

# CD-CPC-2024-00140

Periodic Review of Chapter 88 – Major Amendment Criteria

11/20/2024

City Plan Commission



# Background

- City Plan Commission heard a periodic review for 4 amendments on November 7, 2023.
  - Westport Overlay Documentation
  - Home Occupations
  - Communications Service Establishments
  - Major Amendment Criteria
- City Council approved the Westport Overlay Documentation and Communication Service Establishments on March 7, 2024

# Major Amendment Criteria

- Minor amendments are able to be approved by staff
- Major amendments require application submittal, public engagement, City Plan Commission recommendation, and approval by City Council.

# Current Major Amendment Criteria

## 88-510-07 - REVIEW CRITERIA



In reviewing and making decisions on zoning and development code text amendments, the city planning and development director, city plan commission and city council must consider at least the following factors:

**88-510-07-A.** whether the proposed zoning and development code text amendment corrects an error or inconsistency in the zoning and development code or meets the challenge of a changing condition;

**88-510-07-B.** whether the proposed zoning and development code text amendment is consistent with adopted plans and the stated purpose of this zoning and development code; and

**88-510-07-C.** whether the proposed zoning and development code text amendment is in the best interests of the city as a whole.

(Ord. No. 120783, § 1, 10-4-2012)



# Proposed Major Amendment Criteria

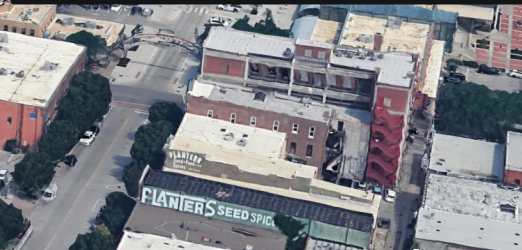
## 88-516-06 AMENDMENTS TO DEVELOPMENT PLANS OR PROJECT PLANS

### 88-516-06-A. MAJOR AMENDMENTS

1. Major amendments to approved development plans or project plans must be reviewed and approved in accordance with the development plan or project plan review procedures of this ordinance. Major amendments to development plans or project plans include one or more changes, in cumulative total (when compared to the original plan approval), that would:
  - a. increase building coverage by more than 10%;
  - b. increase the total floor area by more than 10% ~~or 5,000 square feet, whichever is less;~~
  - c. increase building height by more than 10% ~~or 6 feet, whichever is less;~~ or 15 feet in all zoning districts except M, whichever is less;
  - d. ~~increase building height by more than 10% in an M zoning district within 500 feet of a Residential zoning district;~~
  - e. ~~increase the total impervious surface coverage by more than 10% or 10,000 square feet in an Manufacturing zoning district within 500 feet of an R zoning district, whichever is less;~~
  - f. ~~increase the total impervious surface coverage by more than 10% in a M zoning district for properties not within 500 feet of a R zoning district;~~
  - ~~d.g.~~ increase the total impervious surface coverage by more than 10% in all other zoning districts;
  - ~~d.~~ ~~increase the total impervious surface coverage by more than 10% or 2,000 square feet, whichever is less;~~
  - h.e. result in extensive site modification involving location of buildings, razing, and reconstruction of approved uses;
  - h.f. increase the number of dwelling units by more than 10%; or
  - h.g. result in any other change that the city planning and development director determines will have impacts that warrant full review of the application in accordance with the development plan review procedures.

