

Council District: 9

County: TRAVIS

School District: Austin ISD

Community Registry: Austin Independent School District, Austin Lost and Found Pets, Austin Neighborhoods Council, Central Austin Community Development Corporation, Friends of Austin Neighborhoods, Friends of Hyde Park, Homeless Neighborhood Association, Hyde Park Neighborhood Assn., Hyde Park Neighborhood Plan Contact Team, Neighborhood Empowerment Foundation, North Austin Neighborhood Alliance, Preservation Austin, SELTexas, Sierra Club, Austin Regional Group



Zoning Map



Imagery Map



Vicinity Map

Boston, MA – Zoning Viewer Tool

Link: <https://maps.bostonplans.org/zoningviewer/>

Pros of tool:

- Includes links to the assessor's report, zoning overlays, and other additional information.

Cons of tool:

- Does not supply the same level of detail as Austin's - like zoning cases, ordinances, or political/environmental information about the area.

Output:

0501349000
×

⚠

REGULATIONS MAY APPLY! PLEASE CONTACT US FOR MORE DETAIL.

🗨

S

SEE STREET VIEW BY STREETSMART

🔗

🏠
ASSESSING
^

PARCEL ID
0501349000

ADDRESS
130 COMMONWEALTH AV 02116

OWNER
STARR KEVIN

ASSESSOR'S REPORT
🔗

PROPERTY VIEWER
🔗

🏠
ZONING
^

ZONING DISTRICT
Boston Proper

ZONING SUBDISTRICT
H-3-65

SUBDISTRICT TYPE
^

Apartment Residential

ZONING OVERLAYS
^

Groundwater Conservation Overlay District
🔗

Restricted Parking District	
MAP NO.	1 
ARTICLE	Underlying Zoning
	OTHERS 
HISTORIC DISTRICT	
Back Bay Architectural District	
PARKING FREEZE ZONE	Boston Proper Zone
PARKS DESIGN REVIEW	Ordinance 7.4-11
BOSTON MHC HISTORIC INVENTORY AREAS	

SeaTac, Washington – Permit Time Estimation Sheet

Link: <https://www.seatacwa.gov/home/showpublisheddocument/33583/637989430940330000>

Pros of tool:

- Shows time estimate for first review comments and total process.

Cons of tool:

- It is a completely static table—does not have input option.

Output:

These are estimated targets for average projects and cannot be guaranteed. Overall process time will vary depending on project scope, quality of submittal documentation, review volumes, correction cycles required etc.

Type of Permit	1st Review Comments	Estimated Overall Process
Accessory Dwelling Unit(existing), Shoreline Exemption, Zoning Compliance Letters, Temporary Use Permit	2-3 weeks	3-6 weeks
Final Short Plat, Final Subdivision, Lot Line Adjustment	4-6 weeks	8-10 weeks
Binding Site Plan, Conditional Use Permit (CUP), Planned Unit Development, Preliminary Short Plat, Preliminary Subdivision, Preliminary Site Plan Review (SPR), Rezone, SEPA, Shoreline Substantial Development, Special Home Occupation, Variance, Multi-Family Tax Exemption	6-8 weeks	22-26 weeks
Wireless Communication Facility - Macro	6-8 weeks	10-12 weeks
Wireless Communication Facility - Eligible Facility	2-3 weeks	3-6 weeks
Wireless Communication Facility - Small Wireless Facility	2-3 weeks	8-12 weeks
New Single Family Dwelling Unit, New Accessory Dwelling Unit, Or Addition	6-8 weeks	10-12 weeks
Single Family Interior Remodel, Accessory Structure, Decks	3-4 weeks	5-7 weeks
Demolition (under 4,000 sf no SEPA)	2-3 weeks	4-6 weeks
New Multi-Family w/4 units or less or Multi-Family Additions	8-10 weeks	12-14 weeks
New Commercial, Commercial Additions, New Macro Wireless Facility or Multi-Family w/more than 4 units	10-12 weeks	18-20 weeks
Commercial Tenant Improvement/Change of Use	6-8 weeks	8-10 weeks
Plumbing, Mechanical or Electrical Plan Review	4-5 weeks	6-8 weeks
1 - 5 Fire Fuel Tank	3-4 weeks	6-8 weeks

More Than 5 Fire Fuel Tanks	4-6 weeks	8-10 weeks
Tenant Improvement or Other Fire Alarm	3-4 weeks	6-8 weeks
New Or Addition Fire Alarm	4-6 weeks	8-10 weeks
Site Plan Review < 0.5 acre (STE)	3-4 weeks	6-8 weeks
Site Plan Review > 0.5 acre (STE)	6-8 weeks	10-12 weeks
Single Family ROW, Class A, B or E	2-3 weeks	4-5 weeks
Commercial ROW Class C or D, Engineering Variance	4-6 weeks	8-10 weeks

ADDENDUM C: SIGN ORDINANCE

Overview: Streamline Sign Permitting Process. Streamlining sign permitting alone is not the most urgent reform needed, however, the UG should consider streamlining sign permitting as one part of a larger movement to improve processes down to the granular level. The UG should reform sign permitting processes to give clarity and reduce wait times for entrepreneurs.

