

CD-CPC-2024-00122

Zoning Code Text Amendment

October 2, 2024

City Plan Commission



- **This is a request to amend Chapter 88-335-01-B, Detention and Correctional Facilities, for the purpose of amending required separation distances.**
- **Zoning and Development Code Text Amendments are done to make changes to Chapter 88.**
 - **These amendments can be periodic to “clean up” components of the Zoning and Development Code or address policy and urban planning best practices.**

- **Detention and Correction facilities are permitted in the R-80 (Residential) and Manufacturing districts subject to obtaining an SUP from the BZA, and subject to the standards of Chapter 88-335-01.**
- **The SUP process requires two public hearings, one before the City Plan Commission the other before the BZA who is the final decision-making body.**
- **Notice is sent to all adjacent property owners and owners within 300' of the parcel. PE also required.**

- **88-335-01-B. No such facility may be on property located within 1,000 feet of R zoning district or within 1,000 feet of any residential dwelling unit; school; library, museum, or cultural exhibit; community center; park, boulevard, or parkway; religious assembly; or day care use, with separation measured in accordance with 88-820-15.**

- **88-335-01-B. No such facility may be on property located within 1,000 feet of R zoning district or within 1,000 feet of any residential dwelling unit; school; library, museum, or cultural exhibit; community center; park, boulevard, or parkway; religious assembly; or day care use, with separation measured in accordance with 88-820-15, unless separated by the Missouri, Kansas, or Blue river, which would require 400 feet separation.**

- The amendment to reduce the separation distance under special circumstances.**
- Will still require an SUP subject to 88-335-01.**
- Distance can only be reduced to 400 feet if it is located next to a river.**
 - ✓ **The Missouri River.**
 - ✓ **The Kansas River.**
 - ✓ **The Blue River.**
 - ✓ **Creeks, streams, tributaries and other waterways will not qualify for this reduction.**

RECOMMENDATION:

Approval

There is current language in the code that allows the BZA to waive the separation distance for Halfway House.

88-352-01-B. At the time of original approval, no facility shall be located within 1,500 feet of another such facility, group living, day care; and no facility shall be located within 500 feet of a school, with separation measured in accordance with. The Board of Zoning Adjustment may waive this requirement if the facilities are separated by a major thoroughfare, railroad track, major waterway, or other comparable manmade or natural barrier.