# Height



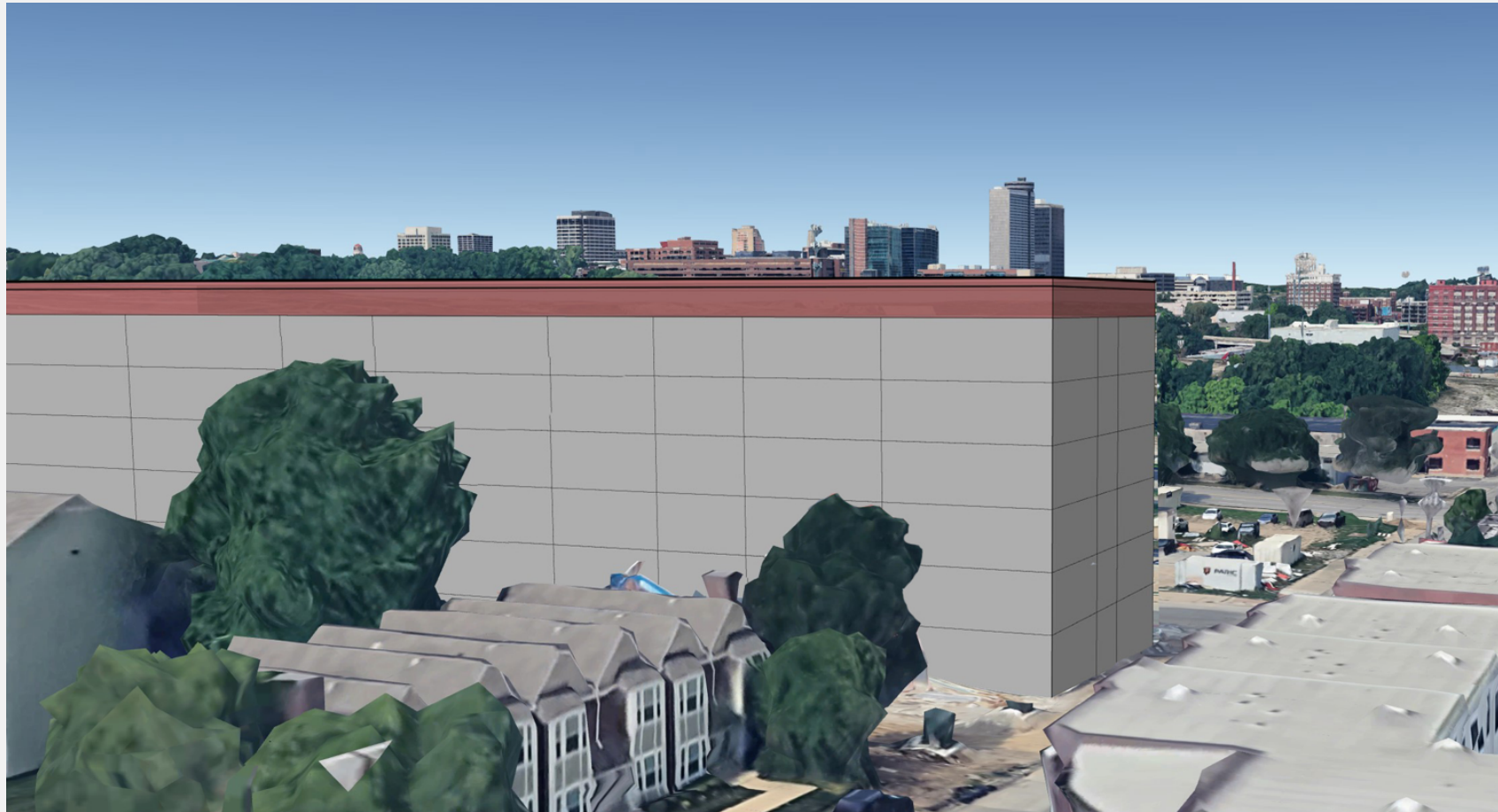


# Height

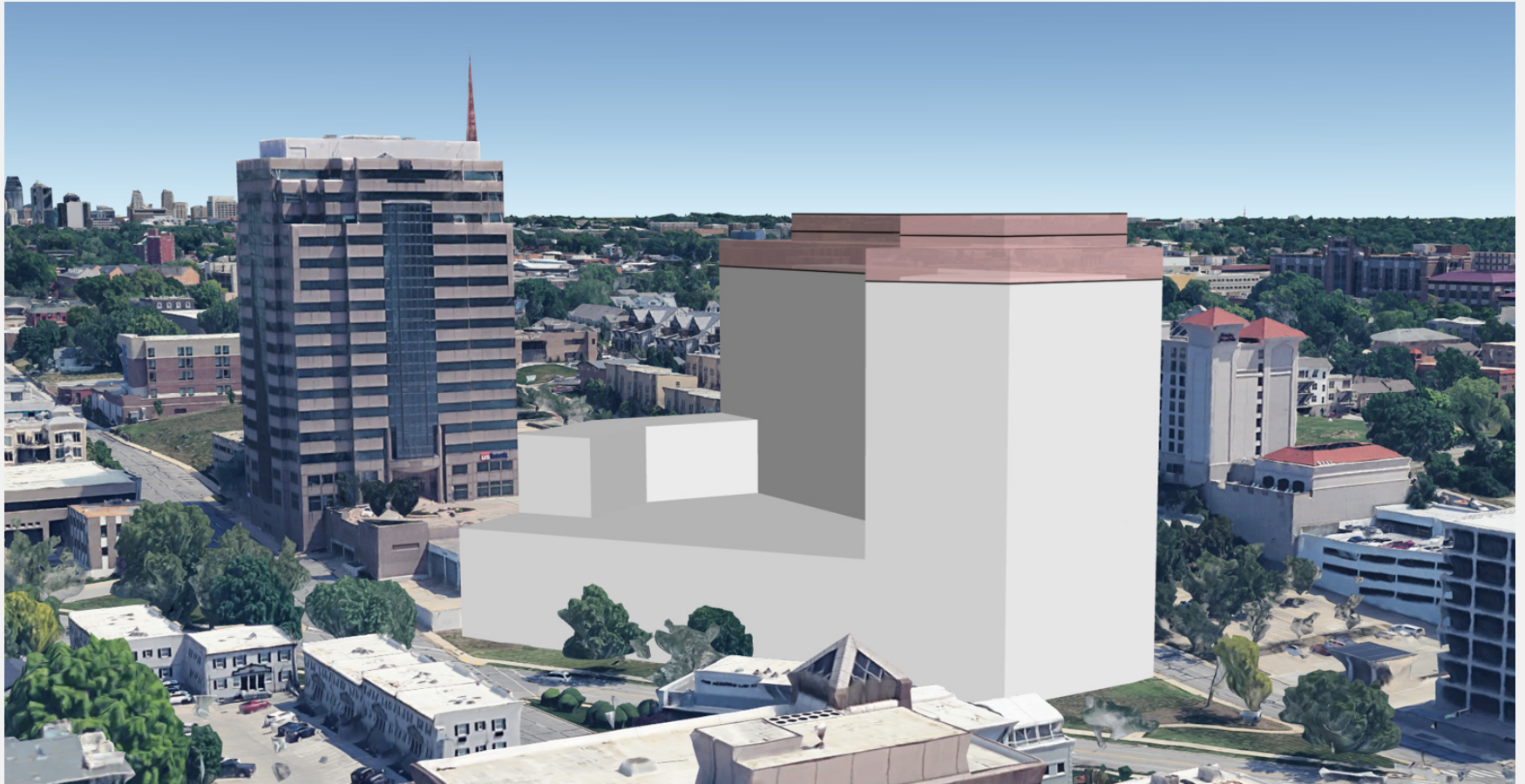




