



LEE'S SUMMIT
MISSOURI
Development Services Department

Development Services Staff Report

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| File Number | PL2024-036 |
| File Name | Unified Development Ordinance Amendments – to residential lot development standards and specifically to Article 4 Zoning Districts, Article 6 Use Standards, Article 7 Subdivisions, and Article 15 Rules of Interpretation and Definitions |
| Applicant | City of Lee's Summit |
| Property Address | Citywide |
| Planning Commission Date Heard by | March 28, 2024 Planning Commission and City Council |
| Analyst | Aimee E. Nassif AICP, Deputy Director of Development Services |

Public Notification

Community and Economic Development Committee Meeting: January 10 2024

Newspaper notification published on: February 21, 2024

1. Project Summary

Both the Ignite! Strategic Plan and Comprehensive Plan identify housing as a major goal area to be prioritized. Housing choice, diversity and attainability are all included elements of housing found in both City Plans. As part of our implementation work with the Ignite! Comprehensive Plan, staff has been researching and identifying opportunities to increase housing diversity and choice throughout the community. Recently, the City has adopted Unified Development Ordinance (UDO) updates regarding Accessory Dwelling Units (ADUs) and we have now completed research on additional UDO updates pertaining to housing development.

This series of UDO housing updates involves updates to single-family development requirements, multi-family development requirements, and the cluster development option. A summary of each UDO Article update is provided on the following table.

| | UDO Article, Division | Section | Description |
|---|-------------------------|---------------------|--|
| A | Article 4, Division II | 4.060 – 4.130 | Updates to the AG, RDR, RLL, RP-1, RP-2, RP-3, and RP-4 Districts to update density language and cluster development requirements |
| B | Article 6, Division I | 6.020 | Update use table to allow single-family residential in the RP-4 district |
| C | Article 6, Division I | 6.030 | Updates to Section title and development criteria table to remove outdated language, update lot size language and criteria for multi-family developments |
| D | Article 6, Division I | 6.040 | Improve readability and clarify setback standards |
| E | Article 7, Division III | 7.250 | Update language for consistency with narrow lot allowances in Article 6 |
| F | Article 15, Division II | 15.1110 and 15.3445 | Update definition of multi-family and also include a definition for zero lot line dwellings |

2. Project History and Collaboration

This section provides information on the background research conducted by staff, collaboration with community stakeholders, and direction from the Community and Economic Development Committee.

A. Community and Economic Development Committee Meetings

Discussion of housing attainability and diversity goals has occurred with the Community and Economic Development Committee (CEDC) since adoption of the Ignite! Comprehensive Plan in 2021. After a series of meetings in 2021 – 2022 discussing various options for single-family lots, narrow lots, and other Missing Middle housing elements, draft language and research was presented to the CEDC in 2023.

Agenda packet items including meeting minutes, research presented to the CEDC, and meeting videos are available at: [The City of Lee's Summit - Community and Economic Development Committee \(legistar.com\)](https://legistar.com/View/00000000-0000-0000-0000-000000000000). Below is a summary of the most recent meetings with the CEDC which focused on the series of updates before you this evening.

1. **November 8, 2023** – Staff identified areas for potential updates with the CEDC in alignment with Ignite! Comprehensive Plan goals. This included allowing single-family development in the RP-4 district, support and need for narrow residential lot development, and cluster development requirements. CEDC directed staff to continue work towards increasing housing diversity options and develop draft language.

2. **January 10, 2024** – CEDC recommended approval of housing updates presented by Staff which also included improving readability, necessary table updates, and updates to multi-family development requirements such as increasing density and inclusion of a minimum open space requirement.

B. Collaboration with Stakeholders

As part of our research, staff reached out to several home builders and developers to discuss narrow single-family lot development, cluster development, and multi-family density. Discussions were also held at our quarterly Lee’s Summit Home Builders Association Meetings on October 2, 2023, and January 25, 2024. Community stakeholders have expressed support for all updates proposed and have shared that these updates will provide better clarity, will provide opportunity for smaller single-family lot development, and reduce the amount of modification requests needed for multi-family proposals.

C. Research

This series of UDO updates included a look at code requirements in other municipalities as well as trends in planning applications that have been approved by the City. The local municipalities which staff researched included Kansas City, MO, Blue Springs, MO, Olathe, KS, and Overland Park, KS. Staff also researched planning and building trends and recommendations from such sources as the American Planning Association. A summary of the research conducted is provided with each applicable UDO update description in Section 3. *UDO Updates*.