1. Ensure all applications and materials are available online.
2. Provide drawing templates and accessible standards required for sign renderings.
3. Publish frequently asked questions or commonly missed materials on the city website.
4. Provide notary services for entrepreneurs to certify property owners' permission to construct signs.

Reasons Reform is Necessary:

- Simplifying the process helps small businesses establish themselves more quickly and affordably.
- A streamlined process minimizes regulatory hurdles, making it easier for businesses to navigate regulations without unnecessary delays or expenses.
- Easier sign permitting can lower the barriers to entry for new businesses, encouraging more people to start and operate their own enterprises.
- By having clear and efficient guidelines, it ensures that signs are compliant with zoning regulations, reducing the risk of non-compliance, and ensuring that signage is effective and approved on the first application.
- Reduce the number of in-person steps required of entrepreneurs, increasing accessibility of entrepreneurship for all communities.

Current Process

Sign Permit

1. Submit sign permit application to the Planning & Urban Design Department.³⁸
 - a. Cost: \$30 for attached (like a wall, projecting, or awning)
 - b. A review by the UG's Building Inspections Division may be required based on the design of your sign. The applicant is responsible for obtaining the proper electrical permit and/or other building permits and inspections if required for the sign with the Building Inspection Division.³⁹
2. With sign permit application, submit scaled drawings or renderings that show the building elevation, the location of the sign, and detailed dimensions of the facade/wall the sign will be placed.

³⁸ To view the full sign permit application, see here: <https://www.wycokck.org/files/assets/public/planning-amp-urban-design/documents/applications/2023-applications/2023-sign-permits-application.pdf>

³⁹ To view the sign permit process, see here: <https://www.wycokck.org/Departments/Planning-Urban-Design/Signs>

3. With sign permit application, submit a detailed dimensioned site plan or plot plan that shows the location of the sign in relationship to property lines, buildings, other signs on the site and the edge of the street pavement.
4. With sign permit application, submit a detailed schematic drawing that gives the dimensions, color, materials of the sign and the method of attachment.
5. With sign permit application, submit a notarized letter from the property owner or authorized agent granting permission to construct the following sign(s).

Best Practices

Charlotte, North Carolina:

- Charlotte has implemented and completely online sign permit application service through the city's Permitting webpage. The application includes the digital application, one page that includes all dimensions and zoning information for the proposed sign.
- Charlotte also provides a digital template for drawings, consolidating the scaled drawings and schematic requirements into one, easy to use, digital template for submission with the application.⁴⁰

Denver, Colorado:

- Denver has moved to a city and county integrated e-permitting system to streamline the permitting process. The site provides detailed lists of requirements and templates for all sign permitting standards.⁴¹
- Denver has made significant efforts to modernize its permitting process by offering online services and clear, concise regulations. This approach helps businesses avoid delays and reduces the administrative burden.

Institute for Justice's Model Sign Ordinance

To aid municipalities as part of its National Sign Project, the Institute for Justice has drafted a model sign code. Incorporating best practices from cities around the United States, the model's goal is to help municipalities successfully navigate the post-Reed landscape while making it easier for their citizens to advertise their businesses and speak out about the issues they care about the most. Please see here for the [model sign ordinance](#).

⁴⁰ See Charlotte, North Carolina's sign permit application for an example of a simple digital application: <https://www.charlottenc.gov/Growth-and-Development/Planning-and-Development/Zoning/Permitting>

⁴¹ See Denver, Colorado's sign permit application for an example of a detailed requirement list: https://denvergov.org/Government/Agencies-Departments-Offices/Agencies-Departments-Offices-Directory/Community-Planning-and-Development/Plan-Review-Permits-and-Inspections/Zoning-Permits/Signs/Apply-for-Sign-Permit?lang_update=638592251458488405



ADDENDUM D: A MEMO ON THE UG'S HOME-BASED BUSINESS REGULATIONS

Why should the UG Support home-based businesses?

