

**STATE OF KANSAS)
WYANDOTTE COUNTY)) SS
CITY OF KANSAS CITY, KS)**

SPECIAL SESSION, THURSDAY, DECEMBER 5, 2019

The Unified Government Commission of Wyandotte County/Kansas City, Kansas, met in Special Session, Thursday, December 5, 2019, with nine members present: Bynum, Commissioner At-Large First District; Burroughs, Commissioner At-Large Second District; McKiernan, Commissioner Second District; Murguia, Commissioner Third District (arrived at 5:57 p.m.); Johnson, Commissioner Fourth District; Markley, Commissioner Sixth District; Walters, Commissioner Seventh District; Philbrook, Commissioner Eighth District; and Alvey, Mayor/CEO; presiding. Townsend, Commissioner First District; and Kane, Commissioner Fifth District; were absent. The following officials were also in attendance: Doug Bach, County Administrator; Patrick Waters, Senior Attorney; Bridgette Cobbins, Unified Government Clerk; Melissa Sieben and Alan Howze, Assistant County Administrators; Kathleen VonAchen, Chief Financial Officer; Rob Richardson, Director of Planning; Mike Taylor, Public Relations Director; Alley Porter, Commission Liaison; and Officer Tom Grote, Sergeant-at-Arms.

MAYOR ALVEY called the meeting to order.

ROLL CALL: McKiernan, Johnson, Markley, Walters, Philbrook, Bynum, Burroughs, Alvey.

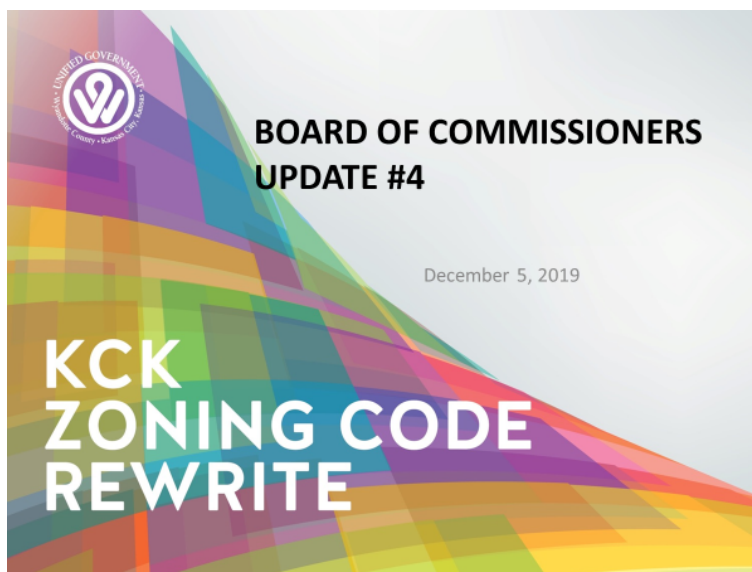
NOTICE OF SPECIAL SESSION of the Unified Government of Wyandotte County/Kansas City, Kansas, to be held Thursday, December 5, 2019, at 5:30 p.m. in the 5th floor conference room of the Municipal Office Building for a zoning code update. (Meeting convened at 5:52 p.m.)

CONSENT TO MEETING of the governing body of Wyandotte County/Kansas City, Kansas, accepting service of the foregoing notice, waiving all and any irregularities in such service and in such notice, and consent and agree that we, the governing body, shall meet at the time and place therein specified and for the purpose therein stated.

Mayor Alvey said tonight we have our update for the zoning code. I'll turn it over to Administrator Bach.

Doug Bach, County Administrator, said this has been going on for a little over a year. We've been working on the Zoning Code Update. The zoning staff and our outside consultants have been helping us in working with the community and getting input as we put this together. We are reaching the final phases of this process as we're nearing the time when we're bringing documents forward for you to adopt as we've done continual updates throughout the course of the year. This is one of those that's meant to be more than final update really before we start to bring things in for that approval.

With that, I'm going to recognize our Director of Planning & Zoning Rob Richardson.



Rob Richardson, Director of Planning, said with me tonight is Mark White. He is our Planning Consultant that has been working with us on the code process. He's been doing planning and zoning consulting work for many years. He has done over 150 codes in 36 different states and he is also the person who did our Sign Code Update which has been very well received and we're actually doing a couple of minor updates to the Sign Code as we've come through this process as we promised before we would come back and look at that. A short time later there are four or five minor things that we're changing based on some comments we've had from customers in the sign industry.

Agenda

- Recap of Goals and Issues
- Unified Development Code Draft #1
- Remaining additions
- Next steps



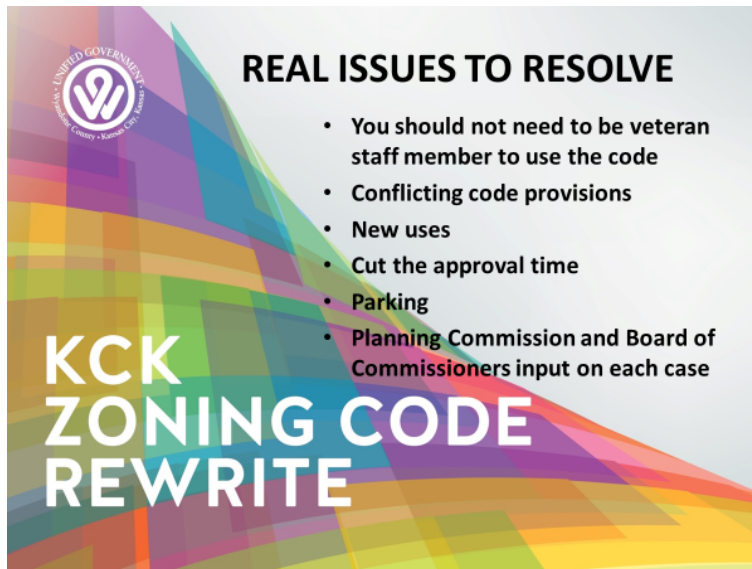
Tonight, I'm going to do a brief recap of our goals and issues similar to what we saw last time we did this, but I always want to make sure that we're keeping those at the forefront as we move forward.

Mark is going to do most of the presentation on the updated code draft and provisions of that and what we have left to do and then I'll kind of wrap it up with where we're going to go from here.



As you know we had a broad set of goals with this project. We want to have great public input. Prior to that we didn't have very good response from the public after the first meeting. We had a lot of people at the first meeting, but we haven't had very many since. We will do one more

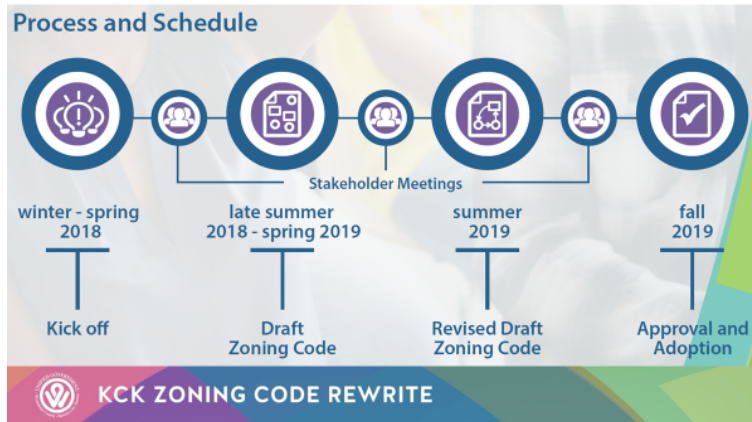
session before we go the Planning Commission. We'll have a come and go meeting with that. We want better clarity, we want to be easier to use, we want to do a better job of preservation in our neighborhoods, enhancing our neighborhoods and accommodating businesses. Overall we want this code to allow us to develop and continue to develop a quality city.



Some of the issues; the Zoning Code is kind of a staff driven thing. If you're not in it every day, it's very hard to use and as I've even discovered the last two weeks sometimes when you're in it every day, you don't always get it right. We want to make it easier to use, we want to get rid of conflicts, address our new uses, and we want to cut the approval time where we can in addition to some other things we will talk about later as we go through this.

Process Overview

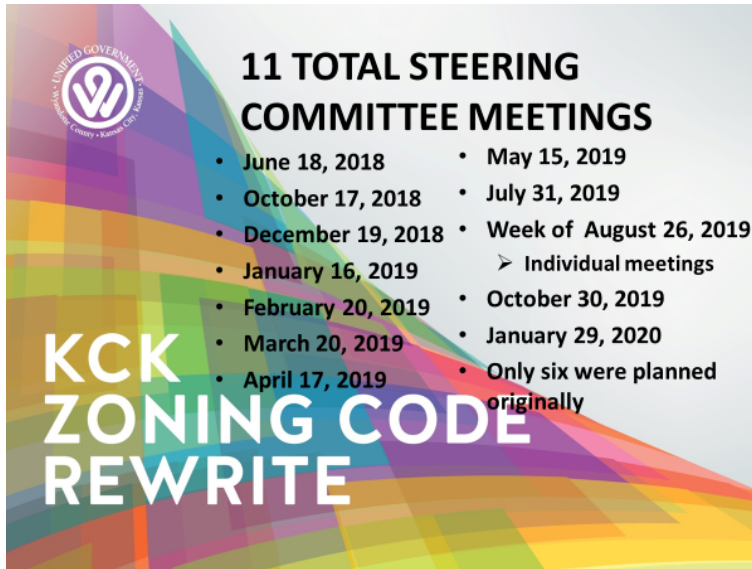
last Commission update November 29, 2018



This was our original schedule. We're just a little bit behind. We thought we would be adopting in the fall but as we went through this Mark has developed a list of about 150-175 different issues that we had to address individually within the code, so that has taken a little bit longer than we thought.



The code is now nearly drafted. We've had 10 committee meetings so the Steering Committee that you all appointed so far. We met individually with the Steering Committee members that accepted our invitation to do that and we're getting ready to have input on the draft code as we move forward.



11 TOTAL STEERING COMMITTEE MEETINGS

- June 18, 2018
- October 17, 2018
- December 19, 2018
- January 16, 2019
- February 20, 2019
- March 20, 2019
- April 17, 2019
- May 15, 2019
- July 31, 2019
- Week of August 26, 2019
 - Individual meetings
- October 30, 2019
- January 29, 2020
- Only six were planned originally

KCK ZONING CODE REWRITE

I put the dates of all those committee meetings for the Steering Committee. We have a tentative date—this is actually incorrect in your handout, but I corrected this slide here. January 29th will be the last meeting, that’s tentative. We think that we do have maybe some conflicts on that date so we may move it. It will be that week sometime though and we will do a Steering Committee meeting that day as well as the last public workshop that day.

