



# Housing: Continued Discussion on Process Review Opportunities & Updates

Community & Economic Development Committee  
October 8, 2025



# UDO OPPORTUNITIES

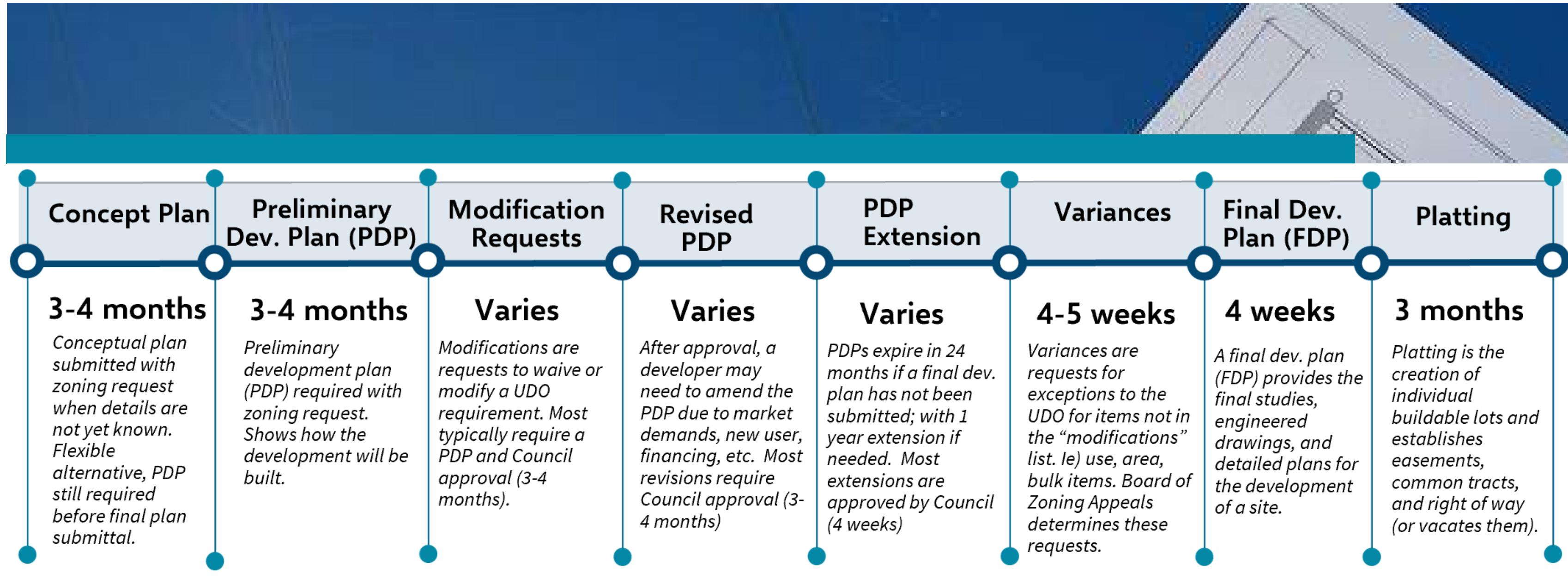
## REVIEW & PROCESS AREAS

1. Conceptual Development Plans - submittal requirements
2. Preliminary Development Plans - submittal requirements
3. Preliminary Development Plans - revisions
4. Preliminary Development Plan - extensions
5. Modifications
6. BZA

## ZONING REFORM AREAS

1. Land Use Entitlements – expanding housing choice
2. New Conventional Zoning District (R-2)
3. Public Hearings-number of hearings for PDPs and revised PDPs

# EXISTING DEVELOPMENT REVIEW PROCESS- OVERVIEW



Many process steps can be done concurrently

\*next step is permitting – not shown above



# I. CONCEPT PLANS – SUBMITTAL REQUIREMENTS

*discussion, recommendations, research, and best practices*



# What is a Concept Plan?

## A CONCEPT PLAN (CONCEPTUAL DEVELOPMENT PLAN) UDO 2.400

A Concept Plan is a plan that provides an overview or concept of future development proposal.

The Concept Plan provides an alternative/flexible review option if specifics of a development are unknown, however the “concept” is.

Does not replace a PDP; but allows for the zoning application process to occur.



# Concept Plan Requirements

## A CONCEPT PLAN (CONCEPTUAL DEVELOPMENT PLAN) UDO 2.400

- C. Submission requirements. All contiguous property under common ownership, common control or common option to purchase shall be shown on the conceptual development plan, and the following materials and information shall be submitted with a conceptual development plan application:
1. All general application requirements contained in Section 2.040.A.;
  2. All plan submission requirements in Section 2.040.B.;
  3. Total number of dwelling units, if applicable;
  4. Total square feet of commercial/retail development;
  5. General street layout;
  6. General lot and parcel layout including all structures;
  7. Typical structure elevations including materials and colors;
  8. Preliminary water and sanitary sewer availability calculations;
  9. Conceptual landscape plan; and
  10. Any other information as may be deemed necessary by the Director to provide adequate review of the application.

1.

# Concept Plan Recommendations

## A CONCEPT PLAN (CONCEPTUAL DEVELOPMENT PLAN) UDO 2.400



- C. Submission requirements. All contiguous property under common ownership, common control or common option to purchase shall be shown on the conceptual development plan, and the following materials and information shall be submitted with a conceptual development plan application:
1. All general application requirements contained in Section 2.040.A.;
  2. All plan submission requirements in Section 2.040.B.;
  3. Total number of dwelling units, if applicable;
  4. ~~Total square feet of commercial/retail development;~~
  5. General street layout;
  6. General lot and parcel layout including all structures;
  7. ~~Typical structure elevations including materials and colors;~~
  8. Preliminary water and sanitary sewer availability calculations;
  9. Conceptual landscape plan; and
  10. Any other information as may be deemed necessary by the Director to provide adequate review of the application.

This presents difficulty to applicants who do not have this information yet.

1.