Home-based businesses are not only a low-cost, low-risk way to start new ventures, but they also permit flexible work-life arrangements. Thanks to technological innovations and economic shifts that have made working from home easier than ever—and with interest in home-based work soaring following the COVID-19 pandemic—it is increasingly likely entrepreneurs will choose to build their businesses at home. The Institute for Justice (IJ) conducted a survey of home-based business owners in March 2021 using a national, random sample.⁴² Survey results point to the importance of the ability to start a business from home. Key findings from the survey include:

The home-based business sector is incredibly diverse.

- Compared to traditional small business owners, home-based business owners are more likely to be female, minorities, single and renters.
- Home-based businesses operate in every sector of the economy, from baking to cattle ranching to financial services—and everything in between.
- Home ventures range from hobbies and side gigs to households' main source of income.

While most home-based businesses are modest in size, they are also inexpensive to start—and many owners plan to expand.

- Half of home-based businesses generate less than \$15,000 in revenue each year. Revenues vary widely by business type: On average, IT businesses generate \$45,000 annually, while crafts businesses generate just \$3,000 each year.
- Owners' median start-up cost was just \$1,200.
- Nearly half of home-based entrepreneurs plan to expand their business, including by leasing or purchasing commercial space.

Owners derive important financial and personal benefits from their home ventures.

- More than two-thirds of respondents said their home-based businesses are important or very important to their households' financial security.
- Nine out of 10 respondents started their ventures to be their own boss and do something they enjoy. Eight out of 10 did so to have a better work-life balance.

⁴² McDonald, J. (Jan. 2022). *Entrepreneur from home: How home-based businesses provide flexibility and opportunity—and how cities can get out of their way*. Arlington, VA: Institute for Justice.
<https://ij.org/report/entrepreneur-from-home-how-home-based-businesses-provide-flexibility-and-opportunity-and-how-cities-can-get-out-of-their-way/>

- Other common benefits include saving money on an office or overhead, earning money as a stay-at-home parent, “testing the waters” before expanding, and working from home due to disability.

To many, operating home-based businesses was integral to staying afloat during the pandemic. Roughly 1 in 3 respondents started their home-based businesses to earn money after losing their job during the pandemic and 1 in 4 started after closing their brick-and-mortar business due to Covid-19. The pandemic highlighted the importance of being able to operate home-based businesses, and as the economy recovers, these trends are not expected to change. Home-based businesses remain a valuable avenue to entrepreneurship for all, especially individuals who have been excluded from other forms of entrepreneurship.

How are local regulations in WyCo/KCK holding home-based entrepreneurs back?

In the single-family zoning districts, home-based businesses are considered accessory uses and face stringent restrictions.⁴³ The current restrictions require a large portion of home occupations to obtain a special use permit—despite the same home occupations being permitted-by-right in many cities. These restrictions and conditions include:

- No exterior advertising or signs. Advertising cannot include any address; it can only contain a phone number.
- No outside display or activity that depicts a non-residential use of the house.
- Only immediate family members residing on the premises will participate in the home occupation.
- No machinery or equipment that interferes with radio or television reception on nearby property is allowed.
- No heavy equipment, large trucks, or other objects that are not typically residential in character are allowed to be stored on the premises.
- No sales of merchandise or services allowed on the premises.
- No service that requires customer presence is allowed—except on an irregular and incidental basis, but babysitting is excluded from this restriction.
- No inventory or storage allowed on the premises, except for samples.

If the home occupation does not meet all these criteria, the entrepreneur must navigate the onerous process to obtain a special use permit.⁴⁴ To obtain a special use permit, the applicant is required to undergo the following:

⁴³ See for full ordinance: https://library.municode.com/ks/wyandotte_county_-_unified_government/codes/code_of_ordinances?nodeId=CH27PLDE_ARTVIIIIZO_DIV7ACUS_S27-609DIBB

⁴⁴ See for full ordinance: https://library.municode.com/ks/wyandotte_county_-_unified_government/codes/code_of_ordinances?nodeId=CH27PLDE_ARTVIADREPR_S27-214SPUSPE