Below is a chart which shows the highest density zoning requirements for single-family lot development in each of those municipalities as well as Lee’s Summit.

| | Zoning District | Minimum Lot Width | Minimum Lot Area | Maximum Density Dwelling Unit/Acre |
|-----------------------------------|------------------------|--------------------------|-------------------------|---|
| Lee’s Summit <i>(Existing)</i> | RP-3 | 50 ft | 4,000 s.f. | 10 du/ac |
| Blue Springs, MO | SF District-C | 35 ft | 3,000 s.f. | 14.5 du/ac |
| Olathe, KS | DS2 | 40 ft or per PDP | 3,000 or per PDP | 15 du/ac |
| Overland Park, KS* | RP-1N | 50 ft | 4,250 s.f. | 12.4 du/ac |

**Overland Park, KS is currently undergoing updates to their Comprehensive Plan and UDO requirements to increase housing diversity and encourage small lot (missing middle) development.*

3. UDO Updates

Below is a description of each recommendation. A redline copy of all draft language is included as an attachment.

A. Article 4, Division II, Section 4.060 – 4.130

Existing Language

These are the sections containing the zoning regulations for the City’s residential zoning district categories. These zoning district categories include AG, RDR, RLL, RP-1, RP-2, RP-3, and RP-4. The RP-1, RP-2, and RP-3 districts all allow for a “cluster option” provided that certain criteria are met. When this allowance was included in the UDO, the criteria portion was not completed.

Cluster development is a type of residential development which balances the residential growth with the preservation of open space. Developments of this type are allowed to “cluster” homes closer together on narrow and smaller individual lots which then increases the amount of undisturbed and protected topography, vegetation, and open space areas. These are sometimes also referred to as Conservation Zoning or Open Space Neighborhoods.

In a cluster development, the overall maximum density permitted remains the same, however lot sizes can be reduced. The clustered layout provides cost savings as the amount of infrastructure and grading are reduced. In addition, with smaller lot sizes, the residential structures tend to be smaller thereby reducing the cost of construction and price of the new home onto the market.

Recommendation

The proposed language removes redundancies, updates section 4.130.A of the RP-4 district, and provides the necessary criteria for the existing “cluster option” for developments in the RP-1, RP-2, and RP-3 districts. The criteria established provides clarity in the requirements, purpose for this style of development and includes an open space requirement of 30% which is significantly larger than the 10% otherwise required.

B. Article 6, Division I, Section 6.020

Existing Language

This section contains the use table for all permitted, conditional, and special uses allowed per zoning district. Currently, single-family detached dwellings are not permitted in the RP-4 district despite this type of residence being allowed in all other residential and mixed-use zoning districts.

Recommendation

To increase opportunities for residential diversity, updated language adds single-family detached dwellings as a permitted use in the RP-4 district. With inclusion of single-family dwellings into the RP-4 district, the “Minimum Lot Size” Table in Section 6.030 requires updating to include the development criteria which does not currently exist.

C. Article 6, Division I, Sections 6.030

Existing Language

Section 6.030 includes a “Minimum Lot Size” table which contains standards for density, lot size, and lot width per zoning district. Several of the existing standards in the RP-1, RP-2, RP-3, and RP-4 are either outdated or do not currently capture all dwelling types permitted in the district.

Recommendation

By updating the RP-4 district to include single-family dwellings as a permitted use, it was necessary to look at all the RP-4 zoning district requirements since criteria for multi-family dwellings is not the same as that for single-family. In reviewing the table, we identified areas to improve readability by clarifying the requirements. We also reviewed the last several years of development applications to see what densities have been requested and approved for multi-family as the existing 12 dwelling units per acre (du/ac) is extremely low for being our highest density district.

Over the last 5 years, the City has received 12 multi-family project proposals. Of these 12 projects, only 1 has met the existing density requirement. Densities that have been approved by the City ranged from 10.8 du/ac to 35 du/ac, with the average density approved by the City being approx. 22 du/ac.