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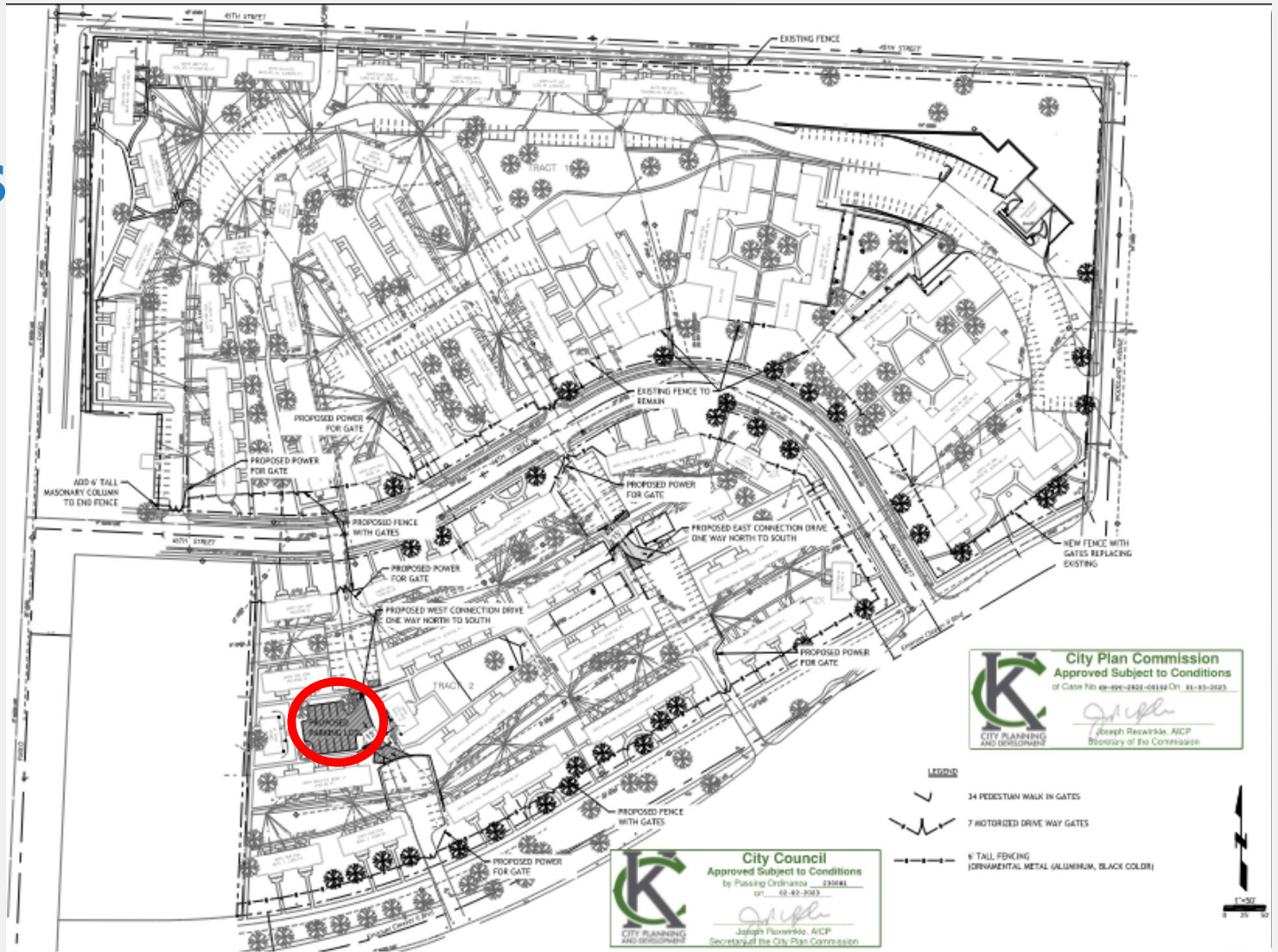


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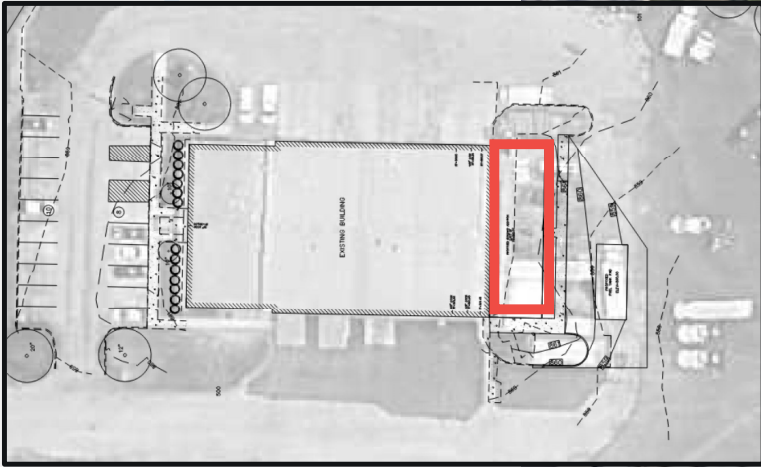




