



UPDATED AGENDA
Neighborhood and Community Development
Standing Committee Special Meeting Agenda
Wednesday, May 15, 2024
5:00 p.m.

Location: Hybrid

We invite you to view the meeting in person in the Commission Chambers, Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas, or virtually via a Zoom webinar.

Please click this URL to join.

<https://us02web.zoom.us/j/82368045295>

Webinar ID: 823 6804 5295

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International numbers available: <https://us02web.zoom.us/j/82368045295>

Name

Absent

Commissioner Andrew Davis, Chair

☐

Commissioner Melissa Bynum

☐

Commissioner Gayle Townsend

☐

Commissioner Christian Ramirez

☐

Commissioner Dr. Evelyn Hill

☐

I. **Call to Order**

II. **Roll Call**

III. Revisions to May 15, 2024 Agenda
AGENDA UPDATE REMOVING ITEM NO. 2

IV. Committee Agenda

Item No. 1 - ORDINANCE: APPROVING CHANGES RELATED TO MOBILE VENDING OPERATIONS

Synopsis: Approval of an ordinance setting the permissible time and place for mobile vending vehicles, for their operation within the public right-of-way and create a new penalty for unlawful dumping of garbage., submitted by SueZanne Bishop, Assistant Counsel.

Tracking #: 21108

Item No. 2 - RESOLUTION: APPROVING REVISED LAND BANK POLICY (REMOVED PER AGENDA UPDATE)

Synopsis: Adopting approval of a resolution authorizing revisions to the Land Bank Policy., submitted by Jud Knapp, Land Bank Manager.

Tracking #: 21109

V. Adjourn



Unified Government Clerk's Office

Monica L. Sparks
Unified Government Interim Clerk

701 North 7th Street, Suite 323
Phone: 913-573-5260
Kansas City, Kansas 66101-3070
Fax: 913-573-5299
<http://www.wycokck.org>

NOTICE OF SPECIAL MEETING NEIGHBORHOOD & COMMUNITY DEVELOPMENT STANDING COMMITTEE

To the Members of the Governing Body of the
Unified Government of Wyandotte County/Kansas City, Kansas:

You are hereby notified that a Special Meeting of the Neighborhood and Community Development Standing Committee of the Unified Government of Wyandotte County/Kansas City, Kansas, is to be conducted in a hybrid format on Wednesday, May 15, 2024, at 5:00 PM regarding Mobile Vendor proposal changes and Land Bank Policy updates.

The public will be able to observe or listen to the special session live on YouTube or UGTV, or through ZOOM; information is below. The public may also view the special session from the 5th-floor conference room of the Municipal Office Building, 701 N. 7th Street, Kansas City, Kansas.

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/82368045295>

Webinar ID: 823 6804 5295

Or One tap mobile:

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International numbers available: <https://us02web.zoom.us/j/82368045295>

Dated this 10th day of May 2024.

**AGENDA UPDATE
NEIGHBORHOOD AND COMMUNITY DEVELOPMENT
STANDING COMMITTEE SPECIAL MEETING
WEDNESDAY, MAY 15, 2024**

IV. COMMITTEE AGENDA

REMOVE ITEM

Item No. 2 – RESOLUTION: APPROVING REVISED LAND BANK POLICY

Synopsis: Adopting approval of a resolution authorizing revisions to the Land Bank Policy, submitted by Jud Knapp, Land Bank Manager.

Tracking #: 21109

CHANGE IN LOCATION

The location of the meeting has been changed to the Commission Chambers, Lobby Level of the Municipal Office Building.



Report to Neighborhood & Community Development

MEETING DATE	PRESENTER	DEPARTMENT
	SueZanne Bishop, Assistant Counsel zbishop@wycokck.org x5076	Land Bank Approvals
AGENDA ITEM #III.1.		
ORDINANCE: APPROVING CHANGES RELATED TO MOBILE VENDING OPERATIONS		
BACKGROUND		
Approval of an ordinance updating the Code of the Unified Government of Wyandotte County, Kansas City, Kansas, related to mobile vending, submitted by SueZanne Bishop, Senior Counsel.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
5.15.24		
IT/POLICY CONSIDERATIONS		
PROCUREMENT CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Mobile vending PUBLIC RIGHT OF WAY 5 9 24 (FINAL), Mobile Vending Presentation 5 15 24		

Approved by Mayor and/or Chair and Administrator to add to agenda.

5/63/2024
add more discussion!

(Summary Published _____)

ORDINANCE NO. _____

AN ORDINANCE SETTING THE PERMISSIBLE TIME AND PLACE FOR MOBILE VENDING VEHICLES AND FOR THEIR OPERATION WITHIN THE PUBLIC RIGHT-OF-WAY, AND CREATING A NEW PENALTY FOR UNLAWFUL DUMPING OF GARBAGE

WHEREAS, regulating mobile vending within the public right-of-way is a goal of the Department of Planning and Urban Design;

WHEREAS, the Streets for People Ordinances were passed in 2020, which regulated mobile vending;

WHEREAS, after hearing concerns from the public and from business owners regarding mobile vending, updates to the current ordinances are needed;

WHEREAS, the amendment will prevent mobile vending within 100 feet of a standalone food establishment; and

WHEREAS, changes in hours of operations for public right-of-way mobile vending will help business owners and residents living near the operations of mobile vendors;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF WYANDOTTE COUNTY/KANSAS CITY, KANSAS:

Section 1. That original Section 32-188 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and the same is hereby amended to read as follows:

Sec. 32-188. – Mobile Vending – Public Right-of-Way

This section is for mobile vending within the public right-of-way. For mobile vending on private property, see section 27-620.

(a) Administrative review.

- (1) Any persons or entity operating a mobile vendor vehicle or prepared food vending vehicle must conduct such operation under a valid and current business license. The business license can be reviewed for revocation at any time during the year if complaints of non-compliance are submitted.
- (2) Mobile vendors must display either a temporary sign (as defined by section 27-729(b)(1)) or signage attached to the vehicle indicating proof of business license, *fire department inspection and approval* and contact information for appeals/complaints.
- (3) Mobile vendor vehicles or prepared food vending vehicles may operate 8:00 a.m.—7:00 p.m. ~~Sunday through Thursday~~ and 8:00 a.m.—8:00 p.m. ~~Friday and Saturday.~~ until _____ a.m.

(b) Allowed areas.

- (1) Mobile vending is allowed adjacent to any non-residential zoning district upon obtaining a business license or non-profit status as addressed in subsection (a)(1).