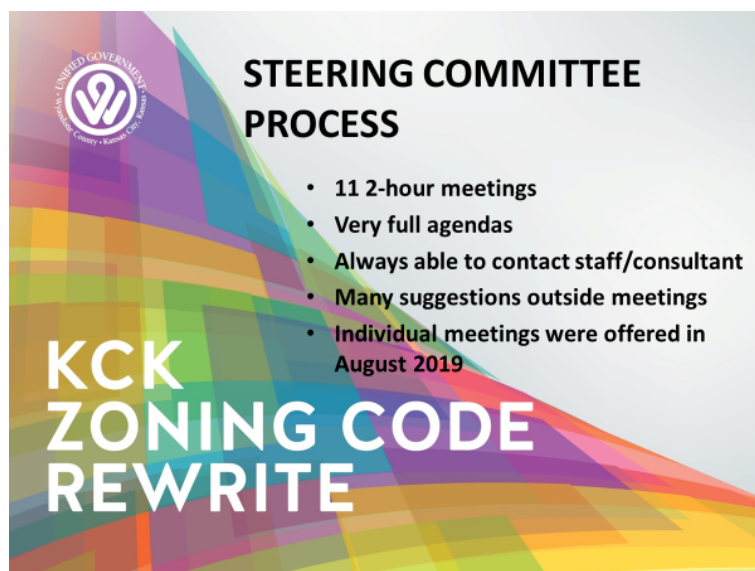
Public Outreach

- Public Workshops
- Public Open houses
- Online survey
- Steering Committee
- Commissioner interviews
- Agency check-ins

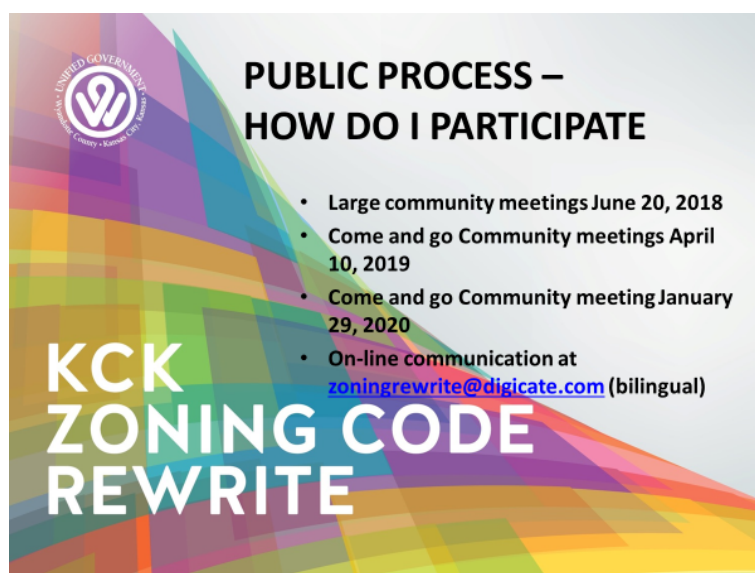


For Outreach, we’ve done quite a bit of work; public workshops, public open houses, we had an online survey, we used the Steering Committee, and we interviewed you all as commissioners that wanted to talk with consultants. We talked with several different agencies that are involved in the Zoning Code as well.

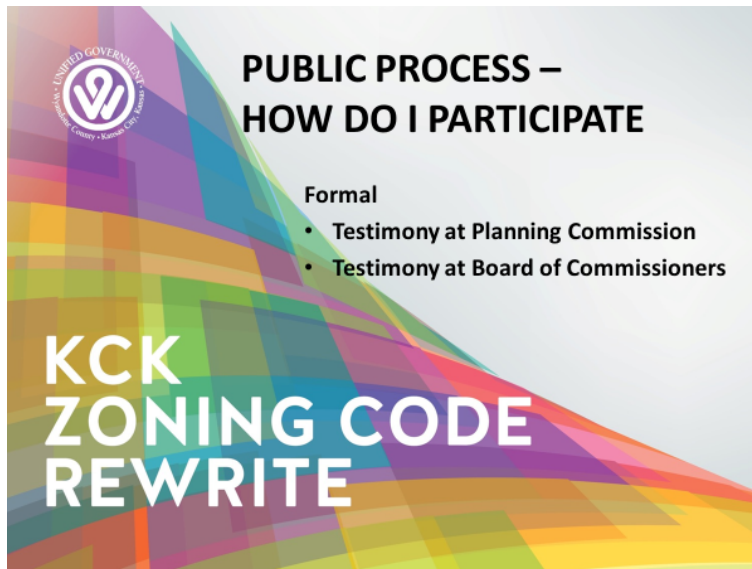
December 5, 2019



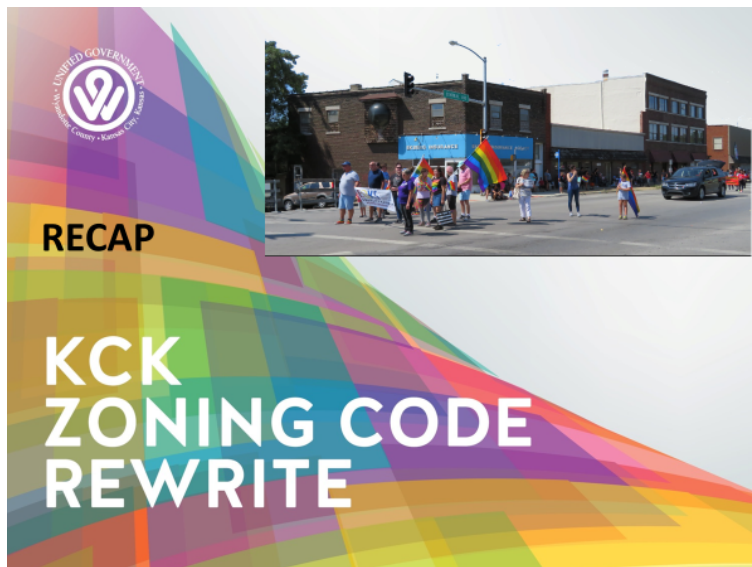
A little bit on the Steering Committee process; by the end we will have had 11 2-hour meetings with them. They've always been able to talk to the staff/consultants, several of them email us on a regular basis with ideas when they've reviewed sections of the code that have been put forward for them to look at. Like I said, we offered individual meetings to them in August of this year.



For folks that want to participate, obviously, we've had the large community meetings. We'll have the next meeting tentatively on the 29th, but actually it will probably be the week of the 29th. You can still comment online at zoningrewrite@digicate.com and that is a bilingual site.



In addition to the upcoming community meeting we will have, there is also formal opportunity for testimony for anyone who would like to for both the Planning Commission and the Board of Commissioner meetings during those public hearings.



With that, I'm going to turn it over to Mark to talk about the recap of the Zoning Code in more detail and what we've heard from the Steering Committee and the rest of the code.

What We Heard

July 2019 Steering Committee Comments



Define primary v. secondary facades, address neighborhood context and minimize exceptions

Uses to address:



Age-restricted uses (tobacco, liquor stores)



Zoning district for parks



Gun stores



Avoid creating new review bodies



Short-term rentals



Mark White, Planning Consultant, said we had individual meetings with the commissioners in August. I took a lot of notes on that as well as some of our meetings the last couple of months and we got a lot of comments on that from the design standpoint. I'm going to talk about this concept of composite zoning that we built into the new zoning districts where each district is assigned to set a site design and building design standards that are appropriate to the context because, obviously, we don't want to make your urban areas suburban and vice-versa we don't want to convert your suburban areas into urban. They need to be appropriate with their context and long-term policies with this community.

We have some definition issues we're working through. We have a set of building materials on primary and secondary facades and so forth. This is all going to add a lot of clarity to what you already have in place with your commercial design guidelines.

We were asked to create a separate district for parks. We expanded that to public utilities and you know the commissioners wanted some extra review. For example, if a park was converted to private development or something, they want a way to insure there was a public hearing so the community would have input. A lot of communities around the country use this more broadly for public facilities and that's what we've done. Parks will just be part of that. It will also allow us to apply another set of sign regulations to that because that's one of the issues we've got is how the current sign regulations work with public schools and this will allow us to provide a set of sign regulations that are perfect for that district without having to call them out by use.

We did not create new review bodies and we did everything we could to really streamline the processes and I know that's been an issue with the business community, making sure the processes are as simple and as well understood as possible. We didn't have to create any new uses.

I'll talk a little bit later about age-restricted uses. Public health was something that came up as an issue. There were some discussions about how this works in gun stores, a lot of calls from the deer community. As you can see, there was concern about where those are located.

I think one of the specific issues I got was sales of guns as a home occupation and that comes up in other communities as well, but there are also Second Amendment issues that we want to make sure we don't run into as well if we bring those within the—treat those differently than a typical retail store for example.

Short-term rentals is something that the Planning Commission and you all have been involved with over the last couple of years. This is a special use on a case-by-case basis and that was dealt with specifically and I will talk in a little more detail later on how we dealt with those.

Commissioner Appointee Interviews

- Applicability of UDC
- Flexibility with design standards
- Contextual dimensional standards
- Flexibility for urban lots but maintain scale
- Balanced neighborhoods
- Historic / Landmark
 - Environs review
 - Demolition by neglect
 - Notice / awareness



This is my August interviews. Again, a lot of comments on a lot of different things. One was the applicability of UDC. We're calling this Chapter 27 of the Unified Government Code right now. We're going to rename it the Unified Development Code. A lot of communities use that terminology and it just clarifies that this embraces zoning, it embraces subdivision plats and historic preservation so it's a unified code in that way. It will have one set of definitions, one set of comments, etc. I did get a comment on just the applicability to make sure its clear that we're

not covering Bonner Springs or other incorporated areas in the community other than Kansas City, Kansas and it reflects there's an agreement I guess that was done and so that's been written into the revised draft.

Making sure design standards are flexible. We always walk a line. We want to make sure that the regulated community that developers know exactly what's expected of them, that we're not creating some sort of design review board where somebody doesn't know what they're going to have to do before they go in. We want to make the standards as precise as we can make them so people know what's expected of them. At the same time, applicants need some flexibility too. Sometimes you write a standard, you do a lot of work, everybody agrees it's great, but it just doesn't work for a specific project for example. We want to make sure they're flexible.

I had a developer one time tell me that what we're looking for is flexible certainty which is hard to do, but we want to make sure that people have the best of both worlds, that you get the outcomes you're looking for as a community, but at the same time we're just not so rigid that we choke off economic development. For example, we maintain flexibility for urban lots as well and we built that into things like the landscaping standards, the parking standards to make sure if you have a small site that needs to be redeveloped, we're not opposing a suburban level of landscaping and parking and so forth that would not only make that site hard to redevelop—that if it was redeveloped, it would have a physical outcome that's not appropriate for the neighborhood that it's in. You want more building and less parking and less landscaping in the more urban parts of the community and vice-versa. Further out, you want more landscaping and people there tend to want more parking.

