



Staff Report

Planning Commission Meeting: October 14, 2019

Application:	<u>UDO19-0005: Unified Development Ordinance Amendments</u>
Applicant:	City of Olathe, Public Works – Planning Division
Staff Contact:	Zachary Moore, Planner II

Staff has recently been working on a rewrite of Chapter 18.15 of the Unified Development Ordinance (UDO), pertaining to building and site design standards (UDO19-0001) and other associated housekeeping items. The screening and lighting requirements were previously provided to the Planning Commission in April 2019 as part of the rewrite to Chapter 18.15, however, staff determined that it was more appropriate to locate these items in another chapter and are being presented now.

Included in this update is also proposed language pertaining to parking for truck trailers when a facility is gated. Draft language for this update was provided to the Planning Commission on July 22, 2019. However, staff requested the update be held to a later date to allow more time to collaborate with industry representatives. From these discussions, staff reviewed the Section further and revisions were made.

Lastly, while preparing the draft for the identified updates in Chapter 18.30, additional opportunities emerged for several housekeeping updates. These updates will help increase clarity of existing standards and improve readability for the reader.

Below is a detailed summary of each updated UDO section prepared by staff. As mentioned above, updates pertaining to screening and lighting were previously presented to the Planning Commission during workshops in April 2019. A redline version of each update is also attached to this report.

UDO AMENDMENTS – SECTION ONE: DEVELOPMENT CRITERIA

The following updates are those addressing development standards. These updates will help to provide clear and transparent expectations for applicants and property owners. It will also aid staff in our reviews so that information is more readily accessible and to improve the readability for the public.

1. Section 18.30.130.I, Development Standards - Landscaping, Buffers and Screening (Screening)

Recommendation: Update screening section to include rooftop equipment.

Reason: Currently, screening requirements for rooftop equipment is in Section 18.15 Building Design Standards. As part of the UDO rewrite for building and site design standards, staff identified that these requirements are more suited to be located with the screening section of the development standards. This will guide readers to one Section of the UDO for all screening requirements.

Recommendation: Include new language for screening of trash enclosures and other containers.

Reason: Enclosures currently state material requirements for screening on all four sides. However, current standards do not provide the reader with a clear understanding of what type of material or style the enclosures should be designed to. Staff is adding language to state the materials used must be compatible with the principle building architecture and color. Updates to this section also include identifying enclosures to be incorporated into the principle building or located in the rear portion of the site.

Recommendation: Add language to clarify expectations for identifying mechanical equipment on site development plans.

Reason: Current UDO requirements identify methods for how utility and mechanical equipment should be screened. However, staff is finding the location and method of screening utility equipment is not included on the site development plans or building elevations. Staff is recommending adding language to clarify what is required at the time of plan approval for where equipment will be located and how it will be screened.

2. Section 18.30.130.J, Development Standards - Landscaping, Buffers and Screening (Buffers)

Recommendation: Add requirement for Type 4B and Type 5B landscape buffers to include plantings.

Reason: Currently Section 18.30.130.J identifies nine (9) different buffer types for developers to choose from and the number of required plantings within them. However, there two of these buffer types (types 4B and 5B) that are open green space areas with no required vegetation. Staff is recommending these buffer types include plant materials to create additional opportunities for plantings and natural buffers between uses as needed. The requirement will allow the applicant to propose the amount and type of plant material used at the time of plan approval.

3. Section 18.30.135, Development Standards - Lighting

Recommendation: Add requirements for exterior building mounted lighting.

Reason: Section 18.30.135 outlines lighting requirements for parking areas only. Staff is recommending adding language to identify the type and color of lighting required when fixtures are cast on to a building or sign.

4. Section 18.30.160, Development Standards – Parking and Loading

Recommendation: Add a requirement for gated facilities to provide on-site parking areas for delivery vehicles and truck trailers.