- (2) If a street is designated by the major street plan a local or neighborhood street, or is otherwise unidentified, and one or more ~~residential~~ residentially zoned properties abut said street, then the mobile vending vehicle is prohibited from parking, operating, or otherwise vending at that location. A mobile vending vehicle or prepared food vending vehicle may only park and operate on said street if the vehicle operator is invited for a block party. The mobile vending vehicle may only stay for the duration of the block party.
- (3) Mobile Vendors shall not park their mobile vending vehicles in the public right-of-way within 100 feet of the main entrance door of a food-establishment. This parking restriction shall not apply to a food establishment owner parking a mobile vending vehicle in the public right-of-way within 100 feet of the main entrance of their own food establishment.
- (3)(4) All mobile vending vehicles and prepared food vending vehicles must comply with the following standards:
- a. The vehicle may only park on improved, paved surfaces.
 - b. The vehicle is not parked in a designated ADA parking space or in an access aisle.
 - c. The vehicle is not parked in a no-parking zone.
 - d. No mobile vendor vehicle is allowed to take up space or interfere with the operations within a visibly designated loading/unloading zone.
 - e. There is sufficient stacking area for pedestrians to queue on a sidewalk or on site.
 - f. Any portion of right-of-way where the speed limit is greater than 40 miles per hour.
 - g. Mobile vending vehicles may ~~not~~ park in any one site for no more than: ~~four~~ _____ hours at any one site; except that a mobile vending vehicle shall not be stored in a public right-of-way overnight where the mobile vending vehicle is operating.
 - h. Mobile vending vehicles shall not park in a fire lane.
 - i. Mobile vending vehicles shall not park in an electrical charging station unless it is an electrical vehicle actively charging.
 - j. Mobile vending vehicles shall not operate electronic devices to amplify music or sound.
 - k. Mobile vending vehicles shall not operate lights or signs with a rotating beam or flashing beacon, and no lights or light source for any sign shall be directed toward any residentially zoned area.
- (4)(5) Mobile vending activity includes the use of the mobile vendor vehicles or prepared food vending vehicles, areas for queueing, vending, and eating, signage, and trash and recycling receptacles. All mobile market activity must comply with the following:
- a. A mobile vending vehicle that uses a parking space served by a parking meter is exempt from paying for said meter while occupying the parking space, and the time limit on parking meters when used in the manner described in this subsection is waived. This waiver of a time limit does

not allow a mobile vending vehicle to operate outside of the hours of operation in this subsection.

- b. No mobile vending or vending vehicle shall be located within 15 feet of a fire hydrant or bus stop, or a greater distance if required by state law;
- c. No mobile vending or mobile vehicle shall be located within 20 feet of an intersection or street corner;
- d. All sidewalks or pedestrian ways must be kept clear and unencumbered so that the sidewalk or pedestrian walkway remains ADA-compliant.
- e. Vehicular and personal access to all ADA-compliant parking spaces and access aisles must remain clear and unencumbered.
- f. All fire lanes must remain clear and unencumbered.
- g. No sightlines or sight distance triangles at street corners and intersections may be obstructed as per code;
- h. No mobile market vending or vending vehicle is allowed to take up space or interfere with the operations within a visibly designated loading/unloading zone;
- i. All areas designated for or reasonably designated for queuing in order to order, purchase, or receive a product from a mobile vendor or vending vehicle must be located at least five feet from passing automobile traffic.
- j. Proper trash and recycling receptacles must be made available and utilized. The operator is responsible for removing the trash and recycling associated with the operation of the mobile vendor vehicle or prepared food vending vehicle. Any and all signage, temporary or other structures, and other elements of the mobile vending must be removed at the end of each mobile vending event.

(c) Temporary structures.

- (1) No permanent structure or improvement shall be installed.
- (2) No temporary structure may be secured in any manner that damages the right-of-way. Weights are encouraged to be used to secure temporary structures.
- (3) No mobile vendor vehicle or prepared food vending vehicle, structure, or related infrastructure is allowed to take up space or interfere with the operations within a visibly designated loading/unloading zone or fire lane.

(d) Signage.

- (1) Signs otherwise compliant with the sign code in regard to size, material, and presentation can be safely attached to temporary structures.
 - a. All signs allowed under this subsection may not be used outside of the hours of operation or used in a manner that violates any other ordinance.
 - b. Signs cannot be attached to public infrastructure.
- (2) Sandwich boards are allowed in connection with the mobile vendor vehicle or prepared food vending vehicle.

- a. Sandwich boards must be placed within five feet of the mobile vendor vehicle or prepared food vending vehicle and do not interfere with the flow of pedestrian or automobile traffic.
- b. Sandwich boards are otherwise subject to all other sign code regulations.

Section 2. That original Section 31-16 of the Code of the Unified Government of Wyandotte County/Kansas City, Kansas, be and the same is hereby amended to read as follows:

Sec. 31-16. - Penalties.

(a) Except as otherwise provided in subsection (c) of this section, any ~~Any~~ person who shall violate any of the provisions of this chapter, shall be deemed guilty of a misdemeanor and shall be sentenced, upon conviction, to a fine of not less than \$500.00 or more than \$2,500.00, to imprisonment for a term of not exceeding six months, or both. Each day that a violation of this chapter shall continue shall constitute a separate offense. The prosecution of any violation as a public offense pursuant to this ~~section~~ subsection (a) may be in addition to, or as an alternative to, any other remedy or course of action available to the unified government.

(b) In addition to the penalties provided for in subsection (a) of this section, the costs incurred pursuant to section 31-4(e) shall be assessed against the responsible party.

(c) Any person who shall violate Sec. 31-12 through the unlawful dumping of garbage, as defined in Sec. 31-1, shall be deemed guilty of a misdemeanor and shall be sentenced, upon conviction, to a fine of not less than \$1,000.00 or more than \$2,500.00, to imprisonment for a term of not exceeding twelve months, or both. Each day that a violation of this chapter shall continue shall constitute a separate offense. The prosecution of any violation as a public offense pursuant to this section may be in addition to, or as an alternative to, any other remedy or course of action available to the unified government.

Section 3. That said original sections 32-188 and 31-16 be and the same are hereby repealed.

Section 4. If any provision of this Ordinance or the application thereof to any persons or circumstances is held invalid, such invalidity shall not affect other provisions or application of the Ordinance which can be given effect without the invalid provisions or application and to this end the provisions of this Ordinance are declared to be severable.

Section 5. This ordinance shall take effect and be in full force from and after its passage, approval, and a summary published in the official Unified Government newspaper.

**PASSED BY THE BOARD OF COMMISSIONERS OF THE UNIFIED GOVERNMENT OF
WYANDOTTE COUNTY/KANSAS CITY KANSAS
THIS ____ DAY OF _____, 2024.**

APPROVED:

Tyrone A. Garner
Mayor/CEO

Attest:

Unified Government Clerk

Approved as to form:

Chief Counsel

Mobile Vending Ordinances

PUBLIC RIGHT-OF-WAY MOBILE VENDING AND ILLEGAL DUMPING PROPOSED UPDATES



Community and Business Concerns

Resident Concerns

- Recent enforcement actions began after complaints by residents in neighborhoods with high concentrations of mobile vending.
- Resident concerns included:
 - Trash;
 - Noise;
 - Distance from mobile vending to homes and residences.