Then, making sure that we incorporate the balanced neighborhoods concept was brought up by some of the commissioners. That the neighborhoods do make room for affordable housing and housing for people who need them, but that not all neighborhoods end up with all of the group homes and things like that. They've got to be accommodated under state and federal law, but in a way that's balanced.

There are a lot of detailed revisions and changes to the Historic and Landmark review especially for environs review to make sure that's clearer and works better for people while at the same time protecting your historic buildings in historic neighborhoods.

Mr. Richardson said I know that's been an issue I've talked about with different commissioners and so that's really not going to be a standard area like right now it's 500 ft., we're going to make it more if it's in site lines and if it really has an impact on that building. We're going to reduce the impact of that quite significantly to things that make more sense when you look at it in context.

Commissioner Appointee Interviews

- Landscaping to fit context
- Binding street standards
- Parking
 - Reductions supported
 - Encourage sharing
- Integrate / tag other processes (eg business license)
- Ombudsman
- Leeway for changes with market



Mr. White said other things that came up in addition to the landscaping, which I mentioned earlier, making sure that we have a good robust set of street design, geometric standards that work for—again, the different context areas of the Unified Government whether its urban, whether its suburban and etc. That we're clearing sidewalks, making sure that they work hand-in-hand with the whole concept of the building in making neighborhoods more walkable and not creating an infrastructure where people's only option is driving.

With parking, we did reduce across the board parking ratios. I use as a resource—the Institute of Transportation Engineers has a volume called Parking Generation and as luck would have it, they came out with the newest version this year in 2019, so I went all the way through that and applied that to every single use and everyone was reduced. At the request of most of the commissioners we also established maximum parking for most of the uses, not all of them. Like a hospital, for example, needs parking for ambulances and things like that and that would make it hard for them to do their mission, but for retail and other kinds of uses, now we have flexible maximum. We also encourage shared parking and talking with Rob today I think with the stormwater improvements too, you know, that's going to create more incentives for applicants, I

think, to work together to recycle parking spaces as opposed to every site has its own individual parking lagoon and sits empty most of the year. It would be nice if we could reuse that for multiple sites so that everybody can find a place if they need it, but we don't create too much parking in the community.

Integration with business licensing; we're not rewriting the business licensing ordinance but one of the comments I got was sometimes somebody will go through the zoning process and not realize they need a business license or something and then they get held up and they get frustrated.

The Ombudsman concept was also raised which really doesn't need a change to the ordinance. That's a position you could fill on your own and that would just help applicants through the process and, again, making sure we've got enough leeway for market changes in the future because as Yogi Berra once said it's hard to make predictions especially about the future. We want to make sure this works for now, but this code will be in place for a long time and we want to make sure it's adequate to accommodate that.

Commissioner Appointee Interviews

- Uses
 - Accessory dwellings
 - Adaptive reuse
 - Animals – move to Chapter 7
 - Commercial containers
 - Front yard gardens / healthy food
 - Home occupations
 - Mobile vending (food trucks)
 - Short-term rentals
 - Solar
 - Tiny houses



There were a lot of comments about specific types of uses that came up that resulted in changes from what you have today. We have a more robust set of regulations on accessory dwellings. In fact, the matrix that makes it clear that if you have a principal use, here's that list of accessory uses in each of the districts that are allowed.

We have a new set of standards we put in for adaptive reuse that will encourage people to redevelop existing buildings instead of tearing them down. It's not historic preservation because this isn't something that requires somebody to maintain a certain type of architectural design or something, but it does give them breaks on things like parking and landscaping and so forth.

The special use permit process for animals will be removed and it will be dealt with as a police power ordinance now through Chapter 7 which has fairly comprehensive regulations for those, but that's not something that you want to regulate under zoning.

Things like commercial containers, home occupations are addressed, your existing mobile vending ordinance will be carried forward.

Solar, provisions were added so that you can be certified as a solar—I can't remember what the terminology was, but a number of cities around here—Raymore I think was the first to have been certified by the Department of Energy and so we put in some regulations to allow you to be certified that way as well as short-term rentals and tiny houses that I will talk about later.

UDC Outline

- | | |
|--|--|
| 1 Introduction |  7 Nonconformities |
| 2 Zoning Standards |  8 Enforcement |
| 3 Zoning Districts |  9 Agencies |
| 4 Development Standards | 10 Definitions |
| 5 Procedures |  11 Legal Provisions |
|  6 Use Regulations | 12 Submittal Requirements |
| |  = in process |



This is the outline of the UDC, and it's practically done. The only thing really that I have to add now is the legal provisions. That's the severability clause and stuff like that. That's not going to take very long because, frankly, and Patrick can tell you this too, probably nobody really ever reads it, but it has to be in there somewhere. It's just legal boilerplate. The rest has all been written and it will be presented to the commissioners at their next meeting.

This outline is designed to put the most interesting and salient material up at the front because, for example, everybody is interested in selling districts. If you're investing in property, you want to know what uses are allowed, what design investments you're going to have to make in your buildings and your site, etc. The zoning standards establish the site and building design, the zoning districts tell you what uses are allowed. That material is all upfront. The boring stuff is in the back. As I mentioned, the severability clause, things like that, but we've also pulled a long checklist of information that has to be provided or pulled and assembled into a detailed checklist of requirements in the back of the document that you know really two people care about, the person who is designing the site. They need to know what they have to have—what they have to submit to have a complete application and the people who administer the zoning code. It's not something the general public really usually focuses on much, so that material has to be there somewhere, but it's in the back.



27-17 Districts Established

District Name	Designation	Land Use Plan Designation
Countryside / Neighborhood		
Countryside	CS	Rural Density Residential
Rural Neighborhood	RN	Rural Density Residential
Suburban Neighborhood	SN	Rural Density Residential
Mid-Urban Neighborhood	MN	Low Density Residential
Established Neighborhood	EN	Low Density Residential
General Urban Neighborhood	GN	Medium-Density Residential
Urban Neighborhood	UN	High-Density Residential
Center / Corridor		
Countryside Center	CC	Rural Commercial
Neighborhood Center	NC	Neighborhood Commercial
Auto-Urban Center	AC	Community Commercial
Regional Center	RC	Regional Center
Urban Mixed	UM	Mixed Use
Downtown		
Downtown Residential	DR	Neighborhood Residential (Downtown Master Plan Land Use Framework Map)
Downtown Urban	DU	Urban Residential (Downtown Master Plan Land Use Framework Map)
Downtown Neighborhood	DN	Neighborhood Mixed-Use (Downtown Master Plan Land Use Framework Map)
Downtown Mixed	DM	Downtown Mixed-Use (Downtown Master Plan Land Use Framework Map)
Employment		
Business Park	BP	Business Park
Light Industrial	LI	Industrial
General Industrial	GI	Industrial

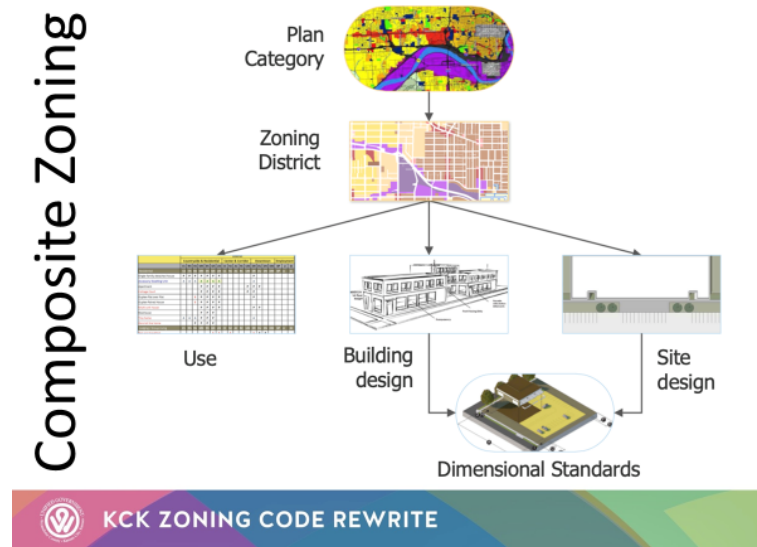
I would call the kind of code—if somebody asks what kind of code is this, I call it more of a design-based code than the more conventional code that you have now, but that mixes R-1, C-1, your Industrial Districts is a very conventional way of regulating development.

With your traditional neighborhood development which a lot of people—it's now known as a form-based code which also has some complexities and it hasn't had a lot of interest from the development community since it was done about 20 years ago. We want to make sure—so you have commercial design standards. So, this community is always very concerned and dialed into the physical outcome of development; what it looks like and also how it functions and making sure the developments are walkable and bikeable and etc. We blended the best of both worlds and baked that all in to your based zoning district so we rearranged everything to say first of all your residential districts have become neighborhood districts because they will allow some level of mixed-use.

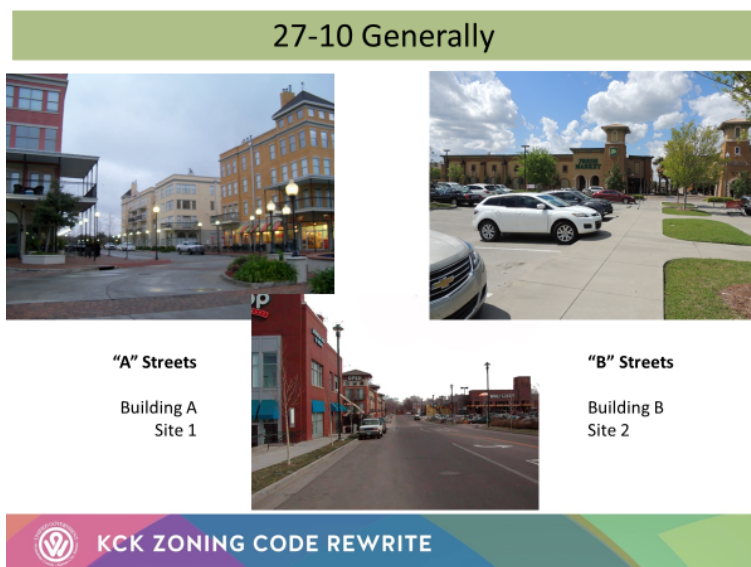
Your commercial districts have become centers and corridors, again, because especially your urban mix will allow also housing maybe at the top levels and retail at the bottom. That may not happen a lot under current market conditions, but it certainly contemplates it.

Your CD District has become downtown. Nobody ever says, you want to meet me for coffee in the Commercial D district, everybody knows where downtown is though, and you have a Downtown Master Plan that divides downtown into four different areas and that was followed in these new district regulations.