# Concept Plan Example

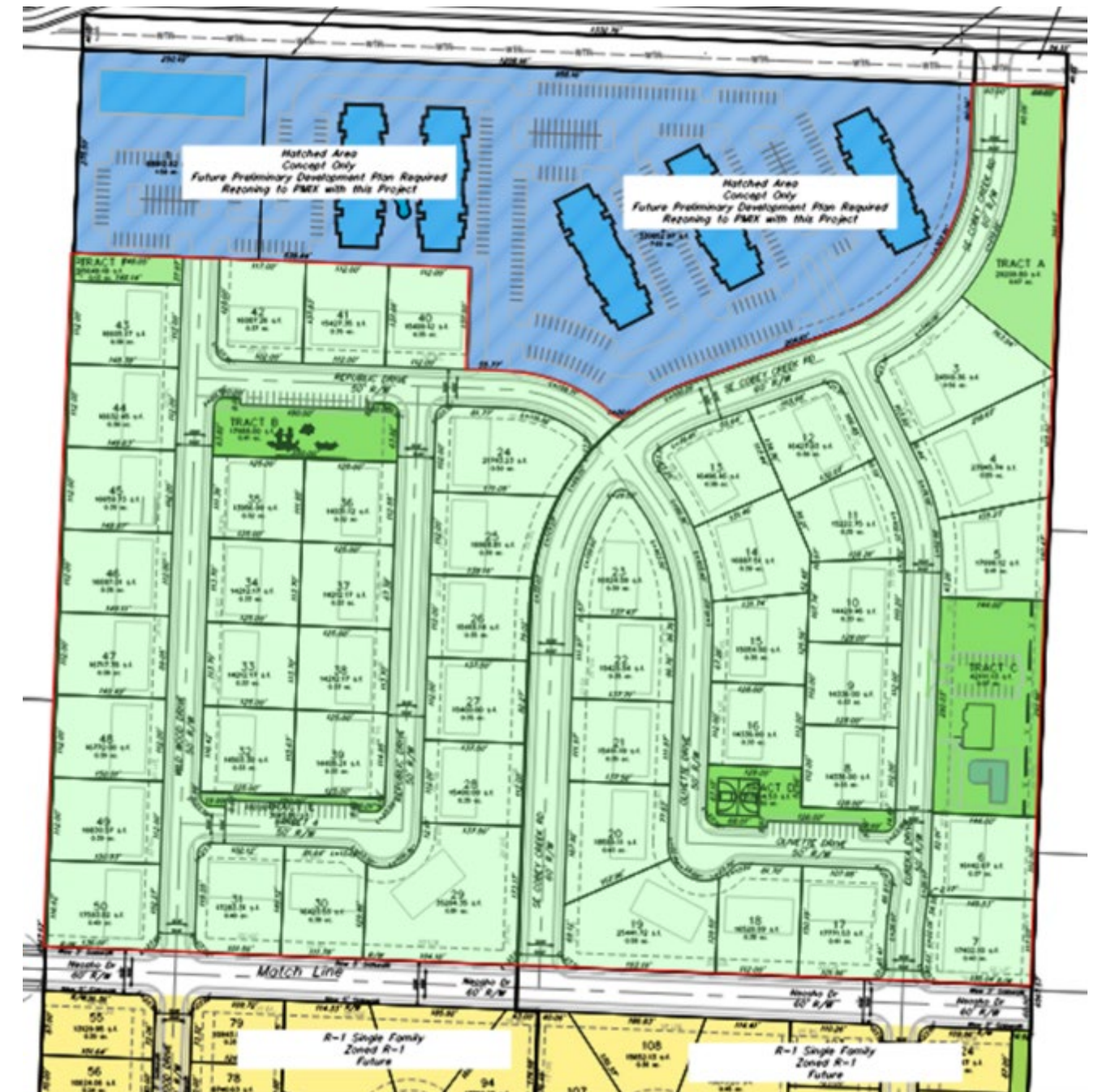
## OVATION RESIDENTIAL

325 SE M-150 Hwy

Concept Plan area in blue for approx. 11 acres

PDP area in green for approx. 27 acres

Was required to provide:  
square footage and architectural elevations despite  
having to return with a full PDP to Council once this  
information is certain.



1.



# Concept Plan Research & Best Practices

## A CONCEPT PLAN (CONCEPTUAL DEVELOPMENT PLAN) UDO 2.400

### RESEARCH

- ✓ 2 other cities found allow for Concept Plans (Chesterfield MO and Lenexa KS).
- ✓ Neither require elevations or architectural information.
- ✓ Sq ft of development is required.

### BEST PRACTICES

- ✓ Purpose of the Concept Plan option was to provide flexibility when details are not yet known.
- ✓ Architectural drawings must be provided twice, increasing the costs for developers and often providing details at Concept Plan that will change.
- ✓ Full PDP process is still required so all details will be provided to Council for approval once known making this process option not always desirable.

# Concept Plans – Submittal Requirements



## SUMMARY

- Update submittal requirements to remove need for architecture and square footage details during concept plan submittal.

## BENEFITS

- Provides flexibility for homebuilders in evolving markets to meet demands.
- Encourages economic growth and development.



## IGNITE! ALIGNMENT



Make regulatory changes to promote a mix of densities and prices.



Increase the mix of affordable housing.



Build an adaptable framework for continued growth in a changing environment.



## 2. PRELIMINARY DEVELOPMENT PLANS – SUBMITTAL REQUIREMENTS

*discussion, recommendations, research, and best practices*



2.



# What is a Preliminary Development Plan?

**A PRELIMINARY DEVELOPMENT PLAN (OR PDP) IS THE FIRST TYPE OF PLAN REQUIRED TO BUILD ON A LOT.**

A PDP is required for both residential and commercial applications.

Review process for either type of PDP is 3-4 months

Fees depend on acreage and zoning classification

Many recommended updates will benefit both types of development applications



# When is a PDP required?

## PRELIMINARY DEVELOPMENT PLAN (PDP) UDO 2.300

- A. A preliminary development plan application shall be submitted for the following situations:
1. The rezoning of a property to any district except districts AG, RDR, RLL and R-1. A preliminary development plan shall be submitted and reviewed by the Commission and Governing Body simultaneously with the rezoning of the property, except as provided under "Conceptual Development Plan; when permitted;"
  2. The development of any vacant property in a planned district;
  3. The redevelopment of any property;
  4. A change in the primary use of property that negatively impacts traffic circulation or significantly intensifies traffic generation necessitating the formation and approval of a development agreement by and between the developer and the Governing Body for identified traffic improvements;
  5. The development of a non-residential use in the AG, RDR, RLL and R-1 districts;
  6. The request of any modification of this chapter;
  7. A substantial change to an approved preliminary development plan as defined by this article;
  8. A preliminary development plan may be required for a request for a special use permit per [Article 6](#), Division III;
  9. With a modification request, when the request is not associated with an application to rezone the property.

# PDP Recommendation

## PRELIMINARY DEVELOPMENT PLAN (PDP) UDO 2.300



**Allow exemption to the PDP requirement if developing or redeveloping only 3 single family or 3 duplex or less.**

- A. A preliminary development plan application shall be submitted for the following situations:
1. The rezoning of a property to any district except districts AG, RDR, RLL and R-1. A preliminary development plan shall be submitted and reviewed by the Commission and Governing Body simultaneously with the rezoning of the property, except as provided under "Conceptual Development Plan; when permitted;"
  2. The development of any vacant property in a planned district;
  3. The redevelopment of any property;
  4. A change in the primary use of property that negatively impacts traffic circulation or significantly intensifies traffic generation necessitating the formation and approval of a development agreement by and between the developer and the Governing Body for identified traffic improvements;
  5. The development of a non-residential use in the AG, RDR, RLL and R-1 districts;
  6. The request of any modification of this chapter;
  7. A substantial change to an approved preliminary development plan as defined by this article;
  8. A preliminary development plan may be required for a request for a special use permit per [Article 6](#), Division III;
  9. With a modification request, when the request is not associated with an application to rezone the property.