Mobile Vendor Concerns

- Mobile vendors have expressed concerns regarding operating hours in the current ordinances.

Food Establishment Concerns

- Brick and Mortar food establishments have brought concerns regarding mobile vendors parking close to their businesses.



Current Ordinances

- **PUBLIC RIGHT-OF-WAY**
Chapter 32

- Mobile Vending on public right-of-way contained in Sec. 32-188.
- Hours of operation:
 - 8:00 a.m. – 7:00 p.m. Sunday through Thursday;
 - 8:00 a.m. – 8:00 p.m. Friday and Saturday.
- A mobile vending vehicle can park at one site for four hours.

- **PUBLIC RIGHT-OF-WAY**
Chapter 32

- Mobile vending not allowed on residential streets (except for block parties).
- Mobile Vendors are required to provide trash and recycling receptacles.



PROPOSED UPDATES

- The proposed ordinance was written with blanks to fill in, so that the Neighborhood and Community Standing Committee would have the ability to consider and select times regarding:
 - 1) Operating hours for mobile vendors, and
 - 2) The length of time a mobile vending vehicle can park at one site.
- This form of ordinance draft was chosen to allow the Standing Committee the ability to consider input from multiple stakeholders.

Proposed Updates

Hours of Operation

- Sec. 32-188(a)(3), options suggested by various stakeholders:
 - Option 1: 8:00 a.m. until 2:00 a.m.
 - Option 2: 8:00 a.m. until midnight.
 - Option 3: 8:00 a.m. until 11:00 p.m.
 - Option 4: 8:00 a.m. until 10:00 p.m.
 - Option 5: 8:00 a.m. until a time Standing Committee determines.

Length of Time Parked

- Sec. 32-188(b)(4)(g)
- A mobile vending vehicle can park at one site for:
 - Option 1: Eight hours
 - Option 2: No time limit on parking at any one site.
 - Option 3: A period of time as determined by Standing Committee.
- A mobile vending vehicle shall not be stored on a public right-of-way overnight where the mobile vending vehicle is operating.



Proposed updates continued

- Sec 32-188(b)(3)
 - A mobile vendor cannot operate 100 feet from the front door of a food establishment on the public right-of-way.
 - A food establishment owner could park a mobile vending vehicle within 100 feet of their own food establishment.
- Sec 32-188(a)(2)
 - Display of signage showing fire inspection and approval required.



Proposed updates continued

- Sec. 32-188(b)(4)(h)
 - A mobile vending vehicle shall not park in a fire lane.
- Sec. 32-188(b)(4)(i)
 - Mobile vending vehicles shall not park in an electrical charging station unless it is an electrical vehicle actively charging.
- Sec. 32-188(b)(4)(j)
 - Mobile vending vehicles shall not operate electronic devices to amplify music or sound.
- Sec. 32-188(b)(4)(k)
 - Mobile vending vehicles shall not operate lights or signs with a rotating beam or flashing beacon. The lights, or light source for any sign, shall not be directed toward any residentially zoned area.



Illegal Dumping of Food Waste and Cooking Oil

- **Current Ordinance:**

- Sec. 31-12. Unlawful Dumping and Sec. 31-16. Penalties.
- \$500 minimum fine with maximum \$2,500 fine for illegal dumping of food waste or cooking oil

- **Proposed update:**

- Sec. 31-16(c) Penalties.
 - Revised with an addition making illegal dumping of “garbage,” which includes cooking waste as defined in Sec. 31-1, a minimum fine of \$1,000 with a maximum fine of \$2,500. This also would raise the maximum jail penalty from six months to 12 months. This brings a violation from a Class B misdemeanor to a Class A misdemeanor.





Report to Neighborhood & Community Development

MEETING DATE	PRESENTER	DEPARTMENT
	Jud Knapp, Acting Land Bank Manager jknapp@wycokck.org x5472	Land Bank Approvals
AGENDA ITEM #IV.2.		
RESOLUTION: APPROVING REVISED LAND BANK POLICY (REMOVED PER AGENDA UPDATE)		
BACKGROUND		
Adopting approval of a resolution authorizing revisions to the Land Bank Policy, submitted by Jud Knapp, Land Bank Manager.		
RECOMMENDATION		
Approve		
BUDGET IMPACTS / FINANCIAL CONSIDERATIONS		
IT/POLICY CONSIDERATIONS		
PROCUREMENT CONSIDERATIONS		
LEGAL CONSIDERATIONS		
ATTACHMENTS		
Resolution_Approve Revised Policy, WCLB Policy Rewrite_v8_clean, May15th Land Bank Policy		

Approved by Mayor and/or Chair and Administrator to add to agenda.

RESOLUTION NO. _____

A RESOLUTION ADOPTING THE REVISED LAND BANK POLICY

WHEREAS, the State of Kansas has provided that a county may establish a Land Bank in K.S.A. 19-26,104; and

WHEREAS, K.S.A. 19-26,104 further mandates that the county land bank is to be governed by a Board of Trustees; and

WHEREAS, Unified Government of Wyandotte County/Kansas City, Kansas Ordinance 2-173 established the Wyandotte County Land Bank as well as the Land Bank Board of Trustees which consists of the Mayor/CEO and the Commissioners of the Unified Government; and

WHEREAS, Unified Government of Wyandotte County/Kansas City, Kansas Ordinance 2-173 states that the Land Bank staff shall be furnished by the Unified Government; and

WHEREAS, the Board of Trustees may appoint such officers, agents and employees as required to perform its duties per K.S.A. 19-26,106; and

WHEREAS, the Board of Trustees requires a policy to provide guidance to the Land Bank Manager as well as the Land Bank staff and employees appointed by the Board of Trustees.

NOW, THEREFORE BE IT RESOLVED BY THE WYANDOTTE COUNTY LAND BANK BOARD OF TRUSTEES:

1. The proposed revisions to the Wyandotte County Land Bank Policy are hereby adopted.

2. The Mayor, the County Administrator, and the Unified Government's other officers, agents, and employees are hereby authorized and directed to take such further action, and execute such other documents, certificates, and instruments as may be necessary or desirable to carry out and comply with the intent of this Resolution.

3. This Resolution shall become effective upon passage by the Wyandotte County Land Bank Board of Trustees.

ADOPTED BY THE WYANDOTTE COUNTY LAND BANK BOARD OF TRUSTEES, THIS _____ DAY OF _____ 2024.

