

New Business Item



Subject: Update on Zoning and Subdivision Regulation Amendments
Meeting: February 18, 2021 Planning Commission Meeting
Presented by: Scott Knebel, City Planner

BACKGROUND:

- The Planning Commission appointed a steering committee to guide the process to update the zoning and subdivision regulations to implement the Vision Derby 2040 Comprehensive Plan..
- A website has been created to provide information on the process:
<http://derbyks.com/715/Zoning-and-Subdivision-Regulation-Amendm>
- Regular updates on the process will be provided to the Planning Commission.
- Since the last Planning Commission update, the steering committee has discussed mixed-use development and walkable development.
 - Mixed-Use Development: The Vision Derby 2040 Comprehensive Plan identifies a new future land use type for Derby called “mixed-use” which is a type of development where residential and commercial uses are integrated in a single development through shared open space rather than being separated by walls. The plan proposes that mixed-use development be accommodated through three zoning techniques that are summarized in an attached document .
 - Walkable Development: The Walkable Development Plan recommends amendments to the design standards of the subdivision regulations so that neighborhoods are designed to provide shorter, more direct walking routes to parks, schools, shopping, and employment. Parking requirements also are recommended to be reduced so that large, underutilized parking lots are not required to be built. Amendments to the design standards for parking lots are recommended to improve the safety and comfort of pedestrians. The proposed changes are summarized in an attached document.

RECOMMENDED MOTION:

- Receive and file the update on the zoning and subdivision regulation amendments.

ATTACHMENTS:

[Mixed-Use Development](#)
[Walkable Development](#)



Planning Commission Update Mixed-Use Development

The Vision Derby 2040 Comprehensive Plan identifies a new future land use type for Derby called “mixed-use” which is a type of development where residential and commercial uses are integrated in a single development through shared open space rather than being separated by walls. The Future Land Use Map of Vision Derby 2040 identifies approximately 300 acres of land to potentially be developed with mixed-uses. The plan proposes that mixed-use development be accommodated through one of three zoning techniques:

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

Each of these techniques is outlined below and is described in greater detail online at:

<http://derbyks.com/DocumentCenter/View/8014/Agenda-Packet-for-12-15-20-VIRTUAL-MEETING>

The preferred approach for mixed-use development in new growth areas would be the mixed-use zoning district or PUD; whereas, allowing residential uses in nonresidential zoning districts is intended to promote mixed-use development in existing areas.

Allow Residential Uses in Nonresidential Zoning Districts:

- New lot and bulk standards are proposed to establish the development standards by which single-family, two-family, and multi-family development could occur in nonresidential zoning districts.
- Smaller lots with reduced setbacks are proposed to allow buildings to be constructed closer together, thus reducing the walking distance from one building to another as well as reducing walking distances overall.
- Taller buildings are proposed to allow more uses to be constructed in closer proximity to one another, including the ability to build apartments on top of commercial uses in the same building
- Increased lot coverage is proposed to allow buildings of a similar size to what is typically constructed now to be built on the smaller lots that would be allowed.

Change the Nonresidential Planned Unit Development District to a Mixed-Use PUD:

- The existing zoning regulations for PUDs are proposed to be changed to make the Nonresidential PUD into a Mixed-Use PUD.
- Since residential uses would be allowed in a Mixed-Use PUD, the same review process is proposed to be used for a Mixed-Use PUD and a Residential PUD.
- The ability to appeal Planning Commission conditions of approval on a Preliminary PUD

to the City Council is proposed to be removed because of due process concerns. The final decision on a PUD still rests with the City Council.

- Additional flexibility for increases in density, lot coverage, and building height and for reductions in setbacks is proposed for both the Planning Commission and staff adjustments.
- Staff adjustments are proposed that would allow commercial uses of equal intensity to be approved administratively in a Mixed-Use PUD. More intensive uses would still require Planning Commission and City Council approval.