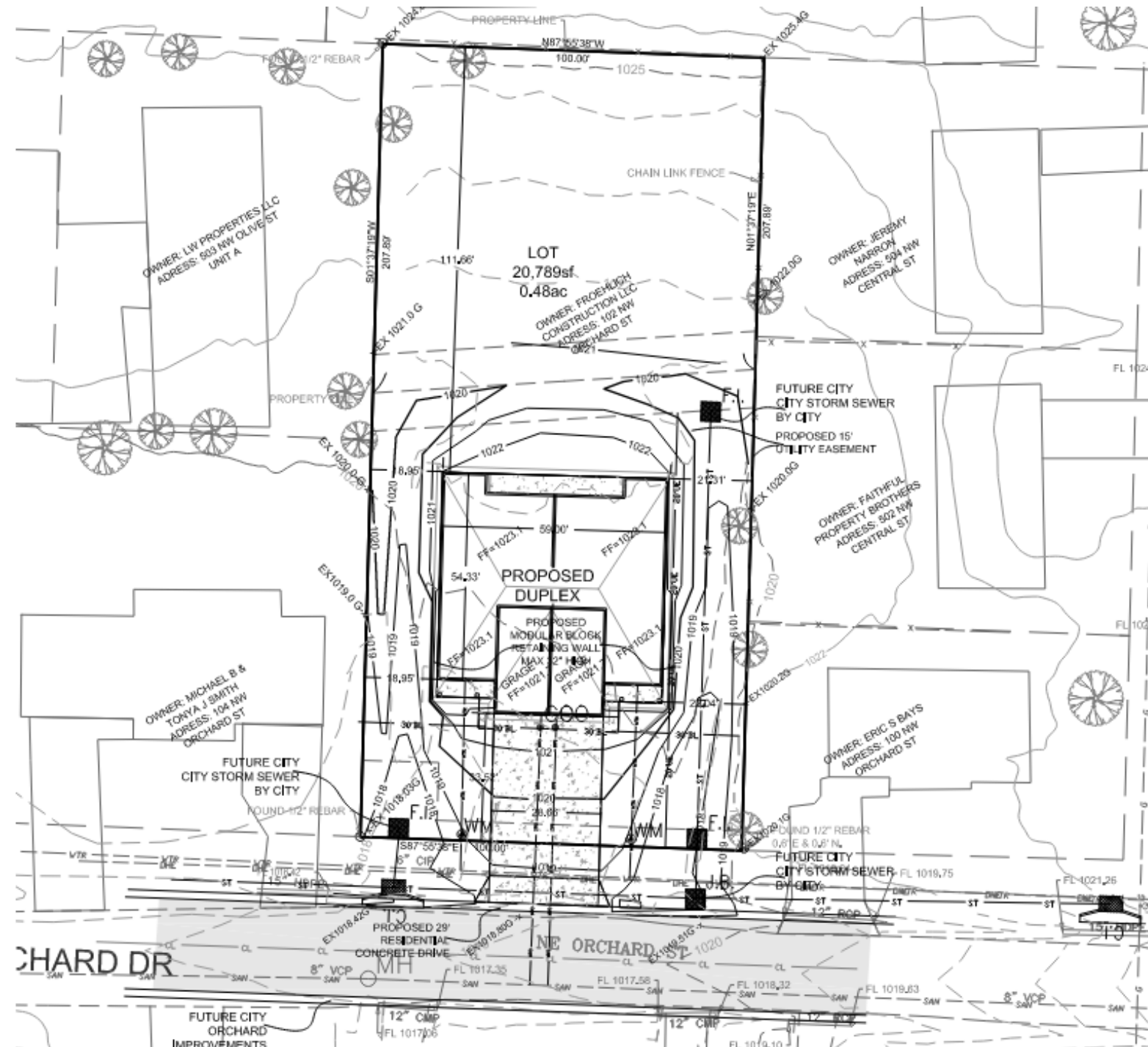
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2. PDP SUBMITTAL REQUIREMENTS



# PDP Example – Duplex (Two-Family) Application

102 NW Orchard



## EXISTING PROCESS

PDP APPROVAL	3-4 MONTHS
PDP APPLICATION FEE	\$3,065.00
BUILDING PERMIT	7 DAYS
BUILDING PERMIT FEES	\$19,000*

## RECOMMENDATION

BUILDING PERMIT	7 DAYS
BUILDING PERMIT FEES	\$19,000*



# PDP Recommendation #1

## PRELIMINARY DEVELOPMENT PLAN (PDP) UDO 2.300 ADD PROVIDED ALLOWED IN UNDERLYING ZONING FOR 2 AND 3

### Sec. 2.300. Preliminary development plans; when required.

- A. A preliminary development plan application shall be submitted for the following situations:
1. The rezoning of a property to any district except districts AG, RDR, RLL and R-1. A preliminary development plan shall be submitted and reviewed by the Commission and Governing Body simultaneously with the rezoning of the property, except as provided under "Conceptual Development Plan; when permitted;"
  2. The development of any vacant property in a planned district; **unless the development does not result in more than 3 single family lots, 3 duplexes, or any combination thereof not to exceed 3 residential lots;**
  3. The redevelopment of any property; **unless the redevelopment does not result in more than 3 single family lots, 3 duplexes, or any combination thereof not to exceed 3 residential lots;**
  4. A change in the primary use of property that negatively impacts traffic circulation or significantly intensifies traffic generation necessitating the formation and approval of a development agreement by and between the developer and the Governing Body for identified traffic improvements;
  5. The development of a non-residential use in the AG, RDR, RLL and R-1 districts;
  6. The request of any modification of this chapter;
  7. A substantial change to an approved preliminary development plan as defined by this article;
  8. A preliminary development plan may be required for a request for a special use permit per Article 6, Division III;
  9. With a modification request, when the request is not associated with an application to rezone the property.



# PDP Research, Benefits & Best Practices

## BENEFITS

- ✓ Encourages development of new housing options
- ✓ Streamlines processes & reduces costs
- ✓ Cleans up allowance for 1 single family home development in UDO (10.040)

## BEST PRACTICES

APA, AARP, MARC, National League of Cities, Community Movements (i.e. Smart Growth, Strong Towns) recommend removing barriers to infill and small-scale housing development when zoning is already in place.

## RESEARCH

Cities that have processes for infill or small-scale home development:

- ✓ Kansas City, MO
- ✓ Overland Park, KS\*
- ✓ Fayetteville, AR
- ✓ Tacoma, WA

**Sec. 2.300. Preliminary development plans; when required.**

A. A preliminary development plan application shall be submitted for the following situations:

1. The rezoning of a property to any district except districts AG, RDR, RLL and R-1. A preliminary development plan shall be submitted and reviewed by the Commission and Governing Body simultaneously with the rezoning of the property, except as provided under "Conceptual Development Plan; when permitted;"
2. The development of any vacant property in a planned district;
3. The redevelopment of any property;
4. A change in the primary use of property that negatively impacts traffic circulation or significantly intensifies traffic generation necessitating the formation and approval of a development agreement by and between the developer and the Governing Body for identified traffic improvements;
5. The development of a non-residential use in the AG, RDR, RLL and R-1 districts;
6. The request of any modification of this chapter;
7. A substantial change to an approved preliminary development plan as defined by this article;
8. A preliminary development plan may be required for a request for a special use permit per Article 6, Division III;
9. With a modification request, when the request is not associated with an application to rezone the property.

B. A preliminary development plan is not required for the following situations:

1. The rezoning to the AG, RDR, RLL or R-1 districts or for any residential development in the AG, RDR, RLL or R-1 districts provided no modifications of any regulation contained in this chapter are requested; or
2. The development of any property in the CS and PI districts provided no modifications of this chapter are requested; or
3. A City initiated rezoning of any property; or
4. A building addition onto an existing building that did not require a preliminary development plan, provided that a substantial change would not be created per this article; or
5. A rezoning to any planned district if the property to be rezoned is fully developed and no substantial changes to existing building(s) or site improvements are planned.

# PDP

## Recommendation #2

**UDO SEC 2.300 HAS A LIST OF WHEN A PDP IS REQUIRED AND A LIST WHEN A PDP IS NOT REQUIRED.**

### RECOMMENDATION

- ✓ Add language that can be used as “catch all” for unforeseen situations.
- ✓ Provides clarity for the reader.

### BEST PRACTICES

Want to ensure flexibility in your code for property owners and the city.

### RESEARCH

All cities researched contain one list or the other; not both.



# PDP Recommendation #2

## Best Practices –

- ✓ Provide flexibility to ensure you have a way to address all possible scenarios/application.
- ✓ encourage process efficiencies to reduce costs, review times, and allocation of resources.

## PRELIMINARY DEVELOPMENT PLAN (PDP) UDO 2.300.B

- B. A preliminary development plan is not required for the following situations:
1. The rezoning to the AG, RDR, RLL or R-1 districts or for any residential development in the AG, RDR, RLL or R-1 districts provided no modifications of any regulation contained in this chapter are requested; or
  2. The development of any property in the CS and PI districts provided no modifications of this chapter are requested; or
  3. A City initiated rezoning of any property; or
  4. A building addition onto an existing building that did not require a preliminary development plan, provided that a substantial change would not be created per this article; or
  5. A rezoning to any planned district if the property to be rezoned is fully developed and no substantial changes to existing building(s) or site improvements are planned; or
  6. Other situations as determined by the Director and not identified in this section.

# Preliminary Development Plans – Submittal Requirements



## SUMMARY

- Increase single family and duplex development by removing the need for a PDP review.
- Include a catch all for the Director to determine if a PDP is required.

