



City of Olathe

Legislation Details (With Text)

File #: G19-1061
Type: New Business-Public Works **Status:** Agenda Ready
File created: 8/27/2019 **In control:** City Council
On agenda: 9/17/2019 **Final action:** 9/17/2019
Title: Consideration of Ordinance No. 19-56: Requesting approval regarding amendments to Chapters 18.20, 18.40, 18.50, 18.90, and 18.94 of the Unified Development Ordinance (UDO19-0003A). Planning Commission recommends approval 7 to 0.
Sponsors: Aimee Nassif
Indexes:
Code sections:

Attachments: 1. A. Ordinance No. 19-56 (UDO-0003A), 2. B. August 20, 2019 CAI for UDO19-0003A with attachments

Date	Ver.	Action By	Action	Result
9/17/2019	1	City Council	approved	Pass

DEPARTMENT: Public Works, Planning Division

STAFF CONTACT: Aimee Nassif, Chief Planning and Development Officer

SUBJECT: Consideration of Ordinance No. 19-56 regarding amendments to Chapters 18.20, 18.40, 18.50, 18.90, and 18.94 of the *Unified Development Ordinance* (UDO19-0003A)

ITEM DESCRIPTION:

Consideration of Ordinance No. 19-56: Requesting approval regarding amendments to Chapters 18.20, 18.40, 18.50, 18.90, and 18.94 of the *Unified Development Ordinance* (UDO19-0003A). Planning Commission recommends approval 7 to 0

SUMMARY:

This item was presented to Council as a discussion item on August 20, 2019. Staff has prepared draft Ordinance 19-56 (Attachment A) which contains changes to Chapters 18.20, 18.40, 18.50, 18.90, and 18.94 of the Unified Development Ordinance (UDO). On August 20, 2019, staff presented several updates pertaining to items such as 1) adding a new accessory land use called "Crisis Care Network, Religious or Faith-Based; 2) improving the graphic and clarifying the language for drive-through requirements; 3) improving the use matrix readability for several land use categories; and 4) updating satellite dish antenna requirements and several other housekeeping items. Recommended language for consideration is as follows:

SECTION ONE: UDO UPDATES PERTAINING TO USES AND DEVELOPMENT CRITERIA

1. Chapter 18.20 Zoning Districts

Section 18.20.200 M-2 and M-3 (Heavy Industrial)

- i. Purpose: revise purpose statement to separate out two distinct statements for M-2 (General Industrial) and M-3 (Heavy Industrial).

- ii. Subsection B: correct district reference from M-1 to M-2.

2. Chapter 18.20 Zoning Districts

Section 18.20.500 Use Matrix *No development standards, criteria, nor requirements are changing.*

- i. Land Use Category - Restaurant, Limited Service or Carry Out: update category terminology to reflect what is commonly used in practice and in the industry.
- ii. Land Use Category - Religious Institution: add the use religious institution and definition to the Use Matrix.
- iii. Land Use Category - Group Boarding Home: update category names to accurately reflect their definitions.

3. Chapter 18.50 Supplemental Use Regulations

Section 18.50.033 Crisis Care Network, Religious or Faith-Based

- i. New Section: Addition of a new land use category to assist religious networks provide holistic care and support to individuals in need. This is a new accessory use which networks may voluntarily choose and does not remove existing entitlements.

4. Chapter 18.50 Supplemental Use Regulations

Section 18.50.040 Drive-Through

- i. Subsection A.2: clarify drive-through service definition.
- ii. Subsection C.1 and C.2: define what a stacking lane is and where the point of measurement begins.
- iii. Subsection C.2: update drive-through illustration.
- iv. Subsection 4: remove unnecessary canopy design language.

5. Chapter 18.50 Supplemental Use Regulations

Section 18.50.180 Satellite Dish Antennas

- i. Subsection B.2.a: increase non-residential district satellite dish antenna height from fifteen feet to thirty feet.

6. Chapter 18.50 Supplemental Use Regulations

Section 18.50.225 Temporary Uses

- i. Subsection B.1: remove incorrect code reference.

- ii. Subsection B.1.h: add language to allow the Planning Official to determine uses not listed as temporary sale or event.
- iii. Subsection B.2.b: include all zoning districts among the areas where temporary uses are permitted.
- iv. Subsection B.2.d: revise language to eliminate grammatical errors.
- v. Subsection C: move requirement as part of subsection B, to improve readability.
- vi. Subsection D-F: rename subsections as result from update V. above.

SECTION TWO: HOUSEKEEPING UDPATES

1. Chapter 18.20 Zoning Districts Section 18.20.020 Districts Established

- i. Subsection B: remove the word “composite” to ensure consistency with current practice.

2. Chapter 18.20 Zoning Districts Section 18.20.050 AG (Agricultural)

- i. Subsection B: revise verbiage to ensure consistency with current practice.

3. Chapter 18.20 Zoning Districts Section 18.20.500 Use Matrix

- i. Use Matrix: format the Use Matrix and update inconsistent headings. Updates include changing red “s” for special uses to black text for improved readability. *No development standards, criteria, nor requirements are changing.*

4. Chapter 18.40 Procedures Section 18.40.190 Vacating Plats, Streets or Reservations

- i. Subsection D.2.b: update language to reference correct City title.

5. Chapter 18.40 Procedures Section 18.40.220 Appeals

- i. Subsection D.1.a.i: remove code reference to Development Service’s Director.

6. Chapter 18.50 Supplemental Use Regulations Section 18.50.050 Fences, walls or hedges

- i. Subsection D.2: update code reference to reflect the accurate section of code.

7. Chapter 18.90 Definitions

Section 18.90.020 Definitions

- i. Subsection A.2: revise spelling and grammatical errors.
- ii. Term - Dwelling Unit, Multi-Family: add industry terms to reflect UDO section updates.
- iii. Term - Restaurant: add industry terms to reflect UDO section updates

8. Chapter 18.94 Submittal

Section 18.94.040 Submittal Requirements

- i. Table Section 107-114: clarify when Technical Studies may be required based upon the application type.
- ii. Subsection F-H: Reduce the number of paper submittal copies required from nine (9) to two (2).

The updates included in UDO19-0003A will improve the customer experience and process efficiency through increased clarity, improving readability for the public as they navigate the Code and Use Matrix. Staff has not received any inquiries or other communication from stakeholders since the August 20, 2019 City Council presentation.

Attachment A is a draft ordinance with the proposed updates to Chapters 18.20, 18.40, 18.50, 18.90, and 18.94 of the UDO. Attachment B is a copy of the previous CAI prepared for the August 20, 2019 meeting. The Planning Commission recommended approval of all proposed UDO updates associated with UDO19-0003A on July 22, 2019, by a vote of 7-0.

FINANCIAL IMPACT:

None

ACTION NEEDED:

Adopt Ordinance No. 19-56 (UDO-0003A) regarding amendments to Chapters 18.20, 18.40, 18.50, 18.90, and 18.94 of the *Unified Development Ordinance* (UDO19-0003A)

ATTACHMENT(S):

- A. Ordinance No. 19-56 (UDO-0003A)
- B. August 20, 2019 CAI for UDO19-0003A with attachments