Instead of continuing to have modifications, the RP-4 district has been updated to increase the maximum density for multi-family development to 25 units per acre. This increase aligns not only with the density regularly approved by the City, but also helps to achieve the City’s goal for residential category mix and diversity established in the Ignite! Comprehensive Plan. In addition, it is also necessary to increase the density due to the inclusion of single-family development into this district so that the density allowed for these types of residential neighborhoods is not the same. In looking at surrounding municipalities, below is a table showing the maximum density allowed for multi-family in comparison.

| | Maximum Density Allowed |
|-------------------|---|
| Lee’s Summit | 12 du/ac existing <i>25 du/ac proposed</i> |
| Blue Springs, MO | 18 du/ac |
| Olathe, KS | 29 du/ac |
| Overland Park, KS | 43.6 du/ac |

The final update to the “Minimum Lot Size” Table is the inclusion of an open space requirement for multi-family development in lieu of a minimum lot size. Having a minimum lot size as a way to control the scale and intensity of a development is not appropriate for a multi-family development as there will be five or more units on a single lot. In addition, proposed developments are not able to meet this requirement and are granted a modification with their density modifications. Instead of regulating massing by the lot size, Staff is proposing a minimum open space requirement of 30%. Municipalities such as Olathe, KS and KCMO also require a minimum of 30% open space. In addition, while the UDO currently only requires 10% open space on site, developments are consistently providing much more than that. Of the last 12 multi-family developments approved by the City, the average open space provided is 42% (the range is 24% - 59%).

D. Article 6, Division I, Sections 6.040

Existing Language

Section 6.040 contains the Minimum Principal Building Setbacks table which provides the required building setbacks in all zoning districts.

Recommendation

The proposed language updates the table to clarify requirements in the RP-2, RP-3, and RP-4 districts as well as includes setback criteria for single-family and two-family (duplex) developments in the RP-4 district.

E. Article 7, Division III, Sections 7.250

Existing Language

Section 7.250 includes a minimum residential lot width requirement of 50 feet.

Recommendation

The proposed language is necessary to update this section so that it does not conflict with the narrow lot allowances allowed in Article 6 which do provide for options to be less than 50 feet in width.

F. Article 15, Division II, Sections 15.1110 and 15.3445

Existing Language

The current definition of multi-family conflicts with the triplex and fourplex building types by stating that multi-family is a dwelling occupied by three or more families. In addition, the UDO currently allows zero lot line residential development, however it does not contain a definition of this style of residence. Zero lot line development is a type of residence in which the building on the lot is situated so that one or more of the building's walls rests directly on the side lot line. Examples include garden homes, patio homes, and townhomes.

Recommendation

The proposed language updates the multi-family definition to be that it is a dwelling occupied by five or more families and also includes a definition of zero lot line development.

4. Ignite! Strategic Plan and Comprehensive Plan

These proposed UDO updates as presented provide opportunities to increase housing choice options, encourage missing middle and workforce housing, and increase overall housing diversity. In addition, expanding housing choice for developers and including smaller lot size requirements also provides more options for bringing more affordable and attainable housing options on to the market. These are all critical elements to both the Ignite! Strategic Plan and Comprehensive Plans as further described on the following page.

A. Ignite! Strategic Plan

One of the Critical Success Factors of the Ignite! Strategic Plan is *Strong Neighborhoods with Housing Choices*. The objectives of this factor include encouraging affordable housing and considering policies to diversify housing choices. The Implementation Plan further identifies that one of the strategies for Plan implementation and success is to “[e]valuate current requirements to allow more housing options”. Expanding the residential housing options by allowing a smaller/narrow lot in the RP-4 district and clarifying how to qualify for a cluster option development are both ways to address this goal. In addition, one of the Action Items from this Implementation Plan states to “[c]reate more zoning opportunities for different housing choices”.

B. Ignite! Comprehensive Plan

Goal 3.2 of the Comprehensive Plan is *Strong Neighborhoods and Housing Choice*. As stated in the Ignite! Plan, “[s]trong neighborhoods and diverse housing choices attract new residents and provide affordable housing options for families, young professionals, hourly workers, empty nesters, and people with different abilities from all generations, cultures, and backgrounds”. The Strong Neighborhoods and Housing Choice goal description states that the City should: “*maintain thriving quality neighborhoods that connect a diversity of residents throughout the community*”. In addition, one of the Action Items from the Implementation Dashboard of the Plan promotes the creation of UDO regulations allowing for smaller lot sizes and higher density options. Expanding residential options into the RP-4 district and increasing the density allowed in multi-family both specifically address this goal.

5. Summary

Attached is a redlined copy of each of the Article updates for your review. As stated earlier in this report, the draft language presented is a result of research of other communities, American Planning Association, as well as public input from the homebuilders and developers. Staff also shared these recommendations with the Community and Economic Development Committee (CEDC) on January 10, 2024, and a motion by the CEDC was made to advance these recommendations to the Planning Commission for public hearing.