## BENEFITS

- Increase housing stock and diversity.
- Provides cost and time savings for homebuilders.



## IGNITE! ALIGNMENT



Make regulatory changes to promote a mix of densities and prices.



Increase mix of affordable housing.



Build an adaptable framework for continued growth in a changing environment.

# 3. PRELIMINARY DEVELOPMENT PLANS – REVISIONS

*discussion, recommendations, research, and best practices*



3.

3. PDP REVISIONS



# PDP Revisions

## PRELIMINARY DEVELOPMENT PLAN (PDP) REVISIONS UDO 2.330

After approval of a PDP, a property owner/developer can request changes or amendments to their plans.

This applies to both residential and commercial development.

Revised PDP Fee is same as Original PDP Fee.

### 2 Review Options:

Substantial Change - Requires Full Process (3-4 months)

Minor Change – Administrative review (4-6 weeks)

# 3.

## 3. PDP REVISIONS

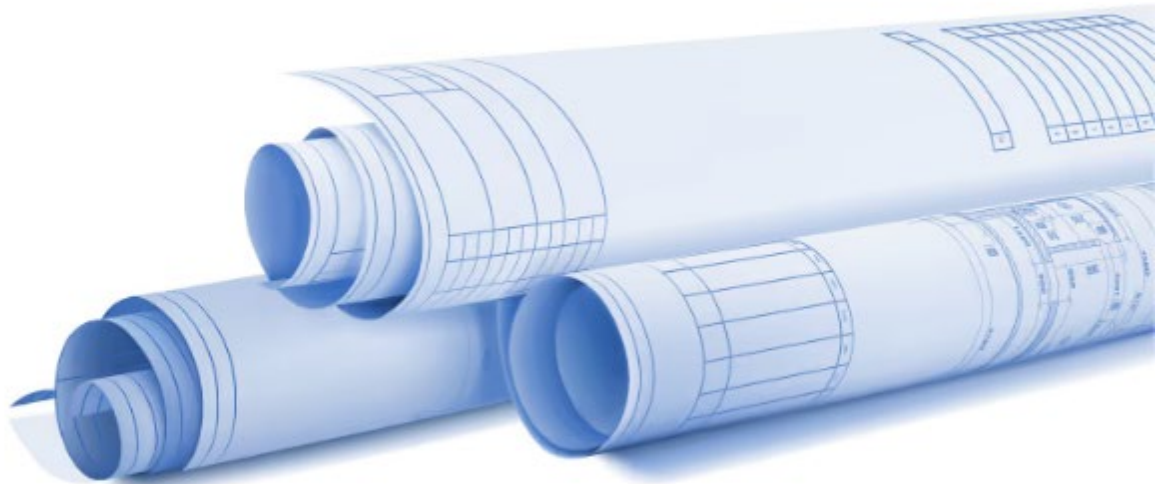
- B. Definition of substantial changes. For purposes of this section, "substantial changes" to the approved preliminary development plan shall mean any of the following;
1. A change in the phases as originally specified in the preliminary development plan that would have a negative impact on the traffic circulation.
  2. Increases in the density or intensity of residential uses of more than ten percent.
  3. Increases in the total floor area of all nonresidential buildings covered by the plan of more than 25 percent.
  4. Increases of lot coverage of more than ten percent.
  5. Increases in the height of any building of more than 25 percent.
  6. Changes of architectural style that will make the project less compatible with neighboring uses.
  7. Changes in ownership patterns or stages of construction that will lead to a different development concept.
  8. Changes in ownership patterns or stages of construction that will impose substantially greater loads on streets and other public facilities.
  9. Decreases of any setback of more than ten percent.
  10. Decreases of areas devoted to open space of more than ten percent of such open space, or the substantial relocation of such areas.
  11. Changes of traffic circulation patterns that will negatively affect on-site and/or off-site traffic.
  12. Changes of existing and/or proposed pedestrian walkways that will negatively affect pedestrian traffic.
  13. Modification or removal of conditions to the preliminary development plan approval.
  14. Changes to the water or sanitary sewer plans that impact these utilities outside the project boundaries.
- C. Definition of minor changes. For purposes of this section, "minor changes" to the approved preliminary development plan shall include, but not be limited to the following:
1. Increases in the density of residential uses up to and including ten percent.
  2. Increases in the total floor area of all nonresidential buildings covered by the plan up to and including 25 percent.
  3. Increases of lot coverage up to and including ten percent.
  4. Increases in the height of any building up to and including 25 percent.
  5. Decreases of any peripheral setback up to and including ten percent.
  6. Decreases of areas devoted to open space up to and including ten percent.
  7. Reconfiguration of buildings provided that no required setbacks are violated.
  8. Revised phasing plan that has no substantial impact upon traffic circulation or required street construction.

# PDP Revisions

**UDO SEC 2.330 HAS A LIST OF WHEN A PDP IS A SUBSTANTIAL CHANGE AND A LIST OF WHAT IS A MINOR CHANGE.**

## RECOMMENDATION

- ✓ Clean up table to improve readability.
- ✓ Allow revisions up to the zoning district regulations as "minor changes".





Recommended updates to increase qualifying “minor changes” for administrative review” - up to the district allowance and remove redundant language.

# PDP Revisions

## Recommendation UDO 2.330.B.

B. Definition of substantial changes. For purposes of this section, "substantial changes" to the approved preliminary development plan shall mean any of the following;

1. A change in the phases as originally specified in the preliminary development plan that would have a negative impact on the traffic circulation.
2. Increases in the density or intensity of residential uses of more than ten percent.
3. Increases in the total floor area of all nonresidential buildings covered by the plan of more than 25 percent.
4. Increases of lot coverage of more than ten percent.
5. Increases in the height of any building of more than 25 percent.
6. Changes of architectural style that will make the project less compatible with neighboring uses.
7. Changes in ownership patterns or stages of construction that will lead to a different development concept.
8. Changes in ownership patterns or stages of construction that will impose substantially greater loads on streets and other public facilities.
9. Decreases of any setback of more than ten percent.
10. Decreases of areas devoted to open space of more than ten percent of such open space, or the substantial relocation of such areas.
11. Changes of traffic circulation patterns that will negatively affect on-site and/or off-site traffic.
12. Changes of existing and/or proposed pedestrian walkways that will negatively affect pedestrian traffic.
13. Modification or removal of conditions to the preliminary development plan approval.
14. Changes to the water or sanitary sewer plans that impact these utilities outside the project boundaries.



### Best Practices –

- ✓ Codes should include an allowance for amendments/revisions to plans.
- ✓ Municipalities have authority to determine review process; if zoning entitlements are in place, new public hearing is not necessary so there is flexibility with approval authority. (APA, NLC, AARP)

# PDP Revisions - Research & Best Practices

THE FOLLOWING CHART SHOWS WHAT IS CONSIDERED A “SUBSTANTIAL CHANGE” IN OTHER CITIES

City	Density or Intensity of Res. Uses	Increases in Lot Coverage	Increases in bldg. height	Changes in Ownership Patterns or Phasing(Y/N)	Decrease of any Setback
Lee's Summit	>10%	>10%	>25%	Y	>10%
Blue Springs, MO	>5%	N/A	>5-ft.	Y	>5%
Lenexa, KS	Any increase	N/A	N/A	N/A	N/A
Shawnee, KS	>5%	>5%	>10%	Y	N/A
Overland Park, KS	>5%	>5%	>10%	Y	>5%
Olathe, KS	>5%	>5%	>10%	Y	>5%
Franklin, TN	Any increase	N/A	N/A	N/A	Any change
Carmel, IN	Any change	Any change	Any change	Any change	Any change