Create a Mixed-Use Zoning District:

- A proposed new mixed-use zoning district would require the development of both residential and commercial uses in an integrated development with public open space.
- Permitted uses are proposed to be simplified in a way that uses broad terms for many types of individual business to provide greater flexibility in code administration as the types of businesses change over time.
- The mixed-use zoning district is proposed to accommodate a variety of land uses in a pedestrian- oriented, urban-scale environment that promotes human-scale building design and public open space and creates distinctive and memorable mixed-use developments through the following techniques:
 - Requiring buildings to be built close to the street without parking being located between the building and the street.
 - Establishing parking maximums to ensure that the development is not dominated by mostly empty parking lots.
 - Requiring privately-owned, but publicly-available, open space as a community amenity and as a buffer among various uses.
 - Requiring public streets to provide a safe and comfortable environment for pedestrians and bicyclists and to include, to the extent practical, design features such as bump-outs, medians, tight corner radii, high visibility crosswalks, on-street parking, limited driveways, on-street bicycle lanes, street trees, lighting, benches, and other amenities.
 - Providing designated pedestrian routes that are separated from vehicular traffic to connect buildings and open space within the development.
 - Establishing screening and landscape requirements that use landscaped buffers instead of walls between different types of uses.
 - Providing for a different approach to on-site landscaping than the large landscaped yard between the building and street that is required in other zoning districts.
 - Restricting auto-oriented uses such as drive throughs.

Planning Commission Update Walkable Development

The Walkable Development Plan recommends amendments to the design standards of the subdivision regulations so that neighborhoods are designed to provide shorter, more direct walking routes to parks, schools, shopping, and employment. Parking requirements also are recommended to be reduced so that large, underutilized parking lots are not required to be built. Amendments to the design standards for parking lots are recommended to improve the safety and comfort of pedestrians.

These recommendations are outlined below and are described in greater detail online at: <http://derbyks.com/DocumentCenter/View/8231/Agenda-Packet-1-19-21-VIRTUAL-MEETING> The recommendations provide greater specificity as to how subdivisions and parking lots are to be designed; therefore, the Planning Commission is proposed to have the flexibility to modify the standards when the intent of the regulation is met.

Subdivision Design Standards

The design standards of the subdivision regulations are proposed to be amended so that neighborhoods are designed to provide shorter, more direct walking routes to parks, schools, shopping, and employment.

- Street access points are proposed to be required every 1,320 feet, with mid-block pedestrian access required every 660 feet. The example below shows how the neighborhood design might have differed if the requirement had been in place.



- Inter-neighborhood access points are proposed to be required every 1,320 feet, with mid-block pedestrian access required every 660 feet. The example below shows how the neighborhood design might have differed if the requirement had been in place.



- Cul-de-sacs are proposed to be limited to 300 feet in length instead of the current standard of 600 feet. The example below shows how the neighborhood design might have differed if the requirement had been in place.



- Blocks are proposed to be limited to 600 feet in length and 2,400 feet in perimeter. The example below shows how the neighborhood design might have differed if the requirement had been in place.



- Pedestrian access ways are proposed to connect neighborhoods to destinations such as parks and schools when the walking distance can be reduced by 50% or 400 feet, whichever is less. The example below shows how the neighborhood design might have differed if the requirement had been in place.



- Access easements are proposed to be permitted for both residential and non-residential development. A property that could be developed with patio homes on individual lots due to this change is outlined below.



Parking Requirements

Parking requirements are recommended to be reduced so that large, underutilized parking lots are not required to be built.

- The parking requirement for office and retail uses is proposed to be decreased from 1 parking space per 300 square feet of building floor to area to 1 parking space per 400 square feet of building floor area.
- Bicycle parking is proposed to be required for developments that are required to provide 25 vehicular parking spaces or more.
- Other reductions in parking requirements are proposed to be more similar to Wichita-Sedgwick County regulations.

Parking Lot Design Standards

Amendments to the design standards for parking lots are recommended to improve the safety and comfort of pedestrians.

- For large parking lots, the pedestrian pathway that connects the building to the street is proposed to be physically separated from the parking lot.
- For developments with multiple buildings, a system of pedestrian pathways that connects the buildings is proposed.
- Sidewalks are proposed to be required along private streets and circulation aisles connecting multiple parking lots.