Your Industrial became employment districts because that's the function that your industrial district service. It's not the old smokestack smelly thing we used to think of. It's more intense uses, but they are there because they create jobs for this community.



We are using the concept we call Composite Zoning. Some communities call it Modular Zoning where each district carries with it a set of building design standards and a set of design site standards that are designed to be appropriate to not just your City-Wide Master Plan or whatever the area master plan is. First of all, you will look at the uses that are allowed in your district and the district designation will tell you what level of building design we expect and what level of site design we expect and that dictates the physical outcome of development. Its not just simple setbacks.



We also added in what we call "A" and "B" Street designations, and this builds some flexibility into things like you see in your old traditional neighborhood development district which has a lot of detail in terms of design and it tends to be rigid. A developer might say I would like to put a grocery store here, but all the grocers have told me they want their parking in the front, so what do I do. Well, this accommodates something like this development here. This is called River Ranch. It's in Lafayette, Louisiana. We just did their code, but they do have a nice downtown main street and there all the buildings do have to be up to the street. You have to have fenestration and articulation at the ground level, etc., but their grocer which is on the other side of this development and abuts a busy collector road on this side, it has front loaded parking, but if you live in River Ranch in an apartment on the above floor, you can walk through here and end up at the grocery store or if you live in a nearby neighborhood now, you can drive to the grocery store. It accommodates the best of both worlds and putting these "B" Street concepts in, allows that to happen. Not every building has to be perfectly aligned at the sidewalk under this concept. It makes it more workable and, hopefully, something where we'll see more of this happen over the next 20 years.

27-11 Building Design

Table 27-11-1 Summary of Building Design Standards

Future land use category*	A Single-Family	B Mixed Residential	C Mixed-Use Center	D Suburban Commercial	E Office / Campus	F Industrial
Typical zoning district	CS, RN, SN	MR, EN, GH, UN, DHR, DUR	NC, UM, DM, DNM	CC, AC, RC	BP, U	GI
Facade Design	No special considerations	Highly articulated facade, with a high level of transparency	Highly articulated facade, with a high level of transparency	Moderately articulated facade, with a moderate level of transparency	Facade with a range of articulation and transparency	Facade with a range of articulation and transparency
Pedestrian Orientation	Front-facing entry element (porch, stoop, etc.)	High level of ground floor pedestrian interest with front-facing entries (porch, stoop, etc.)	High level of ground floor pedestrian interest and transparency with front-facing entries (canopy, courtyard, etc.)	Moderate level of ground floor pedestrian interest with front-facing entries (canopy, courtyard, etc.)	No special considerations	No special considerations
Materials	High quality materials	High quality materials	High quality materials	High quality materials	High quality materials	A wide range of materials permitted
Garage	Garage door design standards may apply	Garage door design standards may apply	No special considerations	No special considerations	No special considerations	Overhead doors generally do not face primary streets
Transition Adjacent to Single-Family	No special considerations	Lower scale adjacent to single-family	Lower scale adjacent to single-family	Lower scale adjacent to single-family	Lower scale adjacent to single-family / facade adjacent to single family treated as primary	Facade adjacent to single family treated as primary / smaller scale building modules adjacent to single-family



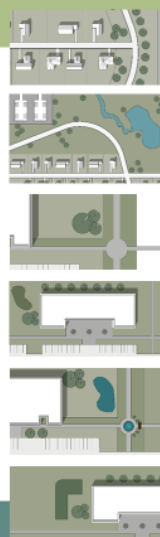
KCK ZONING CODE REWRITE

This is how the Building Design Standards work. They are set up in six different categories going from lower density single-family to a mix of residential to capture what's called middle housing concept. Instead of relying on large scale, very intense high-rise apartments to meet our needs for affordable housing and housing at all different income levels of the community, this captures a lot of different housing types.

The Mixed-Use Centers would be something whether it's downtown or whether it's something new, somebody wants to do something or maybe redevelop an old shopping mall as something that's more of a walkable mixed-use center, they could do that.

We have a set of site design standards for a more suburban type of development in a commercial area along with offices and campuses which you have and then your Industrial that's a lot more flexible.

27-12 Site Design

[illegible]

KCK ZONING CODE REWRITE

The same concept with Site Design, so we have a set of site standards that are designed for single-family in your conventional single-family subdivision, but even ones that maybe have a higher level of open space than you've seen in the past. We will have some concessions maybe for building design and how the streets are designed and etc. Again, as with the building design, that goes on a continuum all the way up to your mixed-use centers and then to your conventional suburban style commercial development office and industrial.

Division 2 District Standards (27-19 to -37)

27:28 FM [Established Neighborhood]

Purpose. The EN (Established Neighborhood) district provides for new and left residential development in the established neighborhoods that is of compatible character (density, scale, and bulk) to the existing dwellings. Single- and two-family dwelling units are permitted for reuse or redevelopment on urban-scale lots. These lots accommodate the current housing types and densities.

A. Kinematic Standards



Figure 27-23 Established Neighborhoods

27-23 Established Neighborhoods

Zoning Standards (Art. 2)	Site 1	Building A, Site 1	Building B, Site 2
Density (units per acre max)	3.75	6.00	25.50
Base Space (Sqm/acre)	0	0	0
Building Height (ft./meters)	25	0	0
Building Number (ft./meters)	2.5	2.5	2.5
Plot Area (Sqm/acre)	0.000	4.00	2.500
Width (ft./meters)	50	80	75
Front Setback (ft./meters)	0/0	25/	0/0
Side Setback (ft./meters)	0	0	0
Side Yardset (ft./meters)	0	0	0
Front Yardset (ft./meters)	0	0	0
Base Setback (ft./meters)	20	20	20
Base Yardset (ft./meters)	0	0	0
Additional Coverage (ft./meters)	40	40	50

Notes:

1. See S 27-40. Pkts, Open Space or Civic Space do not count toward building coverage or pervious area.
2. This applies to the minimum lot area per dwelling unit.
3. This applies to the minimum lot area per building unit.
4. If adjacent or remote lots are otherwise adjacent, the setback of the facade of the closest building to the street is considered the minimum setback and must meet this table. The minimum front setback is considered the adjacent minimum plus 10 feet for the adjacent building front faces from the street, whichever is closer to the street right of way. Open air porches, stoops, or balconies are allowed to encroach a maximum of 10 feet into close facing front or side setbacks. (Source: *Narrow Lot Design Guidelines*)
5. For multiple family buildings, this is also the minimum separation between buildings.

27-27 NC (Neighborhood Center)

Purpose. The IC (Neighborhood Center) district provides for land uses that are similar in scale and compatible with the surrounding neighborhood character. Permitted uses are limited in building size and bulk as well as those that are of lower traffic generation. The development site must be carefully designed and integrated with the adjacent, low-density residential areas. A neighborhood center may also transition between low and higher density or intensity land uses. Urban infrastructure is required but of lesser capacity than higher intensity uses.

A. Dimensional Standards



Figure 27-27 NC Site Layout

[illegible]

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KCK ZONING CODE REWRITE

The District Standards all begin with a purpose statement that's italicized that harkens back to the plans that you've adopted from the City-Wide Master Plan to area master plans. There is a table of dimensional standards for each one of them and it shows you for residential, for example, what

Division 3 Overlay / Special Districts (27-30 to -43)

Overlay Districts

- Historic Overlay / Landmark
- Mission Road
- Floodplain*

* Revised district to be added

Special

- Planned Development
- Public Facilities



We've carried forward your Overlay and Special Districts for historic preservation. Mission Road which is part of an intergovernmental agreement, so we didn't want to disrupt that, that's part of your Overlays and floodplains. Rob sent me the latest state model that we're going to incorporate.

Mr. Richardson said you just have to remember that the state through FEMA tells us what floodplain regulations to adopt so that we're eligible for emergency management funds should we need them.

Mr. White said the Planned Development, we've added a district for Planned Development to make it more open-ended, but rarely used concept. We believe that the Building and Site Design Standards that are baked into all of the based districts are something that every development should use. No longer do they have to go negotiate their way through a parallel plan development process.

We also recognize though sometimes their projects are just out of the box. We need a way to process them and they need special review, so we've incorporated a Planned Development District that they could rezone to for that and the Public Facilities District that I mentioned earlier per the request of some of the commissioners that we met with the Steering Committee.



27-52 Blocks, Lots and Yards

Table 27-52-2 Block Length	
District	Block Length (max)
Countryside and Neighborhood	
Countryside (CS)	3,000'
Rural Neighborhood (RN)	3,000'
Suburban Neighborhood (SN)	1,800'
Mid-Urban Neighborhood (MN)	1,800'
Established Neighborhood (EN)	1,000'
General Urban Neighborhood (GN)	1,000'
Urban Neighborhood (UN)	1,000'
Center / Corridor	
Countryside Center (CC)	3,000'
Neighborhood Center (NC)	1,800'
Auto-Urban Center (AC)	1,800'
Regional Center (RC)	3,000'
Urban Mixed (UM)	1,000'
Downtown	
Downtown Residential (DR)	1,000'
Downtown Urban (DU)	800'
Downtown Neighborhood (DN)	800'
Downtown Mixed (DM)	800'
Employment	
Business Park (BP)	3,000'
Light Industrial (LI)	3,000'
General Industrial (GI)	3,000'

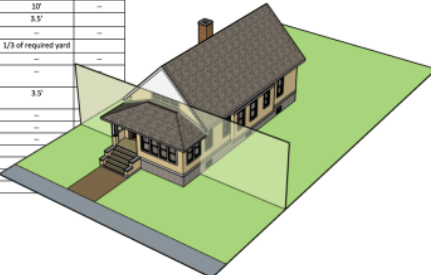


Chapter 4 or Article 4 of the Unified Development ordinance assembles all the standards that basically apply to all development in the Unified Government. We've assembled a set of Block Length Standards for example. It's a one size fits all now and here we've calibrated them to different parts of the community. If you're downtown, the maximum block length is 800, it's a lot smaller and I actually got on Google maps and looked at the downtown and measured it to see what most of the blocks are to make sure we weren't making that too strict, but that is smaller. If you're further out here in the countryside, this district could be way out in western Wyandotte County, you're doing a conventional subdivision, the maximum block length is longer, so its calibrated.

