



Zoning and Subdivision Committee Meeting Agenda

COVID19 Notice: Due to an increasing number of COVID19 cases, this meeting will be virtual. Log in information for the virtual meeting is below.

Meeting Date and Time: November 17, 2020 from 5:30 p.m. to 7:00 p.m.

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Expected Attendees: Mitch Adams, Nick Engle, Everett Haynes, Scott Knebel, Robert Mendoza, Chris Mosley, Jessica Rhein, Kathy Sexton, Dan Squires, Jenny Webster

Expected Absences: None

<u>Time</u>	<u>Agenda Item</u>
5:30 p.m. – 5:35 p.m.	Meeting Notes from October 20, 2020
5:35 p.m. – 5:40 p.m.	Meeting Schedule
5:40 p.m. – 5:50 p.m.	Engagement Process
5:50 p.m. – 6:10 p.m.	Stakeholder Input
6:10 p.m. – 7:00 p.m.	Discussion Topics

Next Meeting: December 15, 2020 at 5:30 p.m.



Zoning and Subdivision Committee Meeting Notes

Meeting Date and Time: October 20, 2020 from 5:30 p.m. to 6:40 p.m.

Meeting Location: City Council Room, 661 N. Mulberry Rd., Ste. 300, Derby, KS

Present Attendees: Mitch Adams, Nick Engle, Everett Haynes, Scott Knebel, Robert Mendoza, Chris Mosley, Jessica Rhein, Kathy Sexton, Dan Squires, Jenny Webster

Absences: None

Agenda Items & Notes

I. Introductions and Purpose Statement

- Committee members provided a brief introduction.
- Purpose of committee is to discuss and develop recommendations of amendments to the Zoning and Subdivision Regulations.
- Since the committee was appointed by the Planning Commission, meetings will be open to the public.
 - Additional seating and space are required for public attendance.
 - Since it is a working committee, public comments will not be taken. Public comments on the process will occur at Planning Commission meetings.
- Preparatory materials e-mail to committee members prior to the meeting and will be posted on the City's website. They also will be printed and provided in the room.

II. Meeting Schedule

- Introduction and general discussion of meeting schedule.
- September 14, 2021 is the tentatively scheduled City Council workshop to discuss proposed amendments.
- Schedule may change if topics require additional discussion.

III. Discussion Topics

- Mixed-Use Development
 - No Questions/Discussion
- Walkable Development
 - Mr. Mosley asked if the Committee would be developing requirements in addition to allowing certain types of development. Mr. Knebel answered yes, the Committee would develop requirements.
 - Ms. Sexton asked what is the current minimum lot size. Mr. Knebel answered that the minimum lot size in the R-1 district is a 70 ft. lot width and 8,400 sq. ft. area.



- Ms. Sexton asked if a 14 – 16 ft. separation between single-family residences is a common setback. Mr. Knebel answered that is very large, most municipalities require 10 – 12 ft. separation between residences.
- Mr. Mendoza asked if the height restrictions are for both accessory and principal structures. Mr. Knebel answered that the committee would look at both.
- Mr. Adams noted that the plan suggests increasing the amount of required shade trees, which is already difficult to meet. Mr. Knebel answered that is just one of the topics to be discussed and all of them may not be feasible.
- General discussion if the committee could select major topics and implement at six months in order to allow certain types of development prior to full adoption of the amendments. It was noted that it is better to implement all the amendments together than piece meal.
- Mr. Adams asked if the topics will be reviewed in the order they appear on the agenda and schedule. Mr. Knebel confirmed they would be reviewed in that order.
- Town Center Special Districts
 - No Questions/Discussion
- Neighborhood Revitalization
 - No Questions/Discussion
- Design Criteria
 - No Questions/Discussion
- Clarify Ambiguous Code Provisions
 - No Questions/Discussion
- Streamline Review Procedures
 - No Questions/Discussion

IV. Engagement Process

- Stakeholder Input
 - General discussion on who would choose which stakeholders to contact and interview. It was agreed that City staff should decide which stakeholders to contact and interview.
- Citizen Input
 - No Questions/Discussion
- Public Information
 - No Questions/Discussion

Next Meeting: November 17, 2020 at 5:30 p.m.