Tyrone Garner
Mayor/CEO

Approved as to form:

/s/ Wendy M. Green

Wendy M. Green

Deputy Chief Counsel

WYANDOTTE COUNTY LAND BANK (WCLB)

ADMINISTRATIVE POLICY

UPDATED TBD 2024

Table of Contents

Section 1. Purpose

- 1.1 Neighborhood and Land Use Planning Conformance
- 1.2 Guiding Principles

Section 2. Authority and Role

- 2.1 Establishment
- 2.2 Governance
- 2.3 Review of Proposed Land Bank Transactions
- 2.4 Governing Authority
- 2.5 WCLB Board of Trustees Approval
- 2.6 WCLB Right to Accept or Reject
- 2.7 Role of Land Bank Manager

Section 3. Priorities for Transfer of Land Bank Properties

- 3.1 Priority Transfers
- 3.2 Transferee Qualifications

Section 4. Conveyances to the WCLB

- 4.1 Sources of Property Inventory
- 4.2 Policies Governing the Acquisition of Properties
- 4.3 Donations to WCLB
- 4.4 Transaction Agreements
- 4.5 Environmental Concerns
- 4.6 State of Kansas Set Off Program
- 4.7 Timing

Section 5. Conveyances from the WCLB

- 5.1 Covenants, Conditions and Restrictions
- 5.2 Deed without Warranty
- 5.3 Conveyances Requiring Board of Trustees Approval
- 5.4 Conveyances Pursuant to WCLB Rehab Program
- 5.5 Conveyance Time Allowance
- 5.6 Appropriate and Timely Development of Properties
- 5.7 Holds
- 5.8 Pricing

Section 6. Yard Extension and Commercial Lot Extension Program

- 6.1 Applications

- 6.2 Qualifications
- 6.3 Limitations
- 6.4 Pricing

Section 7. Land Bank Rehab Program

- 7.1 Purpose
- 7.2 Goals
- 7.3 Qualified Rehabber
- 7.4 Qualified Offer
- 7.5 Housing Stock
- 7.6 Commercial Property
- 7.7 Rehabber Qualifications
- 7.8 Availability for Rehabbers
- 7.9 Rehab Agreements
- 7.10 Filings
- 7.11 Inspections and Permits
- 7.12 Extensions and Penalties
- 7.13 Tier I Rehabber Threshold

Section 8. Option Agreements

- 8.1 Site Control: Options and Property Reservations
- 8.2 Disposition

Section 9. WCLB Garden Program

- 9.1 Community Gardens and Community-managed Open Spaces
- 9.2 Requirements for Community Gardens
- 9.3 Personal Gardens
- 9.4 Urban Farm

Wyandotte County Land Bank
Administrative Policy and Procedure Guidelines
As approved and adopted by the Board of Trustees
on xxxx xx, 202x.

These policy and procedure guidelines are a consolidation and codification of all prior policies and procedures of the Wyandotte County Land Bank (WCLB) and supersede all such prior policies and procedures.

Section 1. Purpose

1.1 Neighborhood and Land Use Planning Conformance.

The WCLB's purpose is to return tax delinquent, distressed and unwanted property to productive use that benefits the community. In doing so, the WCLB will prioritize the following:

- a. Encourage the development and reuse of vacant properties consistent with the WCLB goals, and any City adopted Master Plan.
- b. Strengthen the County's tax base by returning property to a productive tax paying status.
- c. Support and preserve open space, stormwater management, environmental remediation, community gardens, urban farming, and other agricultural production.
- d. Convey land through a predictable, timely and transparent process.
- e. Encourage timely development and discourage real estate speculation.
- f. Assemble land for economic development.

1.2 Guiding Principles.

This policy is intended to create a unified and consistent approach to the disposition of real property owned by the WCLB.

In the interest of providing predictability and transparency to the sale and reuse of property, this policy will provide guidance to the WCLB in all transactions involving property as well as information to individuals and organizations considering the acquisition of property owned by the WCLB.

The goals of this policy and the disposition of WCLB owned property are to:

- a. Preserve existing stable and viable neighborhoods.
- b. Engage with neighborhoods that have historically and/or are currently experiencing rapid decline or deterioration to support community development and revitalization efforts.

- c. Utilize strategic planning as well as long term planning in the disposition of property.
- d. Maintain flexibility and transparency in all transactions.
- e. Comply with and support the implementation of the Citywide Comprehensive Master Plan, Area Plans, Corridor Plans, and other Community Plans.
- f. Eliminate blight and revitalize neighborhoods.
- g. Prevent speculation.
- h. Ultimately dispose of all WCLB parcels.

The WCLB will aspire to meet these goals when making decisions regarding the disposition of its property.

The WCLB will remain responsible for its own decision-making and adherence to this policy during the disposition process. The WCLB will make available to the public all property in its inventory; however, properties which are being used by the Unified Government for public purposes or being reserved for City-desired programs or projects, will be identified as unavailable for disposition by the Land Bank Manager in coordination with staff from the Unified Government.

Section 2. Authority and Role

2.1 Establishment.

The Wyandotte County Land Bank (WCLB) was established by the Unified Government of Wyandotte County/Kansas City, Kansas (UG) by the power vested in it by K.S.A. 19-26,103 et. seq.

2.2 Governance.

The WCLB is governed by a Board of Trustees comprised of the Mayor/Chief Executive and the UG Commissioners. The Wyandotte County Land Bank Manager is charged with its administration.

2.3 Review of Proposed Land Bank Transactions.

All proposed WCLB transactions shall be submitted by the Land Bank Manager to the Staff Advisory Team the Land Bank Advisory Board and WCLB Board of Trustees for review, consideration, and recommendation.

The Staff Advisory Team is composed of the Director/Manager and/or designee from the following UG Departments: *Administration, Community Development, General Services, Economic Development, GeoSpatial Services, Neighborhood Resource Center, Public Works, Treasury, and Planning and Urban Design*. The Staff Advisory Team shall

evaluate applications based on UG policies and priorities, and future infrastructure and development plans. The Staff Advisory Team shall serve solely in an advisory capacity.

The membership of the Land Bank Advisory Board shall consist of representatives from each Neighborhood Business Revitalization organizations (NBR), two (2) representatives from the Executive Board of the Livable Neighborhoods Task Force and an additional member which shall be the registered Neighborhood Association President within the NBR area containing the most WCLB parcels, who shall be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force. This additional member is subject to change with the disposition of WCLB property and shall be recalculated on a biannual basis. The Land Bank Advisory Board shall serve solely in an advisory capacity.

The Staff Advisory Team and Land Bank Advisory Board shall review all application(s) presented by the Land Bank Manager for consideration. Any application(s) that needs further investigation will be referred to the Land Bank Manager until all necessary information has been provided, at which time it will be brought to the Staff Advisory Team and Land Bank Advisory Board for further review.

The recommendations of the Staff Advisory Team and the Land Bank Advisory Board will be presented at the Neighborhood and Community Development Standing Committee where the Committee will approve applications and advance to the WCLB Board of Trustees for final approval.

2.4 Governing Authority.

The core governing documents of the WCLB are the applicable state statutes and the Unified Government Code of Ordinances. The policies and procedures set out in this document constitute guidelines only and the Board of Trustees reserves discretion to deviate therefrom when it deems appropriate.