# PDP Revision Example

## PDP REVISIONS UDO 2.330

### EXISTING PROCESS

PDP APPROVAL	3 MONTHS
PDP APPLICATION FEE	\$3,065.00
BUILDING PERMIT	10 BUSINESS DAYS
BUILDING PERMIT FEE	0.4% VALUATION

### PROCESS WITH ADMINISTRATIVE REVIEW RECOMMENDATION

BUILDING PERMIT	10 DAYS BUSINESS DAYS
BUILDING PERMIT FEE	0.4% VALUATION

Original Building (2003 PDP) 20' tall building



Updated Building (2020 PDP) 30' tall – 50%  
increase still within zoning allowance



# PDP Revision Recommendations

## Section 2.330

- B. Definition of substantial changes. For purposes of this section, "substantial changes" to the approved preliminary development plan shall mean any of the following;
1. A change ~~in the phases as originally specified in the preliminary development plan~~ that would have a negative impact on ~~the~~ traffic circulation, pedestrian traffic, or impose substantially greater loads on other public facilities.
  2. ~~Increases in the density or intensity of residential uses of more than ten percent.~~
  3. ~~Increases in the total floor area of all nonresidential buildings covered by the plan of more than 25 percent.~~
  4. ~~Increases of lot coverage of more than ten percent.~~
  5. ~~Increases in the height of any building of more than 25 percent.~~
  6. Changes of architectural style that will make the project less compatible with neighboring uses.
  7. Changes in ownership patterns or stages of construction that will lead to a different development concept.
  8. ~~Changes in ownership patterns or stages of construction that will impose substantially greater loads on streets and other public facilities.~~
  9. ~~Decreases of any setback of more than ten percent.~~
  10. Decreases of areas devoted to open space of more than ten percent of such open space, or the substantial relocation of such areas.
  11. ~~Changes of traffic circulation patterns that will negatively affect on-site and/or off-site traffic.~~
  12. ~~Changes of existing and/or proposed pedestrian walkways that will negatively affect pedestrian traffic.~~
  13. Modification or removal of conditions to the preliminary development plan approval.
  14. Changes to the water or sanitary sewer plans that impact these utilities outside the project boundaries.

## RECOMMENDATION


- ✓ Clean up table to improve readability.
- ✓ Allow revisions up to the zoning district regulations as "minor changes".

## BENEFITS

- ✓ Reduces review time from 3-4 months to 2-4 weeks (administrative review).
- ✓ Reduces costs for property owners/applicants.

# PDP Revision Recommendations

## Section 2.330

- C. Definition of minor changes. For purposes of this section, "minor changes" to the approved preliminary development plan shall include, but not be limited to the following:
1. Increases in the density, lot coverage, floor area ratio, or height up to the amount allowed in the underlying zoning district.
  2. Decreases in any setback up to the amount allowed in the underlying zoning district.
  3. Any other revisions not identified in subsection B. above and determined by the Director or their designee to be a minor change.
- 
- ~~1. Increases in the density of residential uses up to and including ten percent.~~
  - ~~2. Increases in the total floor area of all nonresidential buildings covered by the plan up to and including 25 percent.~~
  - ~~3. Increases of lot coverage up to and including ten percent.~~
  - ~~4. Increases in the height of any building up to and including 25 percent.~~
  - ~~5. Decreases of any peripheral setback up to and including ten percent.~~
  - ~~6. Decreases of areas devoted to open space up to and including ten percent.~~
  - ~~7. Reconfiguration of buildings provided that no required setbacks are violated.~~
  - ~~8. Revised phasing plan that has no substantial impact upon traffic circulation or required street construction.~~

## RECOMMENDATION

- ✓ Clean up table to improve readability.
- ✓ Allow revisions up to the zoning district regulations as "minor changes".
- ✓ Also add catch all for Director for situations not listed. (item C.3)

## BENEFITS

- ✓ Reduces review time from 3-4 months to 2-4 weeks (administrative review).
- ✓ Reduces costs for property owners/applicants.

# PDP Revision Recommendations

Revision Requested	Minor Change	Substantial Change
Any change that would negatively impact traffic, pedestrian traffic, or public facilities		X
Change in architecture making it less compatible with neighboring uses		X
Changes in ownership patterns or stages of construction leading to a different development concept		X
Changes of FAR, density, height, or setbacks allowed within the zoning district.	X	
Decrease of open space more than 10%		X
Modification or removal of a condition to the PDP approval		X
Changes to water or sanitary sewer plans that impact these utilities outside the project boundaries		X

## RECOMMENDATION

- ✓ Clean up table to improve readability.
- ✓ Remove redundancies.
- ✓ Allow revisions up to the zoning district regulations as “minor changes”.

## BENEFITS

- ✓ Reduces review time from 3-4 months to 2-4 weeks (administrative review).
- ✓ Reduces costs for property owners/applicants.

# Preliminary Development Plans – Revisions



## SUMMARY

- Clean up the revisions table distinguishing between “substantial change” and “minor change”.
- Allow revisions up to the zoning district allowance as a “minor change”.

## BENEFITS

- Promotes collaboration with developers and stakeholders.
- Provides flexibility for homebuilders.



## IGNITE! ALIGNMENT



Make regulatory changes to promote a mix of densities and prices.



Build an adaptable framework for continued growth in a changing environment.



# 4. PRELIMINARY DEVELOPMENT PLANS – EXTENSIONS

*discussion, recommendations, research, and best practices*



# PDP Extensions

## PRELIMINARY DEVELOPMENT PLAN (PDP) EXTENSIONS UDO 2.320.E

PDPs expire in 24 months if a Final Development Plan (FDP) is not submitted.

Review/Approval takes 4 weeks

### REVIEW PROCESS – EXTENSIONS APPROVED BY THE APPROVAL AUTHORITY:

- Extensions on Original PDPs – Council Approval
- Extensions for Revised PDPs by Council – Council Approval
- Extensions for Revised PDPs Approved Administratively - Administrative Approval



# PDP Extensions

## PRELIMINARY DEVELOPMENT PLAN (PDP) EXTENSIONS UDO 2.320.E

E. Duration of validity. Preliminary development plan approval by the Approving Authority shall not be valid for a period longer than 24 months from the date of such approval, unless within such period a final development plan application is submitted. The Approving Authority may grant one extension not exceeding 12 months upon written request.

### THE FOLLOWING ITEMS ARE REVIEWED WITH AN EXTENSION REQUEST:

- ✓ Development Agreement Requirements
- ✓ UDO Requirements
- ✓ Ordinance Conditions & Requirements

# PDP Extensions

## PRELIMINARY DEVELOPMENT PLAN (PDP) EXTENSIONS UDO 2.320.E

E. Duration of validity. Preliminary development plan approval by the Approving Authority shall not be valid for a period longer than 24 months from the date of such approval, unless within such period a final development plan application is submitted. The Approving Authority may grant one extension not exceeding 12 months upon written request.