27-52 Blocks, Lots and Yards

Table 27-52-2 Yard / Setback Encroachments

Feature	Yards where encroachment is permitted	Maximum Encroachment	Minimum Setback
Arbors (maximum footprint of 80 sf and maximum height of 12 feet)	Any	--	--
Architectural projects (including sills, belt courses, cornices, buttresses, spouts/patterns, brackets, eaves, pilasters, grill work, trellises and similar ornamental or architectural features)	Any	30'	--
Basketball goal	Any	--	--
Bird houses, dog houses	Any	--	--
Canopies, freestanding	Front	10'	--
Chimneys and flues*	Any	3.5'	--
Clothes lines (up to 2 poles)	Side, rear	--	--
Decks (unenclosed) with floor surfaces up to 30" above grade	Rear	1/3 of required yard	--
Driveways	Any	--	--
Equipment, ancillary (neighborhood, corridor/center of downtown districts)	Interior Side/Rear	--	--
Fire escapes, fireproof outside stairways (open or enclosed), handicap ramps required by the building code**	Any	3.5'	--
Flag Poles	Any	--	--
Garages, attached or detached and loaded from an alley	Rear	--	--
Garage	Any	--	--
Heating and cooling units	Side, rear	--	--
Landscaping, lawns, berms, trees, shrubs, and fences	Any	--	--
Light Poles	Any	--	--
Mailboxes	Any	--	--



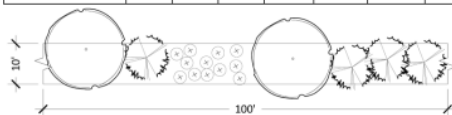

KCK ZONING CODE REWRITE

We put in some detailed standards and tables on setback encroachments, so if you want to put a front porch in, for example, you can encroach a little further into the setback but not necessarily all the way to the street. We've included that and created some detailed standards for where those encroachments can go, how far they can go, etc.

27-58 Landscaping & Tree Preservation

Table 27-58-2 Landscape Buffer Requirements

Zoning of Proposed Development	Zoning of Adjoining Property (Properties separated by a public street right-of-way are not considered "adjoining")									
	CS, RN, SN	MN, EN	GN	UN	CC	NC, AC, RC	UM, DR, DU, DN, DM	BP	LI	GI
CS, RN, SN		--	A	B	B	B	--	C	C	C
MN, EN	--		A	B	B	B	--	C	C	C
GN	A	A		B	B	B	--	C	C	C
UN	B	B	A		--	--	--	C	C	C
CC	B	B	B	A		--	--	C	C	C
NC, AC, RC	B	B	B	--				C	C	C
UM, DR, DU, DN, DM	--	--	--	--				--	--	--
BP	C	C	C	C	C	C	C		--	--
LI	C	C	C	C	C	C	C			--
GI	C	C	C	C	C	C	C		--	



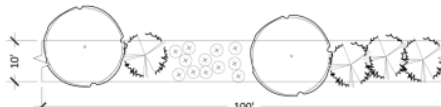
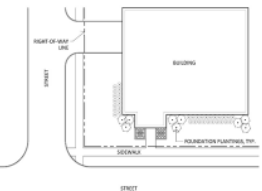
KCK ZONING CODE REWRITE

We had a landscape/architectural firm that's part of our team that helped put together and assemble a new set of landscape requirements where the buffer requirements and your minimum landscaping and etc., and again, vary by where you are in the community. Your most urban places have very little landscaping and buffering because they need more of their site for buildings, sidewalks, and urban plaza's and things like that.

27-58 Landscaping & Tree Preservation

Table 27-58-2 Landscape Buffer Requirements
(Properties separated by a public street right-of-way are not considered "adjoining")

Zoning of Proposed Development	Zoning of Adjoining Property									
	CL, RN, SN	ML, EN	GN	UN	CC	NC, AC, RC	UM, DR, DU, DN, DM	BP	LI	GI
CL, RN, SN	—	—	A	B	B	B	—	C	C	C
ML, EN	—	—	A	B	B	B	—	C	C	C
GN	A	A	—	B	B	—	—	C	C	C
UN	B	B	A	—	—	—	—	C	C	C
CC	B	B	B	A	—	—	—	C	C	C
NC, AC, RC	B	B	B	—	—	—	—	C	C	C
UM, DR, DU, DN, DM	—	—	—	—	—	—	—	—	—	—
BP	C	C	C	C	C	C	C	—	—	—
LI	C	C	C	C	C	C	C	—	—	—
GI	C	C	C	C	C	C	C	—	—	—

KCK ZONING CODE REWRITE

Further out again, we have a lot more green space. So, this again is calibrated to the context of the community. We encourage more—even in a suburban setting, we encourage better connection between the buildings and the street and ways to walk around.

27-59 Parking and Loading

Table 27-59-1 Parking Ratios

(A) Use	(B) Min. Spaces Required	(C) Max. Spaces Allowed
Adult Restricted Business	—	—
Liquor store	2/1,000 sf	4/1,000 sf
Sexually-oriented business	4/1,000 sf	8/1,000 sf
Tobacco store/smoke shop	2/1,000 sf	4/1,000 sf
Automated Services	—	—
Kennel	3/1,000 sf	—
Veterinary clinic	3/1,000 sf	—
Day Care	—	—
Child Care	2.5/1,000 sf	—
Financial Services	—	—
Automated teller machine, stand alone	—	—
Financial institution	2/1,000 sf	4/1,000 sf
Food & Beverage Sales / Service	—	—
Bar	3/1,000 sf	14/1,000 sf
Farmers' market	—	—
Food preparation	2/1,000 sf	—
Grocery	3/1,000 sf	—
Food truck / mobile vending	—	—
Restaurant	3/1,000 sf	17/1,000 sf
Restaurant, drive-in	4/1,000 sf	8/1,000 sf
Restaurant, drive-thru	8/1,000 sf	12/1,000 sf



Table 27-59-3 Parking Reductions for Shared Parking Lots with Varying Peak Use Periods

(A) Land Use	Weekday		Weekend	
	(B) 9 a.m. – 4 p.m. Daytime	(C) Evening (6 p.m. – midnight)	(D) Daytime (9 a.m. – 4 p.m.)	(E) Evening (6 p.m. – midnight)
Office / Employment	100%	10%	10%	5%
Retail	60%	90%	100%	70%
Hotel	75%	100%	75%	100%
Restaurant	50%	100%	100%	100%
Entertainment / Commercial (other)	40%	100%	80%	100%

KCK ZONING CODE REWRITE

The parking and loading, as I mentioned earlier, we calibrated that and reduced the standards across the board to both reflect what's in the latest version of ITE's Parking Generation Standards, but also to fit the context of the more urban areas of the community. Again, some of these uses have maximum as well as just minimum spaces along with encouraging shared parking for different uses.

Mr. Richardson said ITE is Institute of Transportation Engineers, so we use their standards for all of our traffic generation studies for traffic studies and this is a similar type of document for parking. Some of them would have had us raise our parking standards for some uses, but we've been able to accommodate them within our current parking guidelines so far, so we didn't raise any of them. In general, the parking requirement will be going down across the board because we didn't raise anything, and we lowered most of it.

Commissioner Philbrook asked didn't I just hear you say right at the end that is going to be part of the combining use of parking for entities instead of each entity having to have a certain number. **Mr. White** said right. We put in some regulations to make it easier for people to share parking. Like if you have a church that meets once a week and you know you've got a resource, maybe that commercial area down the road could use your parking spaces. That's a win-win. That commercial retailer can work with the church to get the spaces without having to build new ones. The church gets revenue and we don't have to look at a giant parking lagoon. Now, we're recycling those spaces over time when they're needed so it creates that way to recycle those spaces.

The same with on-street parking. You have on-street parking now. It's kind of restricted so we've opened it up to everyone but maintain there is a restriction on uses that are open like all hours of the night and that serve alcohol and those can't necessarily take advantage of that. That's an existing restriction. If you all think it needs to be lifted, I'm happy to take it out, but we left that restriction in otherwise it's open to anyone who wants to use off-street parking that is accessible to their site.

Mr. Richardson said we allow shared parking now, but it requires you go back to the Planning Commission. This gives us a way to do it administratively which will be faster and easier. **Mr. White** said it's something we would love to see happen.

27-60 Parks/Open Space/Civic Space Standards

Table 27-60.1. Quantifying Parks/Civic Space		
Category	Description / Standards	Metric
Site Improvements		
Parking lot	Landscaping consisting of green infrastructure (see *****) or a landscaped walkway with landscaping and stormwater management of at least 10 feet in width that connects sidewalks to the front building entrance or the store side.	0.6
Stormwater	Stormwater management features that comply with **** and are designed for recreational use or as a management amenity, and that: (1) comprise at least of at least a 5 contiguous acres (2) cannot be inundated and unusable for their designated recreational or open space purposes, and (3) are capable of draining within 24 hours during a 24-hour storm event, and (4) are constructed of natural materials with fencing, berms or contouring to naturalize and enhance the aesthetics of the features, and with maximum slopes of 2:1.	0.5
Common Open Space		
Natural Area	An area established to protect natural attributes of local, regional, and statewide significance, which may be used in a sustainable manner for scientific research, education, aesthetic enjoyment, and appropriate uses not detrimental to the primary purpose. These areas are resource rather than user based, but may provide some passive recreational activities such as hiking, nature study, and picnicking. Natural Areas may include riparian buffers, floodplains, or natural wetlands visible from walkways provided in and through the natural area.	0.75
Greenway	A series of connected natural areas (including areas protected by state or federal law) such as ravines, creeks, streams, woodlands, floodplains, or protected tree canopy that connect buildings or gathering spaces with trail systems, or that buffer the site from streets or neighboring areas.	1
Community Garden	A site operated and maintained by an individual or group to cultivate trees, herbs, fruits, vegetables, flowers, or other ornamental foliage for the following uses: personal use, consumption, donation or off site sale of items grown on the site.	1
Amenity	Open space areas improved with playground equipment or other active open space improvements as described in subsection D below. These may be surrounded by street frontages and building frontages, but this is not required.	1
School site	A school or library site, including accessory outside hard surface recreational areas and excluding the area devoted to buildings.	0.75
Historic	An historic property located in a common open space and open to the public.	1.1
Civic Spaces		
Plaza	An open area with seating that is adjacent to, or part of, a building. Plaza function as gathering places and may incorporate a variety of non-pedestrian activities such as vendors and display stands. A plaza requires a minimum depth and width of 10 feet and a minimum total area of 300 square feet.	1.1
Square	Areas that are improved with a combination of lawn, landscaping and seating areas, and that are accessible to the public or the project's tenants or customers. A square is: • Bounded by streets on at least one side and pedestrian walkways on at least 2 sides, or • Not bounded by streets, but accessible to the public.	1.1
Courtyard	A courtyard is a contiguous open area, open to the public, that: • Is surrounded on at least two sides by building walls with entryways. • Is at grade.	1
Green	A common open space available for unstructured recreation, its landscaping consisting of grassy areas, trees, shrubs, and other landscaping.	1

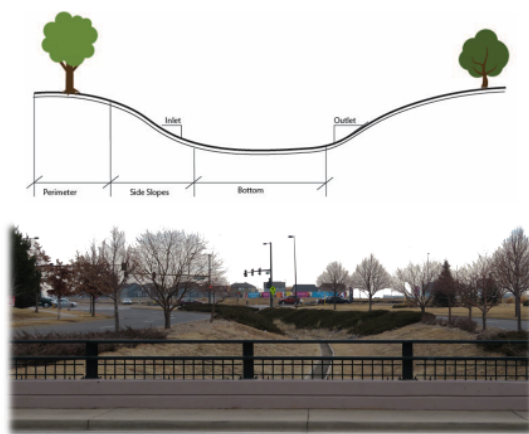


Mr. White said for Parks and Open Space; the City-Wide Master Plan, I think most of your area plans talk a lot about increasing and allowing for and getting more open space mixed in with new development. I know the City-Wide Master Plan talks about something called conservation subdivisions where you may have the same number of dwelling units that you have in a conventional subdivision but they're on smaller sites reserving the rest of the site for natural features and so forth. Obviously, that concept wouldn't work downtown. You would still have the space for it so what we did here was create a menu of what we call Parks and Open-End Civic Spaces.