2.5 WCLB Board of Trustees Approval.

Under the applicable State law, the conveyance of property by the WCLB, must be approved by the WCLB Board of Trustees before the property can be conveyed.

2.6 WCLB Right to Accept or Reject.

The WCLB reserves the absolute right to accept or reject any and all applications and offers for purchase. In case of multiple applications, the WCLB will give precedence to the application submitted first and,

should this application not be accepted, the next application submitted will be brought before the WCLB Board of Trustees

2.7 Role of Land Bank Manager.

The Land Bank Manager shall have the following responsibilities:

- a. Help applicants with where and what they want to build;
- b. Administer the Land Bank process including notification of neighborhood groups;
- c. Identify which properties are available for disposition;
- d. Determine when an application is ready to be submitted to the WCLB Board of Trustees;
- e. Engage and educate the community on Land Bank opportunities;
- f. Be a resource for the community;
- g. Set protocols for Land Bank procedures; and
- h. Work with the WCLB Board of Trustees on a strategy for disposition of Land Bank properties.

Section 3. Priorities for Transfer of Land Bank Properties.

3.1 Priority Transfers.

Except where limited by the terms of the acquisition of a property, the WCLB may, at its discretion, give priority to:

- a. Government entities;
- b. Individuals, entities, and non-profits seeking to obtain the property for housing or commercial development;
- c. Entities that are a partnership, limited liability corporation or joint venture comprised of a private non-profit corporation and a private for-profit entity;
- d. Individuals who own and occupy residential property that qualify for the Yard Extension Disposition Program; and
- e. Non-profit institutions such as academic and religious institutions.

3.2 Transferee Qualifications.

All applicants seeking to acquire property from the WCLB, or to enter into transaction agreements with the WCLB, are required to provide as part of their application information regarding, but not limited to:

- a. The legal status of the applicant, its organizational and financial structure;
- b. Its prior experience in developing and managing housing;
- c. The financial health and resources of the applicant; and/or
- d. Sufficient plans for development.

In addition, all applicants must be current on their property taxes and have no outstanding code violations on any property within the County.

Section 4. Conveyances to the WCLB

4.1 Sources of Property Inventory.

Sources of real property inventory of the WCLB include, but are not limited to, the following:

- a. Transfers from local governments;
- b. Acquisitions at tax foreclosure sales;
- c. Donations; and
- d. Market purchases.

4.2 Policies Governing the Acquisition of Properties.

In determining which, if any, properties might be acquired, the WCLB may consider the following circumstances and factors:

- a. Proposals and requests by individuals or entities in which specific properties are identified for ultimate acquisition and redevelopment;
- b. Residential properties that are available for immediate occupancy without need for substantial rehabilitation;
- c. Improved properties that are the subject of an existing order for demolition of the improvements and/or meet the criteria for demolition of improvements to determine if the property can be put into the rehab program described in Section 9;
- d. Vacant properties that are appropriate for the yard extension disposition program;
- e. Properties for which reutilization would be in support of adopted plans;
- f. Properties that would form a part of a land assemblage development plan; and
- g. Properties that would allow for the creation or expansion of community, gardens, urban farming, stormwater management, or open space preservation.

4.3 Donations to WCLB.

The WCLB will only accept donated property(ies) that will advance the goals of the WCLB. The WCLB will only present requests to the Board of Trustees, for approval, when at least one or more of the following conditions are met:

- a. The property owner does not have the resources to properly care for the property or to comply with orders to correct code violations that are present, and evidence of the hardship has been presented;

- b. The property is located in an area targeted for redevelopment efforts or in a neighborhood with a large number of existing WCLB property;
- c. The property is a candidate for the WCLB Rehab Program without any conditions that would prohibit a donation;
- d. The property could be utilized for the WCLB garden program; and
- e. The property could be used for UG purposes such as stormwater management, public works projects, etc.

Property(ies) with adverse environmental conditions or maintenance requirements will not be accepted without a satisfactory plan and funding in place for remediation, as determined by the UG. Regarding additional requirements for donations of property to the WCLB:

- a. WCLB requires that donated property(ies) be conveyed with clear and marketable title;
- b. Property(ies) that are occupied may not be accepted as donations;
- c. WCLB shall not determine donation value for the purpose of tax benefits; and
- d. Any exceptions to the provisions of the above must come before the Board of Trustees.

WCLB reserves the absolute right to accept or reject any and all donation requests.

Any property that is conveyed by donation to the WCLB will not be available for sale/transfer until the meeting following the approval of the donation by Board of Trustees.

Any property that is rejected for donation but is tax sale eligible, will be referred for an upcoming tax sale by the WCLB. The WCLB will send a letter to the requestor with that information.

Nothing in this section precludes acceptance of a donation of a tax sale eligible property.

4.4 Transaction Agreements.

In most cases, a transaction agreement must be approved in advance by the Board of Trustees and executed by the WCLB and the grantor of the property. These transaction agreements shall be in form and content as deemed by the WCLB Manager to be in the best interest of

the WCLB and shall include to the extent feasible specification of all documents and instruments contemplated by the transaction as well as the rights, duties and obligations of the parties.

4.5 Environmental Concerns.

The WCLB reserves full and complete discretion to require that satisfactory evidence or assurances be provided that the property is not affected by or subject to environmental contamination.

4.6 State of Kansas Set Off Program.

Property that has been placed in the State of Kansas Set Off Program may be deemed ineligible for conveyance to the WCLB.

4.7 Timing.

Any property that is conveyed in or out of the WCLB will not be available for sale/transfer until approved by the Board of Trustees.

The Land Bank Manager is authorized to accept property conveyed from the UG that is a result of property being obtained from a recent County Tax Sale. The Land Bank Manager will then report the conveyance(s) at the next Board of County Commissioners Neighborhood and Community Development Standing Committee meeting.

Section 5. Conveyances from the WCLB

5.1 Covenants, Conditions and Restrictions.

All conveyances by the WCLB to third parties shall include such covenants, conditions and restrictions as the WCLB deems, in its sole discretion, necessary and appropriate to ensure the use, rehabilitation and redevelopment of the property in a manner consistent with the public purposes of the WCLB.

5.2 Deed Without Warranty.

All conveyances by the WCLB to third parties shall be by quitclaim deed.

5.3 Conveyances requiring Board of Trustees Approval.

All transfers of WCLB property shall require the approval of the Board of Trustees.

5.4 Conveyances pursuant to WCLB Rehab Program.

The Land Bank Manager shall seek prior approval from the WCLB Board of Trustees for all properties entering and exiting the WCLB Rehab Program.

5.5 Conveyance Time Allowance.

All undeveloped Land Bank property shall be conveyed, and deed recorded within 180 days of Award and approval of the Land Bank Board of Trustees. Any property not conveyed within the above time period, and without a written extension from the Land Bank Manager, will have Award voided and property returned to Land Bank Inventory. For any property awarded pursuant to a development/rehab agreement, the terms of said agreement shall control when such property will be conveyed.

