

City Hall

8500 Santa Fe Drive

Overland Park, Kansas 66212

www.opkansas.org

Date: March 10, 2022

To: Chair Erickson & the Senate Committee on Commerce

From: Michael Koss, Attorney, City of Overland Park

Re: Written Testimony in Opposition to SB 505

Thank you for allowing the City of Overland Park to submit testimony in opposition to SB 505, which preempts local regulations related to home based work.

Specifically, the City has concerns that SB 505 will lead to full blown commercial operations out of residences and accessory structures, rather than just the operation of an incidental business use to support the resident. Further, without a city's ability to regulate non-resident employees or contractors or place limitations on the amount of floor space for home-based work, a home-based business has the potential to no longer be incidental to the primary use of the house.

SB 505 would infringe on the City's interest in maintaining neighborhood integrity and preserving the residential character of neighborhoods by encouraging compatible land uses, and guarding against infringement on the residential rights of neighbors.

The City of Overland Park opposes further limits to home rule authority and we support the full control and authority over those matters which are granted to municipalities by the Kansas Constitution as approved by voters in 1960. Municipalities are the government closest to our residents and businesses, and are best prepared to assess, evaluate, regulate and set public policy as they believe is in the best interest of the community. Our Mayor and Council are fully authorized to handle local issues and problems such as is proposed in SB 505.

Thank you for allowing the City to submit testimony on this legislation. We respectfully request that the Committee not advance SB 505 to the full Senate.