### CURRENT CITY COUNCIL AUTHORITY (4 WEEKS)

- ✓ Preliminary Development Plans (PDPs)
- ✓ Revised PDPs Approved by City Council

### CURRENT ADMINISTRATIVE AUTHORITY (2 WEEKS)

- ✓ Revised PDPs Approved Administratively



PRELIMINARY DEVELOPMENT PLAN (PDP)  
EXTENSIONS UDO 2.320.E

EXISTING PROCESS

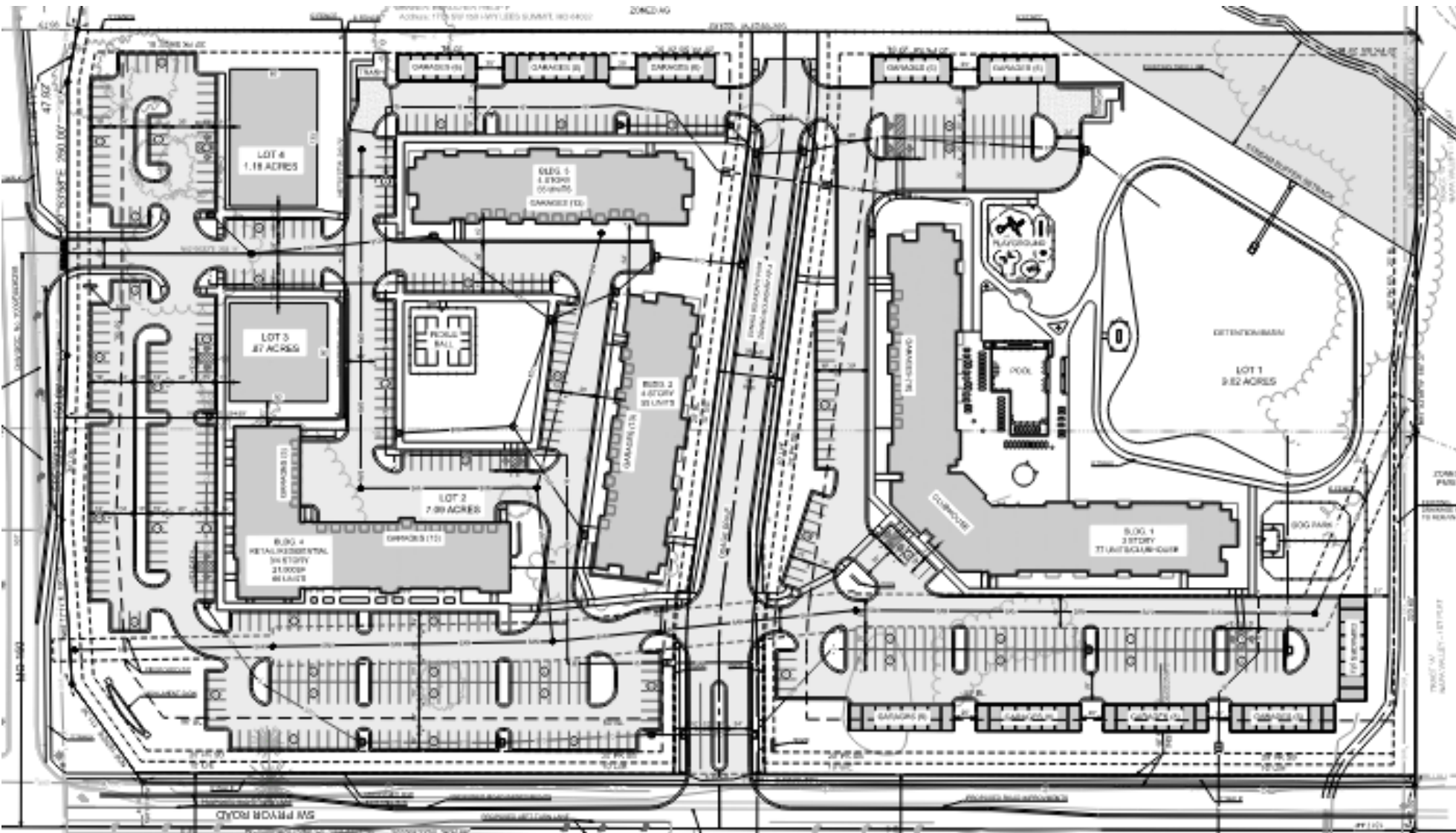
PDP EXTENSION APPROVAL      4 WEEKS

RECOMMENDED PROCESS

PDP EXTENSION APPROVAL      2 WEEKS

# PDP Extensions - Example

Pryor Mixed Use Development expires 11/7/25  
1850 SW M-150  
No proposed changes to the site



# PDP Extensions - Recommendation

## PRELIMINARY DEVELOPMENT PLAN (PDP) EXTENSIONS UDO 2.320.E

- E. Duration of validity. Preliminary development plan approval by the Approving Authority shall not be valid for a period longer than 24 months from the date of such approval, unless within such period a final development plan application is submitted. The ~~Approving Authority~~ Director may administratively may grant one extension not exceeding 12 months upon written request. Denial by the Director to grant an extension for any reason may be appealed to the Governing Body.



# PDP Extensions – Research & Best Practices

## PRELIMINARY DEVELOPMENT PLAN (PDP) EXTENSIONS UDO 2.320.E

Cities vary on whether plans have an expiration and if so, what the extension options are.

Recommended Best Practices for this not specifically available other than cities should provide flexibility market changes and cooperation with property owners.  
(APA, ICMA, ULI)

City	PDP Extension Approving Authority
Lee's Summit	CC or Director <i>(proposed – Director)</i>
Blue Springs, MO	N/A
Lenexa, KS	Director
Shawnee, KS	PC
Overland Park, KS	Not stated
Olathe, KS	PC
Franklin, TN	Not stated
Carmel, IN	Director

# Preliminary Development Plans – Extensions



## SUMMARY

- Allow property owners/developers to receive a 1-year extension administratively like other types of extensions.

## BENEFITS

- Promotes collaboration with developers and stakeholders.
- Provides flexibility for homebuilders in evolving markets to meet demands.



## IGNITE! ALIGNMENT



Make regulatory changes to promote a mix of densities and prices.



Build an adaptable framework for continued growth in a changing environment.

# 5. PRELIMINARY DEVELOPMENT PLANS – MODIFICATIONS

*discussion, recommendations, research, and best practices*





# What is a Modification?

**A MODIFICATION IS A REQUEST TO MODIFY ONE OR MORE OF THE REQUIREMENTS OF THE UNIFIED DEVELOPMENT ORDINANCE.**

Modifications can be approved Administratively, by Planning Commission, or City Council (UDO 2.320)

Modification requests typically require a preliminary development plan (UDO 2.320) for both residential or commercial development.

## ITEMS THAT CAN BE MODIFIED

Include but not limited to - floor area ratios, lot size, density, design, public improvements, building materials/color, building height, setbacks, parking, landscaping, buffers, tree protections. (UDO 2.320.C)



# How long does modification approval take?

## 3 TYPES (OR LEVELS) OF MODIFICATION REVIEWS

Staff (Administrative) Approval      7-10 days

Planning Commission Approval      4 weeks

City Council Approval                      3-4 months

Modification	Staff Approval 7-10 days	PC Approval 4 weeks	CC (PDP) Approval 3 months
density & floor area ratio			✓
parking	parking reductions during FDP	parking lot design	✓
min. lot size			✓
building setbacks	★		✓
design standards		RTU screening type	✓
min. public improvements	Stormwater/minor road improvements		✓
building materials	Necessary classification table updates		✓
building height			✓
landscape buffering		buffer location	✓
tree preservation & landscaping			✓



**Design**  
Process | Criteria

# Modification Example

## LAKEWOOD POOL 706 SE BLUE PARKWAY

Modification request to the parking lot setback requested to match existing parking lots. (20 ft required, 10 ft requested & approved)