5.6 Appropriate and Timely Development of Properties.

The WCLB expects that properties will be developed in a timely manner according to a written agreement or as specified in the deed of conveyance. Generally, construction should commence within three (3) months from the date of conveyance and should be completed as defined by the agreement or contained in the deed. To ensure that these expectations are met, the WCLB will place conditions or restrictions on property it conveys to achieve the agreed upon outcome and will monitor these agreements until construction is complete. Proposed uses must be consistent with the UG's Plans, Zoning, City approved and accepted plans or be able to obtain the necessary land entitlements within the option term, and all new owners are required to comply with all State, City and Federal codes, regulations and statutes.

5.7 Holds.

Holds for large economic development projects are allowed pending the approval of the Wyandotte County Land Bank Board of Trustees. Each year that land bank parcels are in a hold, an update provided by the awardee must be made regarding the status of the economic development project to the Neighborhood and Community Development Standing Committee.

5.8 Pricing.

The WCLB will generally price vacant land by the greater of:

- a. the Appraised Value of property set by County Appraiser as of January 1st of current year or
- b. the value of the property's frontage times \$10.00.

The WCLB has the right to determine the asking price for each property and further has the right to decline any counteroffer.

Section 6. Yard Extension and Commercial Lot Extension Program

6.1 Application.

Yard Extensions shall only be applied for by abutting homeowners.

Commercial Lot Extensions shall only be applied for by abutting commercial property owners.

6.2 Qualifications.

An applicant for a yard extension must be the owner of the abutting property and must be using that property as his/her primary residence at the time of application. An applicant for a commercial lot extension must be the owner of abutting commercial property; however, the commercial property must be a storefront. Further, the applicants for both types of extensions must be current on all property taxes and not have any active code violations. The property to be acquired must share a common boundary at either side of the applicant's property and share the same street name and/or be a contiguous land locked parcel. The property must be a vacant lot; properties with permanent structures are not eligible for this program.

6.3 Limitations.

Applicants can only acquire one (1) property for a yard extension from the WCLB for each home they own as their primary residence and only one primary lot can seek a yard extension, except if there are contiguous undevelopable parcels that can be obtained. Applicants can only acquire one (1) property for a commercial lot extension from the WCLB, except if there are contiguous undevelopable parcels that can be obtained. The WCLB property must be consolidated with the applicant's property after acquisition. The Land Bank Manager will track such extension acquisitions to ensure these limitations are adhered to in perpetuity.

6.4 Pricing.

The price of any yard extension shall be \$0.10 per square foot.

The price of any commercial lot extension shall be \$0.25 per square foot.

Section 7. Land Bank Rehab Program

7.1 Purpose.

The WCLB Rehab Program provides Qualified Rehabbers access to a pipeline of distressed properties in the Wyandotte County area. The WCLB may facilitate the sale of property at a reduced price to selected qualified rehabbers. This program allows the purchase of vacant, blighted homes, once they are available in the WCLB inventory.

7.2 Goals.

The WCLB Rehab Program supports efforts to stabilize and strengthen neighborhoods through collaboration between public, private and nonprofit development partners. Through the program and working with development partners to rehabilitate blighted property, the WCLB will:

- a. Save existing housing stock from demolition and return the property to the tax roles;
- b. Create affordable ownership opportunities to stabilize neighborhoods; and
- c. Improve the health, safety, durability and energy - efficiency of rehabilitated properties through the WCLB Housing Standards.

7.3 Qualified Rehabber.

A Qualified Rehabber is defined as an individual or organization who must not:

- a. Own any real property that is subject to any violations of State and/or local laws, codes or ordinances;
- b. Own any real property that is tax delinquent;
- c. Be barred from transactions with local government entities;
- d. Have demonstrated lack of capacity to perform in accordance with the requirements of the WCLB;
- e. Have defaulted in prior agreements with the WCLB; and
- f. Currently be banned from bidding at the tax sale.

All Qualified Rehabbers must submit their intended use for the property(ies) as required by the WCLB. Failure to submit intended usage or to provide accurate information in the form requested may result in the denial of the application.

7.4 Qualified Offer.

A Qualified Offer is an application that adequately describes the purchaser's plans for the property (i.e. intended use) and is aligned with the purpose of the WCLB. The intended use must be consistent with applicable WCLB goals and all UG Plans, or be able to obtain the appropriate land entitlements and the applicant must demonstrate financial and operational capacity to carry out the plans.

Plans that require various land entitlements may be processed as a Qualified Offer, only if the underlying project proposal is supported by the city it is in. The detail required of the applicant will be different depending on the proposed use, as defined later in this document under various usages.

7.5 Housing Stock.

All residential property with improvements that are transferred to the WCLB will be boarded, secured and inspected to identify its place in the program. There are three (3) recommendations that these properties will fall under:

- a. Rehabilitation – properties that show rehab potential will be made available to qualified rehabbers in the program;
- b. Demolition – properties that are a danger to the public will be recommended to the Unified Government Demo Department to be razed; or

7.6 Commercial Property.

Any commercial property received by WCLB will be evaluated in the same manner as in Section 7.5.

7.7 Rehabber Qualifications.

All interested rehabbers must go through a qualification process that includes submission of WCLB Rehab Program Application. The program will have two (2) Tiers of qualified rehabbers:

- a. Tier I – rehabber must be a formed company/corporation or identify as an investor. In order to qualify as a Tier 1 rehabber, the following must be provided:
 - 1. Copy of their current year Occupational Tax Receipt from the Unified Government of Wyandotte County / Kansas City, Kansas Business License Department
 - 2. Must carry the appropriate amount of Insurance coverage, as outlined in the application, from a licensed Insurance provider and have the Wyandotte County Land Bank named as a Certificate Holder.
- b. Tier II – if a rehabber cannot provide the requirements for a Tier I rehabber, then they must sign a Hold Harmless Waiver and must show proof of funding for the rehab to qualify for a house to rehab.

7.8 Availability for Rehabbers.

Any house that is identified as a rehab will be made available for all Tier I rehabbers. The WCLB will schedule open houses for the rehabbers to attend to assess each property identified. All rehabbers will be sent offer packets with house information and a deadline to submit their offer. Any house that does not have an offer submitted by the deadline by a Tier I rehabber will then be offered to the Tier II group.

Any house that does not have an offer submitted by either group will be available for a later offer or any new Tier I or Tier II qualified rehabber.

7.9 Rehab Agreements.

The WCLB will review all offers received based on criteria maintained by the Land Bank Manager to determine the highest and best offer. The WCLB will negotiate with the offeror and put an agreement together. If approved, the awarded offeror will be sent an award letter and any non-offerors will be sent a non-award letter.

7.10 Filings.

A Sale Contract with Land Use Restrictions detailing the terms of the rehab agreement will be recorded with the Wyandotte County Register of Deeds office. The house will stay in the name of the WCLB until the passing of the final inspection from the Land Bank Manager.