- *A preapplication conference.*
- *Submission of the application requirements*, including:
 - A preliminary development plan with the exception of the keeping of livestock or home occupations with no exterior or parking modifications.
 - A statement of the reasons why the special use permit is being requested.
 - All studies required by the planning department.
- *Successful application and review procedures*, determined by the following:
 - *Determination of completeness.* An application is complete when all of the items required by these regulations and on the application form are prepared and/or answered, and any required supplemental or additional applications are submitted with the appropriate fee.
 - *Neighborhood meeting.* However, a neighborhood meeting is not required for home occupations with no exterior or parking modifications.
 - *Staff review.* The review can include recommendations of appropriate conditions to be placed on the approval, construction, and continuing function of the special use. The conditions can come from local, regional, or national standards and requirements.
 - *Notice and public hearing.* After the completion of the staff review and neighborhood meetings, there will be a public hearing before the commission scheduled for the application. Based on this final hearing of the special use permit application, the planning commission will recommend the approval or denial and will submit a written summary of the proceedings for the UG Board of Commissioners. However, if the planning commission does not make a recommendation on the special use permit request within 63 days of the public hearing, it will be assumed the planning commission is denying the permit request. Once denied, the application will be forwarded to the UG Board of Commissioners within 50 days of the assumed denial.
- *Factors to be considered.* Approval or denial of the special use permit is based on multiple factors, including the following:
 - The character of the neighborhood.
 - If the proposed use will result in an increased amount of vehicular traffic to the point where it exceeds the capacity of the street network to accommodate it.
 - If applicable, the hours of operation.
 - Whether the proposed use is reasonably necessary for the convenience and welfare of the public and will not substantially or permanently injure the adjoining property—in appropriate use, visual quality, or marketability.
 - The compatibility with existing and proposed land uses in the surrounding area.
 - The relative gain to the public health, safety, morals, and welfare as compared to the hardship imposed upon the individual landowner or landowners.
 - In general, commercial and industrial special use permits should not be granted adjacent to residential districts.

- *Action by Unified Government Board of Commissioners.* When the planning commission submits a recommendation of approval, conditional approval, or disapproval of a special use permit, the UG Board of Commissioners will consider the established criteria and take action, such as:
 - Adopting the recommendations by ordinance.
 - Overriding the planning commission's recommendation by a two-thirds majority vote of the UG Board of Commissioners.
 - Returning the recommendation to the planning commission for reconsideration based on receiving new evidence.
- *Final plan review.* After the UG Board of Commissioners approves a special use permit, it is sent back to the planning commission for the final plan review approval.
- *Termination.* If an entrepreneur granted a special use permit does not make adequate progress towards initiating the use for a six-month period, the special use permit will no longer be valid, and the entrepreneur will need to redo the process to be permitted again.

How can the UG support home-based entrepreneurs?

To promote economic mobility and access to entrepreneurship, the UG can and should ease outdated regulatory burdens that get in the way of home-based entrepreneurs.

- *Remove unnecessary restrictions on how businesses can operate inside of the home.* Employee and client restrictions restrict the normal operations of many businesses.
 - Other cities, such as Detroit and New Orleans, do not limit the number of clients permitted at one time or in one day. The UG's no-client limit prohibits home-based businesses such as group tutoring.
 - Many other cities permit at least one to two non-resident employees. These employees can be crucial in helping with administrative tasks or other normal business operations.⁴⁵
 - *Allow for flexibility in where activities related to home occupations take place.* There is no reason why a home-based business should not be permitted to operate, or at least store supplies and merchandise, in an accessory unit on the property or in a backyard out of sight of the street. For example. Craftspeople such as woodworkers or potters are often harmed by these restrictions as many use sheds to store kilns or other equipment for their work.
- *Loosen restrictions on signs.* Home-based business signs should not be subject to stricter regulations than those pertaining to non-commercial signs permitted to be on the property (such as campaign or political signs).

⁴⁵ See Table 1 from McDonald (2022) for a comparison of home-based business laws in 20 large US cities.

- *Eliminate the unreasonable need for special use permits.* While most cities justifiably limit home-based occupations that impose negative externalities on a neighborhood, such as vehicle repair, the UG's restrictions essentially require special use permit for undetectable businesses, which is unusually restrictive. Compared to the cities we have studied, the UG has some of the strictest restrictions on home occupations.
 - Home occupations that can happen either inside the home or within an enclosed accessory unit, such as a barn, should be permitted because these activities are not visible from the street and do not negatively impact neighborhoods.
 - Retail sales are quite common in cities across the country, especially when it comes to the sale of homemade foods. There is no reason why a client should not be able to come to a private home to purchase a loaf of bread or custom birthday cake.⁴⁶
- *Continue streamlining small business regulatory processes.* As home-based entrepreneurs often want to expand their businesses, the city can promote this growth by reducing the regulatory barriers associated with moving into mobile (such as food trucks) or brick-and-mortar spaces.

Home-Based Business Reform Opportunity

The UG's unnecessarily high regulatory barriers stifle entrepreneurship, decrease economic mobility opportunities for historically disadvantaged entrepreneurs, and likely result in entrepreneurs operating their businesses underground. To rectify this issue, the UG should decrease these restrictions and increase the amount of home occupations that are permitted by right.