So, an urban Plaza, for example, may be small and intimately scaled but walkable to everywhere around it. You can do that downtown, you could even do, Zona Rosa is an example of a newer development in the Kansas City region that does have a civic space, but they have a lot of natural open space. That's not what you're looking for in that context, but in a conventional subdivision, you want more of this, you want more of the large scale natural preservation. You know, preserve some of the beautiful hills and woods and things that you have, but also make that an amenity for development where kids can ride their bikes. That's actually my daughter in the subdivision where I live. Our developer had enough foresight to preserve the areas around the streams in our community and preserve a large amount of our subdivision for that, but you know, again, that's not something that would be available to somebody who has a smaller site in a more urban setting.

We set up a menu, calibrated the amount of open spaces required based on that and even created some calculators and multipliers based upon whether you're urban, suburban or rural to make that easier.

27-62 Stormwater Management



Stormwater Management; there is some language in your existing code that talks about stormwater features, basins, and things like that being an amenity, but it's somewhat wide open. We wanted to add some clarity to that, but for the basic stormwater capacity, that's going to revert to your existing technical standards. **Mr. Richardson** said one of the things that we've experienced is that sometimes the low point of the development where the stormwater retention needs to be is also the most publicly visible part of it. If you do steep sides on it, it becomes hard to maintain and it gets trashed and collects trash and becomes an eyesore and a code enforcement issue. If you develop them more like an amenity, they're easier to maintain and they don't gather the trash and they don't become an eyesore so that's what we're moving towards here.

Mr. White said they don't become barriers to pedestrian movement either. This is a subdivision near the Denver International Airport in the middle of winter and you can see, they did a nice bridge, they landscaped the sides and made it—you know it's an amenity. They plant trees around it and if you can make it look that way in Denver, think about how much nicer it would be here.

27-63 Streets

	Thoroughfare			Collector		
	Class A	Class B	Class C	Standard Collector	Parkway	Boulevard
Zoning Districts / Standards	Any	Any	Any	Any	Any except Downtown, UN, UM	Any except CS, DM, any CC, or RN
ROW width (min)	120'	100'	80'	60'	200'	130'
Travel Lanes (max)	6	4	4	2	4	4
Travel Lane Width (min)	13'	11 feet	13'	13'	13'	11'
adjacent to curb	12'	10 feet	12'	12'	12'	10'
not adjacent to curb	--	--	7'	7'	--	7'
with parallel parking	--	--	angled 45°, 18 feet	angled 45°, 18 feet	--	angled 45°, 18 feet
with head-in parking	--	--	angled 45°, 18 feet	angled 45°, 18 feet	--	angled 45°, 18 feet
Other Elements						
Grade (min)	0.5%	0.5%	0.5%	0.5%	0.5%	0.5%
Grade (max)	6%	6%	6%	6%	6%	6%
Intersection spacing / block length (min/max)	1/3 mile ¹	1/3 mile ¹	1/3 mile ¹	Sec. 27-52	Sec. 27-52	Sec. 27-52
Horizontal Curve Radius (min)	500'	500'	500'	200'	200'	300'
Curb radius (min)	25'	25'	25'	25'	25'	20'
On-street parking	--	parallel	parallel	parallel or	parallel	parallel or



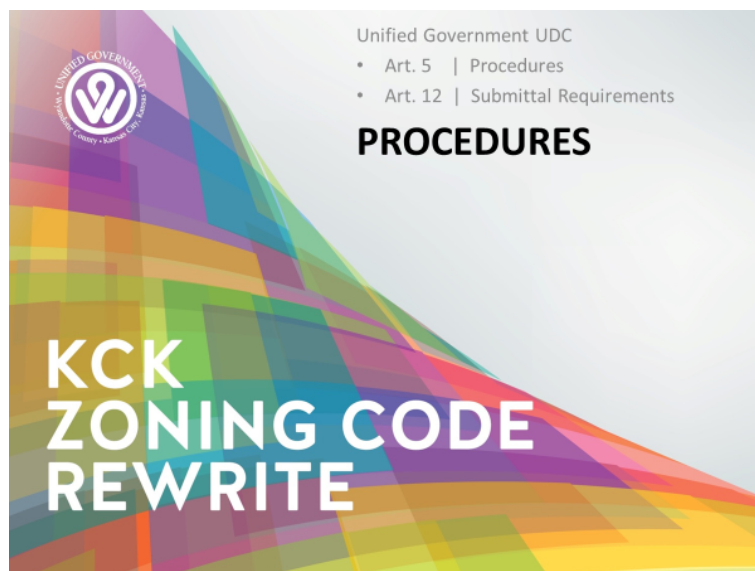
KCK ZONING CODE REWRITE

Street Design, that's my own opinion. Other than the mountains, come on we're a lot prettier than Denver, aren't we, I think. Street Design, again, we added some geometric standards to accommodate all different contexts and instead of just using your traditional engineering language in designing this, nothing against engineers, but we also created some sort of design-based standards like parkways and boulevards and main streets that—kind of the name tells you what these things are going to look like. The main street is going to have buildings, you know, right up to the sidewalk even in a suburban area in the context like Zona Rosa. The buildings are connected to the sidewalks, there are trees, things like that, that's a main street or a boulevard, those sorts of things which would be nicely landscaped but it's more of an arterial or collector road, so we've got standards that reflect that as well for sidewalks, again, to make sure that sidewalks aren't just big slabs of pavement.

What a lot of communities are going to is the sidewalks have what's called a planning or furniture zone in them. That's where you see places for people to sit, your lighting and so forth, your pedestrian clear zone so there is enough room for people to walk and then your frontage zone where sometimes people put things out to sell and so forth. Again, this is a Zona Rosa type development that's in the Philadelphia area and even there that's something you can do and this development, as you can see, has apartments, it's got a grid of streets but also a lot of retail so that's something you could do in the urban mixed district.

Mr. Richardson said one thing on some of these technical standards, we still need to go back with Public Works and Fire on some of these, so there's some technical review to go on some

of these to make sure that we're not violating some other standard. Mark does this a lot, so I think we're probably okay, but we just want to make sure with these codes and, of course, next year we plan on updating our Building & Fire Codes so we want to make sure that we're coordinating with all that as we move forward.



27-71 General Procedural Requirements & Authority

TABLE 27-71-1 Summary of Procedures									
R = Review/Recommendation, D = Decision, A = Appeal, * = Required									
Application Process	Pre-application Conference	Neighborhood Meeting	Acting Body				Notices		
			Staff	PC	BC	BZA	Pub.	Mail	Sign
Rezoning - Conventional	*	*	R	R	D		*	*	*
Rezoning Planned	*	*	R	R	D		*	*	*
Preliminary Plan	*	*	R	D			*	*	*
Final Plan			D	A	?		*	*	
Development Plan			D	A					
Zoning Text Amend			R	R	D		*		
Comprehensive Plan Amendment	*	*	R	R	D		*	*	*
Subdivision - Preliminary Plat	*		R	D				*	?
Subdivision Final Plat			R	D				*	
Special Use Permit	*	*	R	R	D		*	*	*
Variance	*	*	R			D	?	*	*
Interpretation			D			A	?	*	



On processes we've assembled all of the processes into one part of the code which you've largely done today, and we carried forward—you've got a table of procedures which you had already done which is good. We're trying to streamline things. The Preliminary Plan, for example. This would go now to the Planning Commission and we're discussing whether it would come to you all as the

elected officials. My preference would be to have the Planning Commission just make the decision. That would streamline development and so forth and save you all time so you can focus on policymaking and that sort of thing.

The preliminary plat, again, looking at whether we need to continue doing signage for preliminary plats. That part of it doesn't specifically deal with uses and then interpretations. We got a formal interpretation process now that we built into the code where if something becomes unclear, there's some new use that, for example, that nobody is thinking about here in year 2019. Ten years from now there is some new thing that people are doing, you haven't amended your code yet, somebody wants to know where to put them; Rob would decide okay, looking at the use table and all that, what use is it most like. So, he would write an interpretation. This would also give the person maybe the opportunity to appeal that to the Board of Zoning Appeals if they disagree with what Rob decided here.

Mr. Richardson said one other change, it's a big change, is that on the final plan—right now the Planning Commission approves that. This would make that a staff level approval, final plans. In 15 years, we've had one issue that I can recall in the final plan at your level and probably a couple dozen that would have gotten appealed from the staff from that, so I think it makes sense to make that more administrative and save everybody time given the number of occurrences of dispute we've had in that period of time. **Someone** was inaudible. **Mr. Richardson** said oh yes, yes, because you could apply for your building permit and your plan review at the same time through DRC and that would save you 45 days at the final plan. If you take the Board of Commissioners off the preliminary plan, that would cut 17 days off that process. That will make it 45 instead of 60 so then you don't have a process, so we've really cut that part down a lot. Now, that puts a lot of your faith in the planning staff and the Planning Commission to make those decisions, but that's where we're headed with this. We thought that focusing on reduction of the timing in the process was very important. We heard that a lot and this what we think is the best way to do that.

Commissioner Bynum asked if that's adopted in that fashion, keeping in mind that we are shortening processes, which I do appreciate, maybe during that staff portion of the process you could at least make sure that the in-district and At-Large Commissioners are apprised of what you're doing so that we're not told about something that someone might be unhappy about after

the fact and then we're coming to you and now we're slowing that back down again. Maybe if you engage with the elected during and then if there are issues, they can be resolved in the during process rather than the end. **Mr. White** said there will be a notification. **Mr. Richardson** said whenever we do a notice, we include the in-district and the at-large and the Mayor, I believe, on all those, but it's just that paper notice, but I think you're wanting more than that from what I'm hearing. **Commissioner Bynum** asked what do you mean whenever you do a notice. **Mr. Richardson** said you know it's the—**Commissioner Bynum** said you mean the—**Mr. Richardson** said it's the official legal paper notice. You're talking you want something more than that. **Commissioner Bynum** said yes, if it's a final plan. **Mr. Richardson** said you want to be able to see the plans and more—**Commissioner Bynum** said something. **Mr. Richardson** said okay, we will have to put our heads together on that.