7.11 Inspections and Permits.

The WCLB will require copies of all inspections conducted by the UG Building Inspection Department, which will perform progress inspections throughout the rehab.

Any Tier I rehab will consist of four (4) inspections:

- a. Initial Inspection – house is cleared of debris and any demo is complete prior to any repairs or rehab starts;
- b. Rough-In – staff has received an approved Building Inspection rough-in slip and any other pulled permits (Mechanical/Electrical/Plumbing);
- c. Progress – drywall is hung, and all other repairs are completed; and
- d. Final - house has passed all final inspections and copies have been received by the WCLB, the Land Bank Manager will do the final walk thru.

Any Tier II rehab will consist of monthly inspections done by Land Bank Manager (or designee) and will incorporate the Tier I inspections but also allow the WCLB to closely monitor the progress.

When the Land Bank Manager has verified the house has passed WCLB final inspection, a Quit Claim Deed (QCD) will be filed with the Register of Deeds- office.

All applicants who have successfully purchased WCLB-owned property must fulfill their commitments to the WCLB and to their neighbors, which includes paying property taxes and maintaining properties in accordance with all municipal codes and ordinances.

7.12 Extensions and Penalties.

If the rehab completion date stipulated in the agreement cannot be met, the rehabber may request an extension of the completion date.

Extensions of time to complete the rehab are at the Land Bank Manager's discretion and, if granted, will be under the following guidelines:

- a. The request for extension must be made to the Land Bank Manager in writing. The request must include the cause of the delay and plan to complete the rehab in time requested.
- b. The request for extension must be received by the Land Bank Manager no later than five (5) calendar days prior to the expiration date of the WCLB Rehab Program Extension Request Form given at beginning of the project.
- c. The extension will be granted for a maximum of 90 calendar days.
- d. The granting of an initial extension period does not obligate the WCLB to grant additional extensions.

7.13 Tier I Rehabber Threshold.

Any Tier I rehabber may make no more than three (3) offers on any newly acquired rehab houses. The maximum number of houses a Tier I may be rehabbing at any given time is six (6). If a Tier I rehabber has 6 open rehabs and submits an offer for new houses, their offer will not be accepted. A Tier 1 rehabber may make the proper number of offers that could reach this threshold.

Section 8. Option Agreements

8.1 Site Control: Options and Property Reservations.

The WCLB recognizes that developers often require legally recognizable site control as part of the development process. The WCLB may execute property option agreements to allow developers to pursue financing and other approvals necessary for development.

Agreements for this purpose must meet the following conditions:

- a. The applicant must be a Qualified Applicant, which has the same requirements as in Section 7.3.
- b. The Option Agreement must be executed by the applicant within forty-five (45) days of approval by the WCLB Board of Trustees.
- c. For each proposed project, the WCLB will allow one (1) year for that agreement, which begins on the date of approval by the WCLB Board of Trustees and may renew the agreement for up to two (2) years at the Land Bank Manager discretion. Any further extensions must be approved by the WCLB Board of Trustees.
- d. The applicant may not occupy or use the property unless approved in writing by the WCLB.

- e. A fee will be due upon execution and an additional fee will be imposed for extension of the agreement or contract. This fee is non-refundable.
- f. A first-time applicant will be charged an additional fee which will be held in escrow during the term of the Option Agreement and will be refunded upon disposition of the property.
- g. The WCLB will require the requestor to keep the property clear of any trash/debris, the grass mowed/maintained in compliance with the appropriate City code and the sidewalk space must be maintained including snow removal.
- h. The WCLB shall provide written notice of its intent to terminate the agreement to the applicant within thirty (30) days of said termination.

Option Agreements will be issued only for those projects which the WCLB deems feasible and which the WCLB can recommend for approval by WCLB Board of Trustees after the developer secures the necessary entitlements, financing, tenants and/or approvals.

All WCLB Option Agreements must be approved by the WCLB Board of Trustees.

8.2 Disposition.

Upon the applicant providing proof of funding and acquisition of all required permits and land entitlements, the WCLB shall convey the property.

Section 9. WCLB Garden Program

9.1 Community Gardens and Community-Managed Open Spaces.

The WCLB recognizes that community gardens encourage the productive use of vacant land, provide spaces for community building, socialization, educational, recreation and food production activities. The WCLB will support existing and established gardens that have the capacity to sustain and maintain the land to ensure its viability.

A community garden is defined as one or more properties managed and maintained by a group of individuals to grow and harvest food or non-food items (such as flowers) for personal or group consumption, for donation, or for sale that is incidental in nature (i.e. not an Urban Farm). A community garden area may be divided into separate garden plots or orchard areas for cultivation by one or more individuals or may be farmed collectively by members of the group. A community garden may include common areas (such as hand tool storage sheds) maintained and used by the group. Community gardens may be used for

recreational purposes, and improvements to facilitate such purposes may be allowed on a case-by-case basis upon review by the Land Bank Manager and with community support. Community-managed open spaces are spaces available to the public and may be used for recreational purposes or passive activities. All necessary entitlements must still be obtained in accordance with the Unified Government Code of Ordinances.

Gardens and Open Space requests must demonstrate how their project supports public priorities of:

- a. Eliminating blight
- b. Fostering neighborhood cohesion and a sense of community

Upon approval by the Land Bank Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed by deed with restrictions as set forth above if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.

The WCLB makes no representation or warranty as to the status of the property regarding the physical and environmental condition of the lot or its fitness for any use. Users are encouraged to reference federal and state requirements for contaminants in the soil before growing or consuming produce grown on site.

9.2 Requirements for Community Gardens.

All WCLB property approved for a community garden must adhere to the following criteria:

- a. Entity must work with the WCLB and Staff Advisory Team of the Unified Government to determine where the garden will be located within the boundaries of a neighborhood;
- b. Entity must provide a site plan;
- c. Entity must provide a maintenance and use plan which demonstrates its obligation to maintain the lot in a clean, safe, secure and sanitary condition, free of weeds, trash, debris, garbage, vermin and rats;
- d. Entity must comply with all existing codes and rules regarding vacant lots;
- e. Entity must obtain and pay for any and all permits and approvals required by the Unified Government or City's to construct or operate the site;

- f. Lot cannot be used to park, keep or store any motor vehicle, trailer, or boat at any time;
- g. Entity must comply with all State and/or local laws, codes or ordinances;
- h. Entity must maintain the area within the public right-of-way, including both snow removal and removal of trash and debris to allow for passable sidewalks;
- i. Entity must agree not to grow any plants regulated or prohibited by federal laws on the lot; and
- j. Entities must agree to use the property at their own risk and accept the property “as-is”.
- k. Report on the performance of the community garden including: code violations, how close they are to other gardens and overall contribution to the wellbeing of the neighborhood.

9.3 Urban Farm.

An urban farm is the cultivation of land for the purpose of income creation related to urban agriculture.