### Lakewood Process

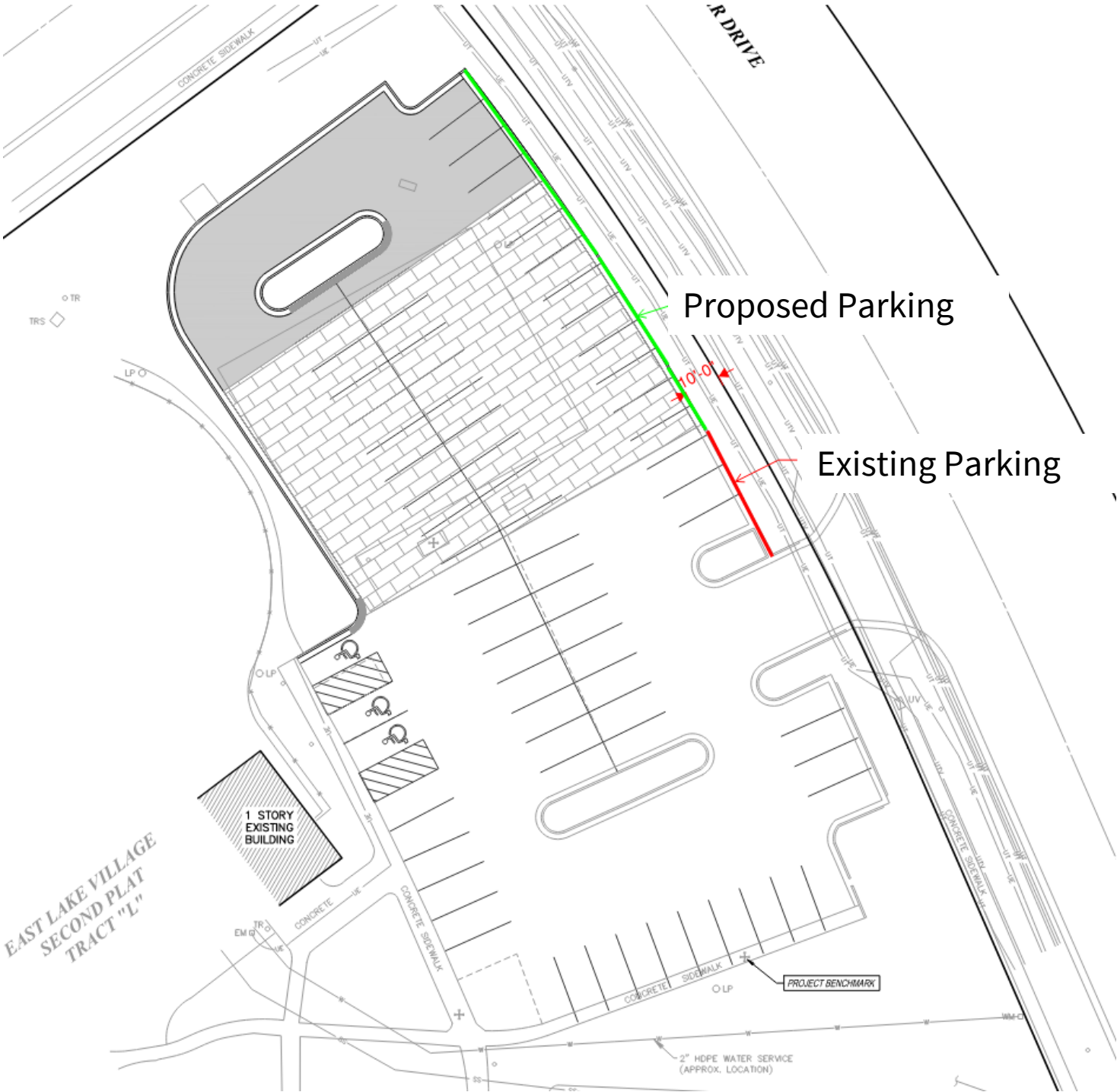
City Council Approval 90 days

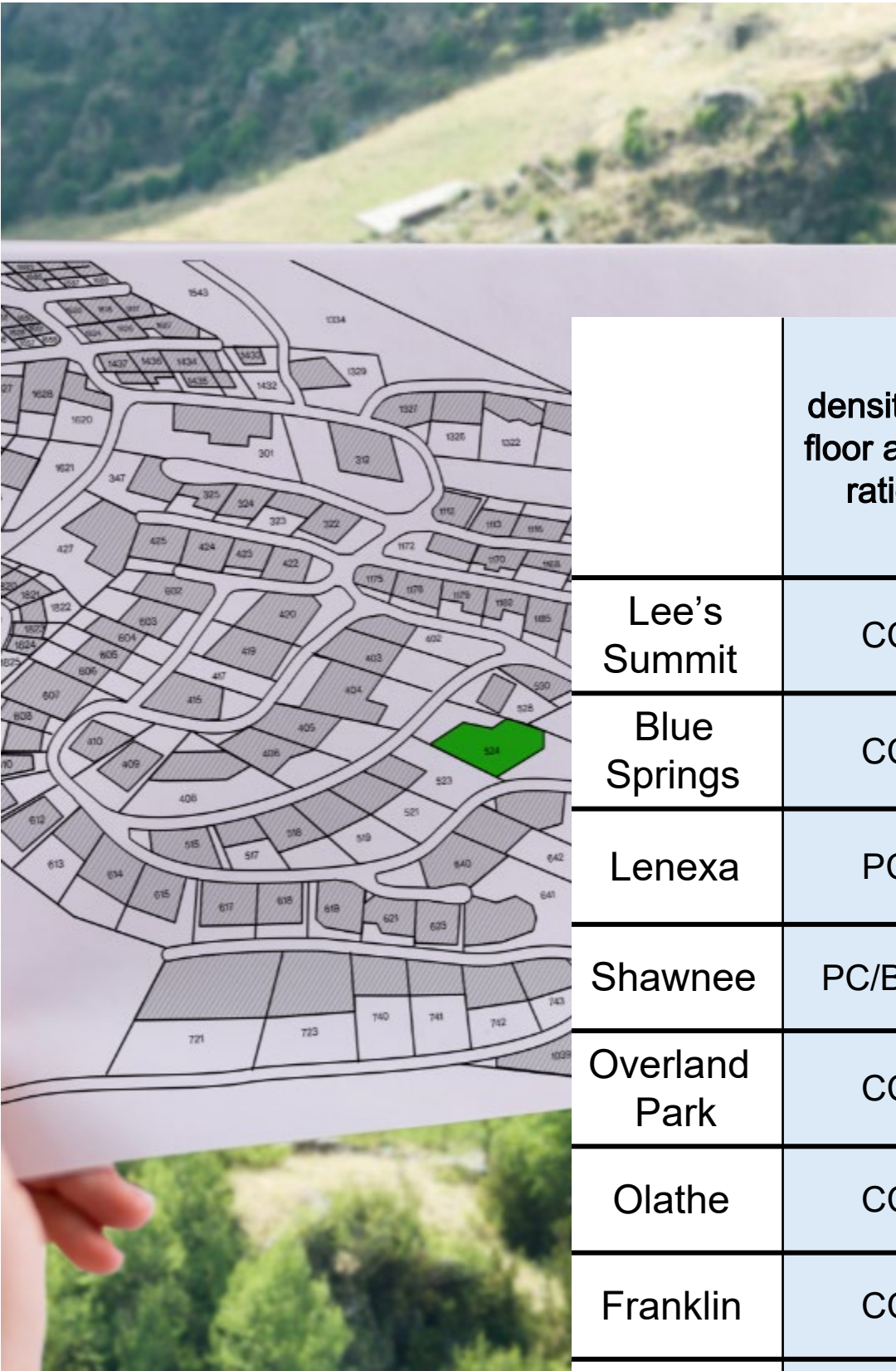
### Current Process

Planning Commission Approval 30 days

### Recommended Process

Staff (Administrative) Approval 7-10 days





# Modification Research

	density & floor area ratio	parking	min. lot size	building setbacks	design standards	min. public improvements	building materials	building height	landscape buffering	tree preservation & landscaping
Lee's Summit	CC	CC/Staff	CC	CC	CC/PC	CC/Staff	CC	CC	CC/PC	CC
Blue Springs	CC	CC/Staff	CC	CC	CC	CC	CC	CC	CC	Staff
Lenexa	PC	PC/Staff	PC	PC	PC/Staff	PC	PC/Staff	PC	Staff	Staff
Shawnee	PC/BZA	PC	PC/BZA	PC/BZA	PC/BZA	PC/BZA	PC/BZA	PC/BZA	PC/BZA	PC/BZA
Overland Park	CC	CC/PC	CC	CC	Staff	CC/Staff	Staff	CC	CC	CC
Olathe	CC	CC	PC	CC	CC	CC	CC	CC	Staff	Staff
Franklin	CC	CC	CC	CC	Staff	CC	CC	CC	CC	CC
Carmel	CC	CC	CC	CC	CC	CC	CC	CC	CC	CC

# MODIFICATIONS-BEST PRACTICES

## INVESTMENT

Encourages re-investment and re-habilitation of older, existing structures; especially for homeowners.