Mr. White said there could also be something done at the neighborhood notification level too. We still have the neighborhood premeeting and that notice could go out to the commissioners as well and that's the best time to do it because that's your opportunity to make real changes. It gets harder for the applicants once they've gotten each step of the process. They've made a lot of investment and if something blows up at the end, it's harder for them to go back and just change everything, so if the commissioners could get involved as early as possible, I think it's probably better for the applicants, I would think. **Mr. Richardson** said okay. We will work on that because I think you want more direct contact than just a letter from the Planning Department.

27-71 General Procedural Requirements & Authority

Table 27-71-2 Common Procedural Elements	
Element	What does this mean?
Applicability	The type of development or situation that is subject to the process.
Initiation	This is how the applicant begins the process, including which department or official receives the application.
Completeness	This is how the Unified Government determines that the application has sufficient information to be processed.
Notice	This describes the type of notice, and how it is provided.
Decision	This states who approves the application, and the type of proceeding that leads to the decision.
Approval Criteria	These are any standards that apply to the application. All applications are subject to this Chapter and zoning district regulations.
Subsequent Applications	If an application is denied, some processes have a waiting period before that type of application can be re-filed for the property.
Appeals	This provides a way to review an application that is denied, or that have conditions that the applicant disagrees with.
Scope of Approval	This states the activities that the application authorizes. For example, some approvals send the applicant to the next step in the overall process, while others authorize construction or use.
Recordkeeping	This states how the formal decision of approval is maintained.



Mr. White said we've also done for each of the processes we've written them, so they flow exactly the same way. Each one tells you first of all what situations require somebody to go through this process, how they get the application filed, how the Urban Planning & Land Use determines whether all the information was included that you need to make the decision. If it requires notice, what kind of notice, when it has to be provided, etc., who makes the decision and how, if it requires a public hearing or not, for example; if there are any special criteria for approval of that application, if there is a hold, for example, if that application were denied or withdrawn or something, do we have a holding period. Sometimes it's six months before you can come back. That way people don't just subsequently reapply the next day and try to get a second bite of the apple. I've seen that happen—**Mr. Richardson** said currently that length of time is a year. **Mr. White** said right, who you appeal to and how that's done if you disagree with the decision, what that decision allows the applicant to do. Does that mean you start construction or go apply for a building permit or does that just send you, for example, for the preliminary plan. Does that just send you to the next step of that process and how you keep track of the decision. Each and every section has that workflow.

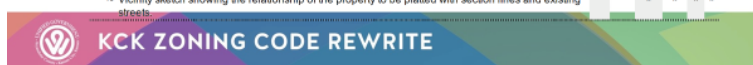
That also allows you if you have a new process in the future too that you wanted to add, I'm not encouraging you to do that by any stretch of the imagination, but now you've got a template that you can follow so you know you've hit every point that needs to be hit when your writing the procedural section of the ordinance.

ARTICLE 12 SUBMITTAL REQUIREMENTS

27-197 Application Checklists, Table 27-197-1

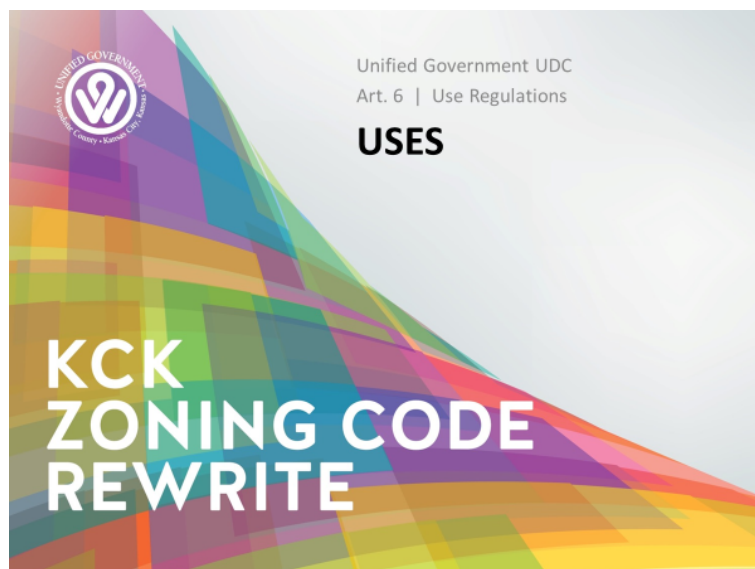
* = required
R = reviewing agency may require the information on a case-by-case basis

General	Rezoning	Special Use Permit	Site Development Plan-Preliminary	Site Development Plan-Final	Plat-Preliminary	Plat-Final
¹ A statement clearly identifying the type of application (e.g., a preliminary plat).					*	
² Date of preparation.	*	*	*	*	*	*
³ The name of the subdivision.					*	*
⁴ The name of any adjacent subdivisions.					*	
⁵ Legal description of the property.					*	*
⁶ Names and addresses of owner, applicant and agent.	*	*	*	*	*	*
⁷ Names and addresses of developer and registered surveyor, land planner, licensed professional engineer and/or architect in the state preparing the plan, plat or application.	*	*	*	*	*	*
⁸ A statement of the reasons why the application is requested.	*	*	*			
⁹ An affidavit certifying the date and contents of any required notice to surrounding property owners or neighborhood associations. (Neighborhood meeting)	*	*				
¹⁰ The minutes of any neighborhood meeting(s) (Sec. 27-74).	*	*				
¹¹ A preliminary development plan with technical studies as determined by the director (see category listed below).	*					
¹² Scale (the scale to be shown graphically and in feet per inch), north arrow and date of preparation, and if applicable the dates of any revisions.			*	*	*	*
¹³ Legend and controlling physical features such as watercourses, highways and railroads.						*
¹⁴ A key map showing the location of the proposed subdivision or development referenced to existing or proposed streets and to section lines.			*	*		
¹⁵ Vicinity sketch showing the relationship of the property to be platted with section lines and existing streets.			*	*	*	*



As I also mentioned too, we've assembled—a lot of this material you see scattered here and yonder in the code, it makes it longer and nobody really cares to read it, but it's the checklist of information you have in applications. We've assembled this all in the back of the ordinance and this will be in the codified ordinance. It's also on a spreadsheet that I put together, so if you're doing a rezoning, for example, this will tell you that you have to have this, date of preparation, names and addresses, etc. This is all kind of assembled in the back in one place.

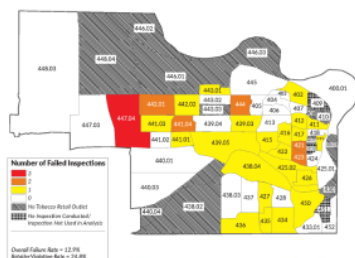
Mr. Richardson said right now that's in probably four, maybe five, places in the code and you don't really get that assembled list until you get to the application so at least if you're looking at the zoning code, it's there for you and the applications will mimic the zoning code.



27-104 Adult-Restricted Business

Table 27-104-1 Adult-Restricted Uses		
Use	Where Permitted	
	By Right	Special Use
Liquor store	--	NC, AC, RC, UM, DM, BP, LI, GI
Sexually-oriented business	RC, GI	--
Tobacco store/smoke shop	AC, RC	CC, NC, UM, DN

Figure ES-1: Number of Failed Inspections in Tobacco Retail Outlets by Census Tract, Kansas City, Kansas, November 2017



Mr. White said as far as specific uses that we're asked to address, one was things like tobacco stores and smoke shops. There was heat map study that was done of places in Wyandotte County that have a high concentration for example of smoke shops. The liquor stores, you have existing regulations and, of course, what you now call adult businesses. We changed the language to sexually oriented businesses to first of all be a little more precise about what we're talking about and also to build in—but also some of the concepts that relate to how you regulate these also were applicable to this. Anyway, we assembled those regulations.

27-111 Short-Term Rentals

- 1 host 1 home
- Density
- Rental occupancy
- Operating requirements

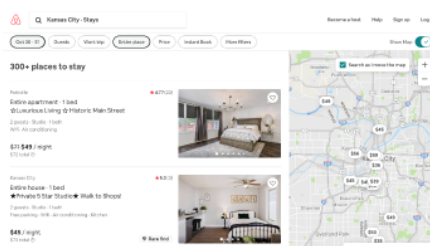


Table 27-111.1 Non-Owner Occupied Short-Term Rental Density	
Total Number of Units in the Building	Permit Density Threshold
5-7 units	One (1) non-owner occupied short term rental unit
8 or more units	One-eighth (12.5%) of the total number of units on than same land, lot or parcel



The short-term rentals; we incorporated what's called a one host one home concept where you're treated differently if you have your own house you just 30 days out of the year, for example, during the summer you're going to be away and you want to put it on Airbnb and let somebody rent your house, that's going to be an administrative thing. You don't have to go get a special use permit for that anymore and there are standards for that. If you buy three or four houses and the only reason you bought them is to have short-term rentals, you're sort of like a landlord now. There's a density restriction on those and that does trigger the special use permit process in residential neighborhoods and so there are some operating requirements and so forth.

At my last meeting I got some detailed comments from one of the commissioners who is in that business, but also is very sensitive to the impacts and potential impacts of short-term rentals on neighborhoods. **Mr. Richardson** said when he said commissioner, I think he meant Steering Committee member. **Mr. White** said Steering Committee member. **Mr. Richardson** said I think this is very apropos to an email I got from Commissioner McKiernan this morning. I think this is exactly what you were talking to.

Commissioner McKiernan said it is exactly and actually this leads me to a question that I've had. Is it possible to get the draft version of this to just leaf through and begin to emerge myself in? **Mr. Richardson** said once we have the complete draft and I've been through the complete draft as a draft and we make those changes, we will get that out as soon as possible. It will probably be a couple weeks before the public meeting. We want to have it that week we have the public

meeting, January 29th, we will probably have it two weeks before that for everybody on the website, paper and electronic copies to you all, the Planning Commission; that way there's about a month—hopefully, a little bit more than a month before it goes to the formal hearing with the Planning Commission for everybody to start making comments. **Commissioner McKiernan** said because I think this in particular will be germane to the discussion I anticipate having tonight.