- Schedule 1.5-hour meetings in order to provide sufficient time for topic presentation and discussion.
- Provide refreshments.
- Provide public notification by posting information on the City’s website.
- Determine a different room arrangement to provide sufficient space for social distancing.



Zoning and Subdivision Committee Meeting Schedule

(Meetings held in the City Council Room)

<u>Date</u>	<u>Time</u>	<u>Meeting and Purpose</u>
10/20/20	5:30 p.m.	Zoning and Subdivision Committee – Purpose, schedule, topics, and engagement
11/17/20	5:30 p.m.	Zoning and Subdivision Committee – Topics, stakeholder input, and engagement process
12/15/20	5:30 p.m.	Zoning and Subdivision Committee – Mixed-use development
01/19/21	5:30 p.m.	Zoning and Subdivision Committee – Walkable development
02/16/21	5:30 p.m.	Zoning and Subdivision Committee – Walkable development and Town Center special districts
03/16/21	5:30 p.m.	Zoning and Subdivision Committee – Neighborhood revitalization
04/20/21	5:30 p.m.	Zoning and Subdivision Committee – Design criteria
05/18/21	5:30 p.m.	Zoning and Subdivision Committee – Clarify ambiguous code provisions
06/18/21	5:30 p.m.	Zoning and Subdivision Committee – Streamline review procedures
07/20/21	5:30 p.m.	Zoning and Subdivision Committee – Review and discuss draft recommendations
08/17/21	5:30 p.m.	Zoning and Subdivision Committee – Finalize draft recommendations
09/02/21	6:30 p.m.	Planning Commission – Present draft recommendations and set public hearing
09/14/21	6:30 p.m.	City Council – Present draft recommendations in a workshop
09/21/21	5:30 p.m.	Zoning and Subdivision Committee – Review feedback from Planning Commission and City Council and develop final recommendations
10/07/21	6:30 p.m.	Planning Commission – Hold public hearing and make recommendation to City Council
10/26/21	6:30 p.m.	City Council – First reading
11/09/21	6:30 p.m.	City Council – Second reading



Zoning and Subdivision Committee Engagement Process

Stakeholder Input:

- E-mail sent to approximately 175 stakeholders in the zoning and subdivision processes.
 - Developers
 - Contractors
 - Architects
 - Engineers
 - Planners
 - Realtors
 - Sign Companies
 - Code Enforcement
 - Building Trades and Inspections
- E-mail asked respondents to identify key issues that need to be addressed.
- Stakeholder input will be sought as draft recommendations are developed throughout the process.

Citizen Input:

- Since the general citizenry is not involved in day-to-day zoning and subdivision processes and the topics to be addressed are identified in the comprehensive plan, direct citizen input will be sought on the draft recommendations (late July/early August).
- The process will be documented online and citizen input will be accepted at any time.
- Depending on the situation with COVID-19, input may have to be online only.
- Citizen input will focus on a visual preference survey of examples of projects that apply the amended regulations.

Public Information:

- Media contacts to be coordinated through Communications Division.
 - City Planner is spokesperson for the committee.
- “Current Projects” webpage under “Planning & Engineering” on the City’s website.
 - Post agendas, preparatory materials, and meeting notes.
 - Post “in the news.”
 - Host citizen survey.
- News releases, columns in The Derby Informer, and Derby News articles in advance of the citizen survey (and potentially open house) and the Planning Commission/City Council meetings at the end of the process.
- City social media posts will be used to further the reach of news releases.
- LinkedIn posts by the City Planner will be used to seek stakeholder input.



Zoning and Subdivision Committee Stakeholder Input

An email was sent to approximately 160 stakeholders comprised of developers, contractors, architects, engineers, planners, realtors, and sign installers. The email requested input regarding on any problematic or unclear provisions of the zoning and subdivision regulations and requested suggestions for how to improve land development processes. A similar email was sent to City staff in engineering, economic development, public works, code enforcement, and building trades. A total of 11 responses were received. The input received is summarized below.