An applicant for a parcel(s) to be used as an urban farm must provide proof of relevant education, certification or comparable relevant experience that proves they have the ability to operate and maintain a successful urban farm. Applicants must meet all the requirements of a Community Garden listed in Section 9.2 above. Upon approval by the Land Bank Board of Trustees, the property shall be conveyed to the applicant by deed with restrictions requiring the adherence of the criteria contained in Section 9.2. An applicant shall be given an option agreement as needed for any requisite permits or land entitlements to be obtained. If an option agreement is required, at the end of one year, either the agreement will be extended, or the property will be conveyed if all guidelines have been met. If an extension of the option agreement is required, the procedure for an extension set out in Section 8.1 (c) above shall be followed.



LET'S TALK

Land Bank

Wednesday May 15th

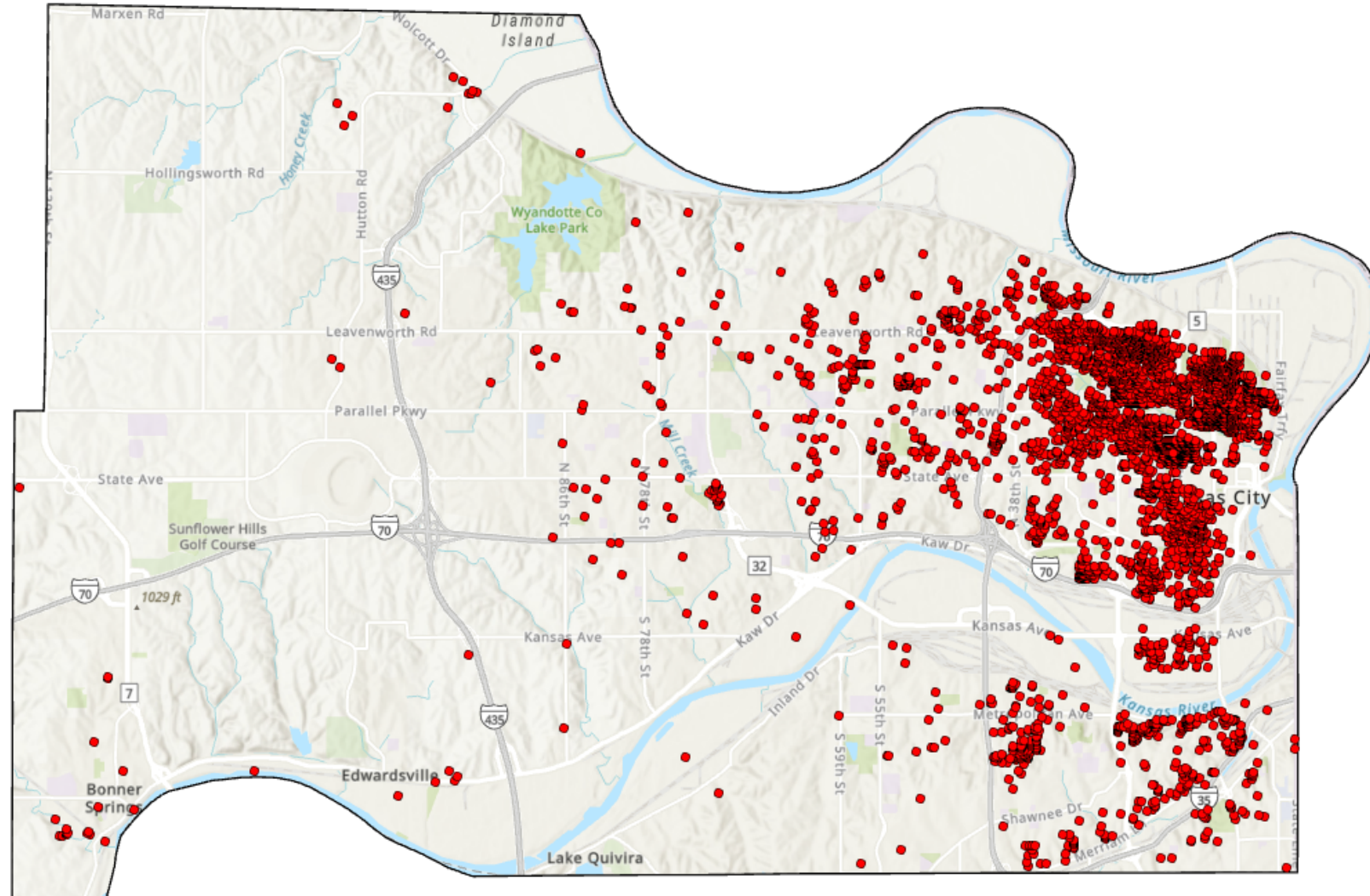
- Meeting Recap
- Remaining Policy Discussions



LAND BANK PARCELS



Land Bank Parcels
4,675

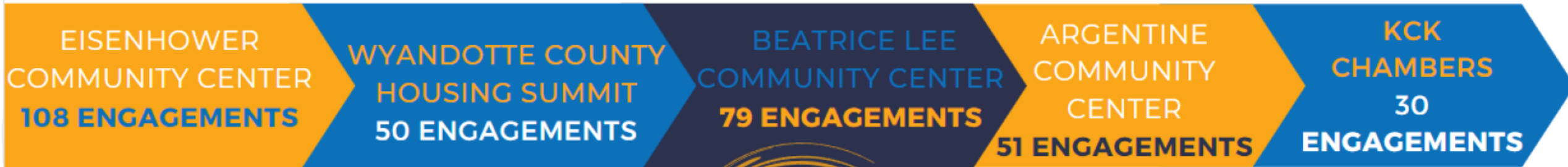




ENGAGEMENT SUMMARY

1. What should be the purpose of Land Bank?
2. What does the Land Bank do well?
3. What areas need to be improved?
4. What does success look like?

1. What would make it easier to build in Wyandotte County?
2. Should the Land Bank hold properties for new construction?
3. Is there a minimum buildable lot size for land bank lots?



*Includes those who participated in a public meeting or viewed the event flyer.



APRIL 1ST STANDING COMMITTEE RECAP

POLICY CHANGES



Option

- Agreement Start Date
- 45 Days to Sign
- Extensions

Land Bank Advisory Board

- An additional member which shall be the registered Neighborhood Association President within the NBR area containing the most WCLB parcels, who shall be chosen by the representatives from the Executive Board of the Livable Neighborhoods Task Force.



APRIL 29TH STANDING COMMITTEE RECAP

POLICY CHANGES



Gardens

- Transfer once approved
- Deed restrictions
- Option agreement if buildings are to be built

Yard Extensions

- Must be combined with existing property
- Can include additional non-developable parcels



FINAL POLICY DISCUSSIONS



- 1.Holds
- 2.Land Bank staffing
- 3.Land Bank annual updates
- 4.Other?



NEXT STEPS



1. Draft policy release
2. Approval process
 - Standing Committee & BOC