Mayor Alvey said could you explain what you are referring to, the density? Density, the number of Airbnb's or short-term rentals? **Mr. White** said correct. This is the density threshold five to seven units and eight or more. It varies by whether it's a single-family home on a block or sometimes people could use like a condo in a building, so there's a limit on those as well. This is not a hard limit. Once you hit that limit, then anyone else coming in would need a special use permit, so we've tried to be flexible that way, but it does distinguish between somebody just using their own house, again, on a limited number of days per year versus somebody just basically becoming a functional—**Mr. Richardson** said I think we even see differences if the person that lives there while they're there or they are out of town for a week and they let somebody else come into their house and how that impacts the neighborhood and what the neighborhood—is the feedback that I've received and I think some of you have received.

When I think you're talking about density, we will look in an area and the density within that area and set that area and then the density would apply to an area. We can calculate that using the JIS system.

Commissioner McKiernan said that's actually a question that I've gotten from many different people in many different neighborhoods. Is there a density above which there's diminishing returns on investment? **Mayor Alvey** said a deleterious effect on the neighborhoods. **Commissioner McKiernan** said exactly. So, I think it's great to have this conversation because as of right now we don't have any sort of density guidelines for a neighborhood or for a geographic area and although there are cons to having them, there could also be some pros to having those as well.

Mayor Alvey asked is there any consideration given—let's say we have an applicant who has multiple applications for Airbnb's across the city. Obviously, this is not—this is my home, I don't

have seven homes and I'm moving around and renting out for a week at a time that short-term rental, but really it's an investment on their part. At what point does it then move into you're really a hotel, you're acting as a hotelier. Is there a different set of regulations for them? **Mr. Richardson** said we definitely have two or three of those and probably two or three more that want to be more like that. I think that's where the density comes in and they would have to pick their areas. I don't know how we would—if it's a short-term rental, it's a short-term rental. We kind of have to treat them all the same and create a set of regulations that works for that issue within the rest of it and that might be the density issue, or we might have a maximum number you can own, but they will just change the LLC name. It might be the same person, but they can have 50 LLC's and we would never know.

Mr. White said the distinction we've made here is owner versus non-owner occupied. If I live at that house, I'm treated a lot more—you know I just need administrative approval. In fact, not even that really, I just register. If I go buy a house, I don't live there and I use it, that's when we treat them like hoteliers and there's a limit. In our draft ordinance it's 12.5% of a block face that's a maximum that we would allow. Again, that's up for discussion. It's not a magic number and that could go up or down depending on what we hear. We felt like we had to set it somewhere otherwise you could have an entire block that just becomes nothing but short-term rentals and absentee landowners or landlords. **Commissioner Walters** was inaudible. **Mr. White** said they could, but I think the rationale here though is short-term rentals and that whole industry has become such a thing around the country. I mean without these regulations I think the risk is greater that could happen just because this is an industry that is so common now everywhere.

Mr. Richardson said I don't think that we've heard even from the folks that are in the short-term rental business that they want unlimited create a whole block of short-term rentals. I don't think I've even heard that from any of our STR folks. Most of them don't want to convert the neighborhood or a street or a block face completely to short-term rental. I think Kansas City, Missouri might have had some of that with apartment buildings where they want to do the whole apartment building as short-term rental, but I don't recall having somebody say we want it to be easier, we would like to have no regulations, but we haven't gone to the extent of we want them everywhere all the time. We haven't heard that from the community in any way or the folks on the Steering Committee.

Mr. Richardson said we've got about seven or eight more slides and I think 15 minutes left, so it's up to you all how we go through that.

Commissioner McKiernan said I was just going to say to Commissioner Walters point, you're absolutely right. Everyone of those could be a long-term rental and the challenges we're facing with the short-term rentals are in many cases identical to the challenges we face with long-term rentals and even on our occupied properties. It's an issue of not being a good neighbor, not following the set ordinances and codes. Those are the problems we have and it kind of blends across all different types of housing arrangements. **Someone** was inaudible. **Mr. Richardson** said we can look into that. **Mr. White** said long-term rentals are more or less semi-permanent residents at least. The short-term rentals, you know, it's basically a hotel. They come in, I'm here today, I'm gone tomorrow and the complaint in court cases and this is contested a lot now in other communities that have gone around the horn on developing regulations like this. One of the common complaints you'll get is that, even here I think at one of the meetings, was people will rent these out just for parties or something, so that's the concern. It's probably more of a concern if I just bought the house to do this business, I don't probably care as much about the neighbor whereas if I lived there and my tenants have a party, my neighbors are going to tell me about it and they're not going to be happy, so I think there's an inheritance incentive for people that actually live in the house to take better care of it and make sure it's not used—**Mr. Richardson** said we have some very poor long-term landlords that don't care.

27-116 Tiny Homes

Permitted by Right		
MN, EN, GN		
Accessory Use		
CS, RN, SN, DR		

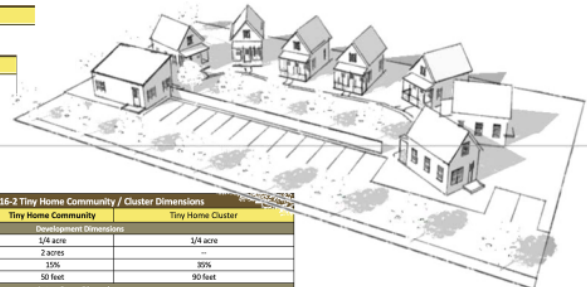
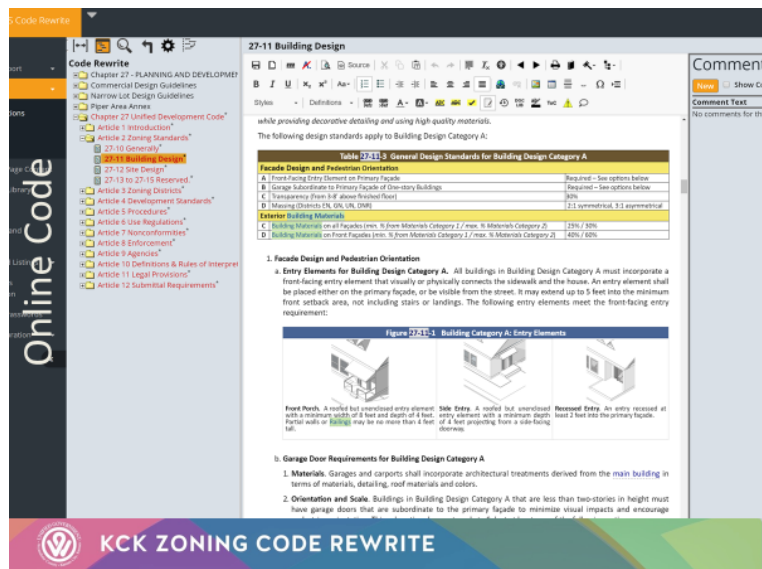


Table 27-116-2 Tiny Home Community / Cluster Dimensions

Standard	Tiny Home Community	Tiny Home Cluster
Parcel Size (min.)	1/4 acre	1/4 acre
Parcel Size (max.)	2 acres	---
Open Space (min.)	35%	30%
Frontage (min.)	10 feet	90 feet
Lot or Space Dimensions		
Lot or Space Area (min.)	1,000 sf	---
Lot Width (min.)	25 feet	---
Front Setback (min.)	10 feet	10 feet
Street Setback (min.)	15 feet	10 feet
Interior Side Setback (min.)	5 feet	5 feet
Corner Setback (min.)	10 feet	10 feet
Rear Setback (min.)	10 feet	10 feet
Building Spacing (min.)	---	15 feet front-to-front; 10 feet elsewhere



Mr. White said tiny homes is another thing we've contemplated in this new ordinance. It's a separate use. It's something we've seen more of around the country. I think the latest version of the Building Code, it's not the one you all adopted though, has a provision and it's just for these. As we know there's the Veteran's project that was done on the Missouri side of the state line that you know serves an important public service. It provided housing for homeless Veterans which I think everyone would agree is a good thing, but like anything, it needs to be controlled in terms of its density, how it's developed, that it's not something that is detrimental to the neighborhoods around them. We distinguished communities are just small clusters of tiny homes as well as even outside of this, the cottage home concept where you could build a small cluster of homes around a common open space. It's something you see around the country. It's just a more affordable form of shelter where people can live in space of their own. We set up density minimum open space requirements and things like that and we will make sure—Rob asked me today to make sure we have sidewalk requirements, that sort of thing, the street design and stuff like that is adequate as well.



Mr. Richardson said you're back to me on this one I think. We're writing this Municode and using Municode for this or enCode so it's two systems we already have so this will translate right on into our system that we already have with Municode so all the graphics and all the charts and tables will flow right in. We know what they're going to look like in advance, so we won't have any issues with what we see in the paper version and the online version. They will fit together. We've tested it and we know that those work.

Future Process

- **January 29, 2020** Last Public Meeting prior to Public Hearing
- **February 10, 2020** Planning and Zoning Commission
- **February 27, 2020** Board of Commissioners
- Draft code distribution early January
- Planned Review cycle Summer 2021 with amendments in fall of 2021



Mr. Richardson said for the future process we will have a last public meeting tentatively that week of January 29th. February 10th and 27th are our Planning Commission and Board of Commissioner dates that we're shooting for right now. Mark and I have talked about that and

think we can hit that. We just mentioned that we would distribute the draft of the code to everyone in early January and then I think one thing that's important, and like what we did with the sign code, this is a very large document. When you get it in paper form, you will be impressed by the weight. I'll ask you how you want it and then we will get it to you however that is. It's a big document and Mark is very good. It will have been through a lot of review. Like with the Sign Code, there will be some things that we didn't anticipate. The size of signs that churches and schools wanted, we just missed it.

We're going to plan a review cycle with you all, the Planning Commission, the Steering Committee for the new Planning Director in the fall of 2021. **Someone** was inaudible. **Mr. Richardson** said I will note that a couple of those items on one of Mark's slides about the Ombudsman and some of the process linkages, my new position might be working on that already. Some of those comments we're already working towards, but I think when we go through the code and you know there's a lot of detail to it and even if all of us looked at it and read it five times, in a year we're going to find stuff with it, and we should have done that a little different.

I just want to be clear that it worked great with the Sign Code. The people on the committee were happy. We went back to them and asked them, and they said yep, we need to change—really I think that the people we asked had two changes and the staff had three or something like that. It was a good process to go through and they will be incorporated in this when it comes back forward to you all for adoption in February.

Additional Comments

Online Commenting



December 5, 2019

Mr. Richardson said we've got 10 minutes before the next meeting so we would be happy to answer any questions you have, any additional questions, or you know how to get ahold of me outside of this meeting if you have more detailed discussion that we need to have.

Commissioner Bynum said I just have one question on the short-term rentals. Do those folks also get a business license? **Mr. Richardson** said yes.

**MAYOR ALVEY ADJOURNED
THE MEETING AT 6:51 p.m.**

dt

Bridgette D. Cobbins
Unified Government Clerk