- Adopt the same regulations as Wichita and Sedgwick County.
- Permit churches by right in the R-1 District.
- Eliminate or reduce parking requirements.
- Require a pedestrian circulation routes throughout a development.
- Establish an open space requirement rather than a landscaped street yard.
- Require sidewalks on both sides of all streets.
- Allow varying setbacks, lot sizes, and building sizes in residential neighborhoods.
- Eliminate cul-de-sacs.
- Reduce street right-of-way widths, especially in residential neighborhoods.
- Require raised crosswalks.
- Require public open space in dense developments.
- Require a certain percentage of residential and commercial development in mixed use.
- Preserve natural areas, especially the floodplain.
- Provide a variety of housing, including apartments.
- Combine the Planning Commission and Board of Zoning Appeals.
- Review the sign codes in Overland Park, Hutchinson, Liberal, and Topeka.
- Reduce the rear setback to 20 feet and allow decks to encroach more into the setback.
- Allow administrative flexibility in adjusting development standards.
- Remove the height and square footage limitation on house expansions.
- Increase the permitted size of accessory structures.
- Clarify the definitions of permitted home occupations.
- Review the development standards for home occupations.
- Review temporary signage regulations.



Zoning and Subdivision Committee Discussion Topics

The Vision Derby 2040 Comprehensive Plan has 53 implementation actions, and amending the zoning and subdivision regulations will address, or partially address, 19 of those implementation actions. This is to be expected since zoning and subdivision regulations are the primary implementation tools of planning and why planning is often referred to as planning “and” zoning. Rather than categorize the committee’s work by the 19 implementation actions, the work has been grouped into seven categories or “discussion topics” described below.

Mixed-Use Development:

- Allow residential uses in nonresidential districts
- Change Nonresidential Planned Unit Development District to a Mixed-Use PUD
- Create a mixed-use zoning district

Walkable Development:

- Establish maximum block sizes
- Reduce maximum cul-de-sac length
- Require more frequent neighborhood connections
- Reduce minimum lot widths and sizes
- Reduce setback requirements
- Increase permitted building heights
- Increase permitted lot coverage
- Establish parking lot design standards
- Reduce parking requirements
- Require bicycle parking
- Establish access management requirements
- Modify street design standards
- Require street trees

Town Center Special Districts:

- Create an overlay zoning district for future use in Town Centers
 - Buckner Business District
 - Park2Park Cultural Corridor
 - K-15 Area Plan
 - K-15 Business District

Neighborhood Revitalization:

- Modify R-1A zoning district
 - Allow accessory dwelling units, duplexes, and triplexes
 - Apply R-1A zoning district to the core of Derby

Neighborhood Revitalization (continued):

- Remove size and height limitations on house additions
- Modify home occupation standards
- Permit small-scale manufacturing in the B-4 district
- Permit outdoor markets in the B-4 district
- Remove sign standards exemption in the B-4 district

Design Criteria:

- Establish criteria for use of metal as a major exterior finish material
- Modify design criteria for accessory structures
- Clarify requirements for screening of mechanical equipment and trash
- Clarify pedestrian circulation requirements
- Require public spaces in large developments
- Require stormwater detention to be developed as an amenity area
- Establish design criteria for multi-family and mixed-use development

Clarify Ambiguous Code Provisions:

- Modify extra-territorial subdivision jurisdiction to reflect water services agreement
- Modify watercourse management options in reserve requirements
- Modify right-of-way requirements for collector and arterial streets
- Reference “Design Guides” in subdivision conformance with comprehensive plan
- Reduce and combine permitted uses with a focus on external impacts
- Define all permitted uses and remove definitions of uses that are not permitted
- Clarify accessory uses and structures
- Reduce setback and separation requirements for accessory structures
- Clarify temporary uses, especially permitting requirements
- Modify approach to temporary signs, especially in the right-of-way
- Establish sign standards for institutional uses in residential districts
- Clarify sign definitions and permitting requirements
- Clarify landscaped street yard and screening requirements
- Clarify outdoor storage requirements, especially the use of storage containers
- Clarify parking surface requirements, especially on gravel streets
- Modify appeal procedures for plats and vacations
- General “clean-up” amendments

Streamline Review Procedures:

- Establish “Administrative Adjustments” for development standards
- Establish “Exceptions” for development standards
- Establish “Administrative Permits” for uses
- Clarify staff roles in interpretation and administration of the regulations
- Remove sketch plat requirement and clarify platting procedures
- Make “Exceptions” for uses into “Administrative Permits” or “Special Uses”
- Put zoning and subdivision regulations in Municode
- Map Special Uses, Variances, Site Plans, etc. in GIS