## QUALITY

The Modification may result in a higher quality design.

## SUPPORT

APA, ULI, ICMA, encourage process efficiencies & flexibility to promote community growth, housing goals, and investment.



# Modification Recommendations

## 3 TYPES (OR LEVELS) OF MODIFICATION REVIEWS

- Staff (Administrative) 7-10 days
- Planning Commission 4 weeks
- City Council Approval\* 3-4 months

*\*Modifications approved by City Council are reviewed by Planning Commission first.*

Modification	Recommended Additional Staff Approvals 7-10 days	Staff Approval 7-10 days	PC Approval 4 weeks	CC Approval 3 months
density & floor area ratio				✓
parking	parking lot design (moved from PC)	parking reductions during FDP	parking lot design	✓
min. lot size				✓
building setbacks				✓
design standards	RTU screening type (moved from PC)		RTU screening type	✓
min. public improvements		Stormwater/minor road improvements		✓
building materials		Necessary classification table updates		✓
building height				✓
landscape buffering	buffer location (moved from PC)		buffer location	✓
tree preservation & landscaping				✓



# Modification Recommendation

## 3 TYPES (OR LEVELS) OF MODIFICATION REVIEWS UDO 2.320

Staff (Administrative)	7-10 days
Planning Commission	4 weeks
City Council Approval*	3-4 months

*\*Modifications approved by Council are reviewed by Planning Commission first.*

### C. Modifications.

1. The Commission may recommend, and the Governing Body may approve, pursuant to the procedures set forth in this section, a preliminary development plan that modifies one or more of the restrictions or requirements found in this chapter, including, but not limited to, density and minimum lot size requirements, floor area ratios, building setback requirements, design standards, required minimum public improvements, building materials and color, maximum structure heights, parking, landscaping, buffering and tree protection requirements.
2. When a modification request is made that is not part of a pending rezoning application, ~~the~~ Commission City Staff may administratively approve, pursuant to the procedures set forth in this section, a preliminary development plan that modifies one or more of the following requirements found in this chapter to: parking lot design, landscape buffer location, and rooftop mechanical unit (RTU) screening design.
3. Uses permitted as of right, uses permitted with conditions and special uses within each district, as set forth in Article 4, cannot be modified pursuant to this subsection.
4. Modification requests may be recommended for approval or approved, as the case may be, if the Approving Authority concludes that the applicant has demonstrated that approval of the modification will:
  - a. Provide sustainable value to the City;
  - b. Incorporates sound planning principles and design elements that are compatible with surrounding properties and consistent throughout the proposed project;
  - c. Effectively utilizes the land upon which the development is proposed;
  - d. Further the goals, spirit and intent of this chapter; and
  - e. The project as a whole is consistent with the approval criteria of this chapter.
3. A separate vote on the proposed modification request is not required.

# Preliminary Development Plans – Modifications



## SUMMARY

- Increase the modifications that can be approved administratively.

## BENEFITS

- Provides flexibility and efficiency for developers and home builders.
- Streamlines process steps and decreases review costs for developers and home builders.



## IGNITE! ALIGNMENT



Make regulatory changes to promote a mix of densities and prices.



Build an adaptable framework for continued growth in a changing environment.

# 6. BOARD OF ZONING APPEALS – SETBACK REQUESTS

*discussion, recommendations, research, and best practices*





# Board of Zoning Appeals- Setback Requests

## BOARD OF ZONING APPEALS (BZA) PROCESS

BZA can hear a variance for any item that cannot be approved as a modification. (UDO 2.530)

BZA is a quasi-judicial board, powers and procedures derived from State Statute RSMO Ch.89

## BZA APPROVAL REVIEW TIME

Meetings are held monthly as needed

Review/Approval time is approx. 4-5 weeks

Application review fee for any request to the Board is \$515.00



BOARD OF ZONING APPEALS (BZA) PROCESS

# Board of Zoning Appeals- Setback Requests

## 34 OF 37 APPLICATIONS SINCE 2020 WERE FOR RESIDENTIAL PROPERTIES

- 30 of those for a setback for a single-family residence
- 27 or 93% of residential setback requests approved  
(2 denied, 1 withdrawn)

Row Labels	Count of Request
⊞ Setbacks - deck	15
⊞ Setbacks - detached garage	1
⊞ Setbacks - principal structure	9
⊞ Setbacks - swimming pool	5
Grand Total	30



# Board of Zoning Appeals- Setback Requests

2720 Bent Tree Circle

- ✓ Homeowner wanted to replace existing deck (1987)
- ✓ 2 ft variance required (5 foot for covered portion)
- ✓ Application was approved

## EXISTING PROCESS

**BZA APPROVAL**      **4-5 WEEKS**  
**BZA APPLICATION**      **\$515.00**

## RECOMMENDATION TO INCREASE ADMINISTRATIVE SETBACK REVIEW

**STAFF APPROVAL**      **7-10 DAYS**  
**PLOT PLAN**      **NO FEE**





# Board of Zoning Appeals – Residential Setbacks

## ARTICLE 14 – ADMINISTRATION DIVISION 1. – BOARD OF ZONING ADJUSTMENT

### Sec. 14.080. Administrative variance.

The Director is authorized to grant a variance for: 1) building setbacks of ten percent but not to exceed one foot-  
and 2) building setbacks of fifteen percent but not to exceed five feet for replacement or repair of existing  
residential structures excluding multi-family. Refusal to grant such variance shall not prohibit the owner from seeking the requested variance through Section 14.050 Appeal and Procedure.



# Board of Zoning Appeals – Residential Setbacks

## BEST PRACTICES

- Reduce financial and process barriers which discourage homeowners from reinvesting in their homes.
- Lengthy approval processes are intimidating and overwhelming to homeowners.
- Streamlined processes for new home construction and existing home renovations supported by APA, AARP, ULI, ICMA, HBA.

# Board of Zoning Appeals – Residential Setbacks



## SUMMARY

- Increase the setback variance that staff can approve to repair/replace existing residential structures (excluding multi-family).

## BENEFITS

- Encourage reinvestment and rehabilitation of existing, older housing stock.
- Promotes increase in property values.
- Removes barriers for homeowners.



## IGNITE! ALIGNMENT



Make regulatory changes to promote a mix of densities and prices.



Increase overall property values by neighborhood.



Preserve and protect existing housing stock.

# Summary of Housing Initiatives – List of Recommended Updates

1. **Sec 2.400.C Allow conceptual development plans without requirement of architectural plans and building square footages** which are still required with the PDP.
2. **Sec 2.300.A** Encourage and Streamline development of single-family homes and duplexes by allowing **development of up to 3 residential lots for administrative approval** when zoning is in place.
3. **Sec 2.300.B** Add language to capture that the **Director can determine if a proposal requires a PDP** for situations not currently identified in either list.
4. **Sec 2.330.B & C Allow administrative review up to the zoning district allowance** as a minor change and clean up the substantial changes and minor changes lists.
5. **Sec 2.330.C** Add language to capture items not identified in the PDP revision lists for the **Director to determine whether the changes are substantial or minor.**
6. **Sec 2.320.E Allow administrative approval of a PDP extension** for developers (commercial/residential) need flexibility with a 1-year extension.
7. **Sec 2.320.C Increase modifications that can be approved administratively** (RTU screening type, buffer location, parking design)
8. **Sec 14.080 Increase the setback variance allowed to be administratively approved for homeowners** when renovating or repairing an existing structure (5 ft max)





# Housing: Continued Discussion on Process Review Opportunities & Updates

Community & Economic Development Committee  
October 8, 2025