In April 2024, the UG's planning department asked Cities Work to consult with them on updating their home occupation rules. The drafted bill will:

- Allow up to two non-resident employees if they are provided with off-street parking.
- Allow food trucks and other commercial vehicles to be brought to the premises only for loading and unloading during the day; overnight parking of such vehicles is prohibited.
- Allow customers and clients to be present on premises by appointment only. If there is not adequate off-street parking available, no more than two customers or clients may be on the premises at one time.
- Allow inventory, storage, or commercial activity on the premises if not visible, heard, or otherwise detectable from the street.

⁴⁶ Home-based food businesses are increasingly popular and incredibly important paths to entrepreneurship to lower-income women. McDonald, J. (2017). *Flour power: How cottage food entrepreneurs are using their home kitchens to become their own bosses*. Arlington, VA: Institute for Justice. <https://ij.org/report/cottage-foods-survey/>; McDonald, J. (2018). *Ready to roll: Nine lessons from ending Wisconsin's home-baking ban*. Arlington, VA: Institute for Justice. <https://ij.org/report/ready-to-roll/>. For additional information on laws regarding the sale of homemade foods, see www.ij.org/foodfreedom.





ADDENDUM E: EMERGING BUSINESSES FEE REDUCTION ORDINANCE

1. There shall be a reduction in the following fees for new microenterprises:
 - a. Business license fee;
 - b. Sign permit fee;
 - c. Certificate of occupancy fees; and
 - d. Building and trade permit fees.
2. A business shall qualify as an “emerging business” if the following conditions are met:
 - a. The business is incorporated within the county limits of Wyandotte County, Kansas;
 - b. The business has been incorporated for fewer than four (4) years; and
 - c. The total personal net worth, as defined by the Department of Transportation’s [Disadvantaged Business Enterprise Certification program](#) adopted by the state of Kansas, of the business owner or owners does not exceed \$500,000.
3. Qualifying new microenterprises shall pay reduced fees listed in Section 1 for the first four (4) years of incorporation according to the following table:

Business age	Percentage of total fee business shall pay
<1 year	0%
1 year – 2 years	25%
2 years & 1 day – 3 years	50%
3 years & 1 day – 4 years	75%
4+ years	100%



ADDENDUM F: SPRING CLEANING DRAFT ORDINANCE

4. Each county department shall submit to the county administrator, by [DATE] of each year, reports to include the following:
 - a. Metrics, to be developed and implemented by each department, that quantify commonly inefficient, ineffective, confusing, or overly cumbersome regulatory processes, requirements, rules, regulations, and procedures.
 - b. Recommendations from city department employees regarding strategies to alleviate the problems identified and quantified pursuant to Subsection 1(a).
5. The county administrator shall consider each department's annual report and make a recommendation to the board of commissioners, by [DATE] of each year of draft ordinances necessary to implement changes recommended by city departments.
 - a. The county administrator shall publish this report, and copies of reports submitted pursuant to Section 1, on its website by [DATE] of each year.
6. The board of commissioners may, based upon the recommendations of the county administrator, draft an annual "spring cleaning" ordinance to implement changes designed to improve city processes, requirements, rules, regulations, and procedures.

ADDENDUM G: PARKING REFORM EXAMPLES

Location	Summary	Magnitude	Land Uses	Pop.
Lansing, KS	On May 16, 2024, Lansing removed all parking minimums citywide and replaced them with recommended parking guidelines. Parking maximums are set at 120% of the recommended minimums but may be exceeded through several mitigation strategies. Previously, there were limited exemptions downtown and reductions available for bike parking, on-street parking, or public parking.	Citywide	All Uses	11,239
Wichita, KS	There are no parking minimums for the Central Business District (downtown and some nearby neighborhoods). This is implemented in the City Center and applies to all land uses.	City Center/Business District	All Uses	38,9877
Lawrence, KS	Commercial development in downtown has no parking mandates.	City Center/Business District	Commercial	95,256
Birmingham, AL	In May 2024, Birmingham replaced parking minimums with parking maximums for all uses citywide. Previously, off-street parking was not required in the B-4 Central Business District and were reduced in the B-3 Community Business District or by 10% when within 1000 ft of transit.	Citywide	All Uses	
Richmond, VA	On April 24, 2023, the Richmond, VA city council voted unanimously to eliminate parking mandates citywide.	Citywide	All Uses	23,0436
Grandview, MO	Grandview has eliminated parking minimums, city-wide, for all commercial and industrial zones. There are now maximums in those zones. If a developer or property owner wishes to build more than allowed, they must do so using a permeable paving/paver system to capture, filter, and release the stormwater created from the additional hard surface area.	Citywide	Commercial, Industrial	25,844