Reason: The City has been experiencing higher volumes of truck trailers parking on public streets and highway ramps because distribution warehouses are commonly gated and provide limited access for deliveries. With drivers unable to park on-site and the hours of drive time restricted by the Federal Department of Transportation (DOT), congestion and sight distance issues are rising in these areas because of where they are parking. The recommendation to add on-site parking areas for delivery vehicles and truck trailers is intended to park vehicles until loading and unloading occurs, to reduce or eliminate congestion on public streets and highway ramps.

Staff collaborated with industry stakeholders on the proposed language.

5. Section 18.30.240 Development Standards – Tree Preservation

Recommendation: Require a tree preservation plan prior to removal of trees on site.

Reason: Currently, Section 18.30.240 does not require review of tree removal unless it is associated with an application for a plat, rezoning, or final development plan, which has resulted in loss of large groves of trees without the City's knowledge. To address this, staff is recommending requiring review and approval by the City regardless of an active case pending. The requirement is meant to provide City awareness for protection and preservation of trees while not creating a hardship for smaller lots or residences. Therefore, this would only be required when removing more than 20% of woodland on residential properties in excess of 10 acres in size and all other properties 5 acres in size or more.

UDO AMENDMENTS – SECTION TWO: HOUSEKEEPING UPDATES

The following updates are considered housekeeping items as they correct verbiage or inconsistencies to reflect current practice. The items below do not create new standards, nor do they add new sections to the UDO.

1. Section 18.30.010 Development Standards - Purpose

Recommendation: Remove verbiage referencing Building Design Standards.

Reason: Currently the purpose statement for 18.30 references standards for building design. This update simply removes references to standards which no longer exist within this Chapter.

2. Section 18.30.080 Development Standards – Easements

Recommendation: Update misspelling of subsection header.

Reason: Staff is simply correcting the spelling of applicability.

3. Section 18.30.130.H.4 Development Standards – Landscaping, Buffers and Screening

Recommendation: Update code reference to reflect the accurate section of code.

Reason: Section 18.62.070 is the incorrect section reference and staff is simply updating the section number to point the reader to the appropriate section of code.

4. Section 18.50.180 Supplemental Use Regulations

Recommendation: Update code reference to reflect accurate section of code.

Reason: Section 18.50.180.C.2.b references Section 18.30.130.H.4 for equipment screening requirements. This is the incorrect reference and staff is updating the section number to point the reader to the appropriate section of code.

5. Section 18.50.190 Supplemental Use Regulations – Signs

Recommendation: Clarify definitions for awning signs and freestanding signs.

Reason: The definition for Freestanding Sign is being updated to provide clear examples for where these types of signs are located. In addition, the definition for awning sign also includes language on design type which is located in another section of the UDO and not appropriate here.

6. Section 18.90.020 Definitions

Recommendation: Update resource reference for terms not found within the UDO.

Reason: Currently 18.90.020 points the reader to “A Glossary of Zoning, Development and Planning Terms” which is an outdated resource for industry terminology. Staff is updating the reference to recent version of “The Planner’s Dictionary” published by the American Planning Association.

Recommendation: Remove industry terms from Definitions chapter to reflect recent UDO updates.

Reason: All architecture terms and their associated definitions are now located in Chapter 18.15.

7. All Sections listed above

Recommendation: Replace the word “shall” with must or will.

Reason: Legal and Planning communities are moving to a strong preference for “must” as the clearest way to express a requirement or obligation. The word “shall” is ambiguous and rarely occurs in everyday conversation. Staff has updated and replaced all references to “shall” in line with best practices recommended by the American Planning Association.

Staff Recommendation:

These updates consist of amendments which will help to increase readability, provide clear direction for expectations for development, and assist in development reviews. Staff recommends approval of the proposed amendments to the Unified Development Ordinance (UDO), as detailed in the attached UDO Amendments Exhibit for the following Chapters 18.30., 18.50., and 18.90., as presented.