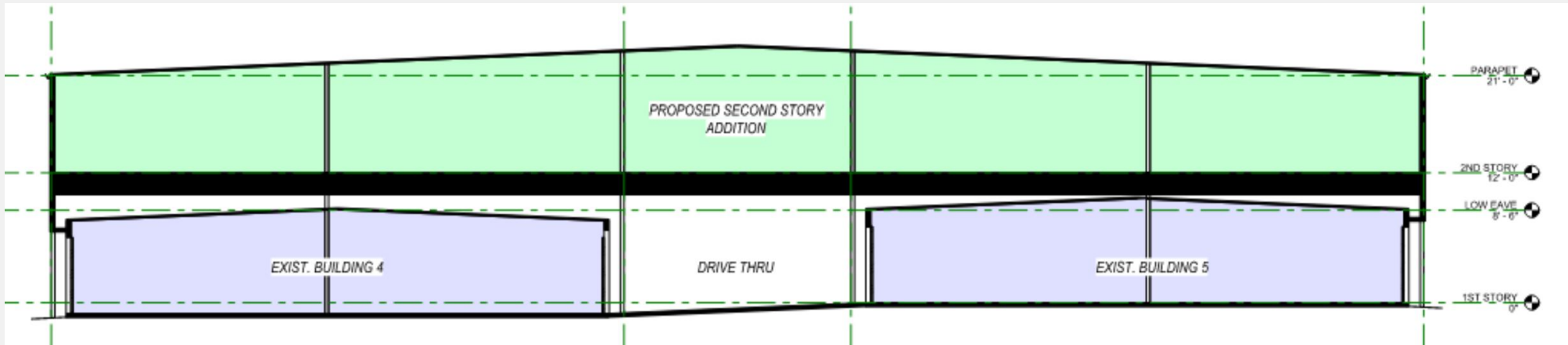
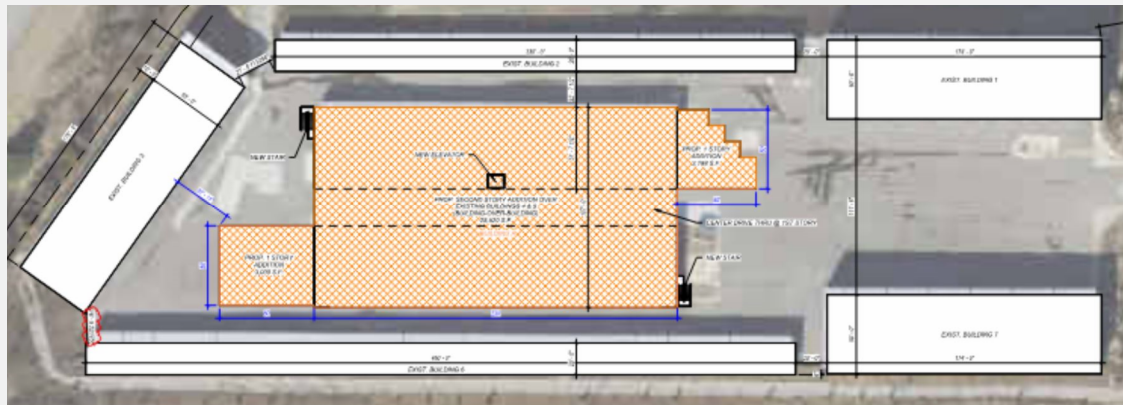
# Impervious Surface Increase



# Impervious Surface Increase -



# Multiple Major Amendment Criteria



## Staff Recommendation:

- CD-CPC-2024-00140:
  - Approval



# Major Amendment Criteria in Other Cities

- Lee's Summit, MO
  - Increase in lot coverage of more than 10%
  - Increase in height of more than 25%
  - Increase in total floor area of nonresidential buildings of more than 25%
- South Bend, Indiana
  - No increase in height, area, bulk or intensity which exceeds that is allowed within the district or that would adversely impact the purpose or intent of the overall development
- Oklahoma City, OK
  - Floor area not increased or decreased by more than 20%
  - Height, yard, lot coverage not altered by more than 20%
- Pittsburgh, PA
  - Development intensity or residential density by no more than 10%
  - Increases height by no more than 10%
  - Structure is not moved closer to perimeter.



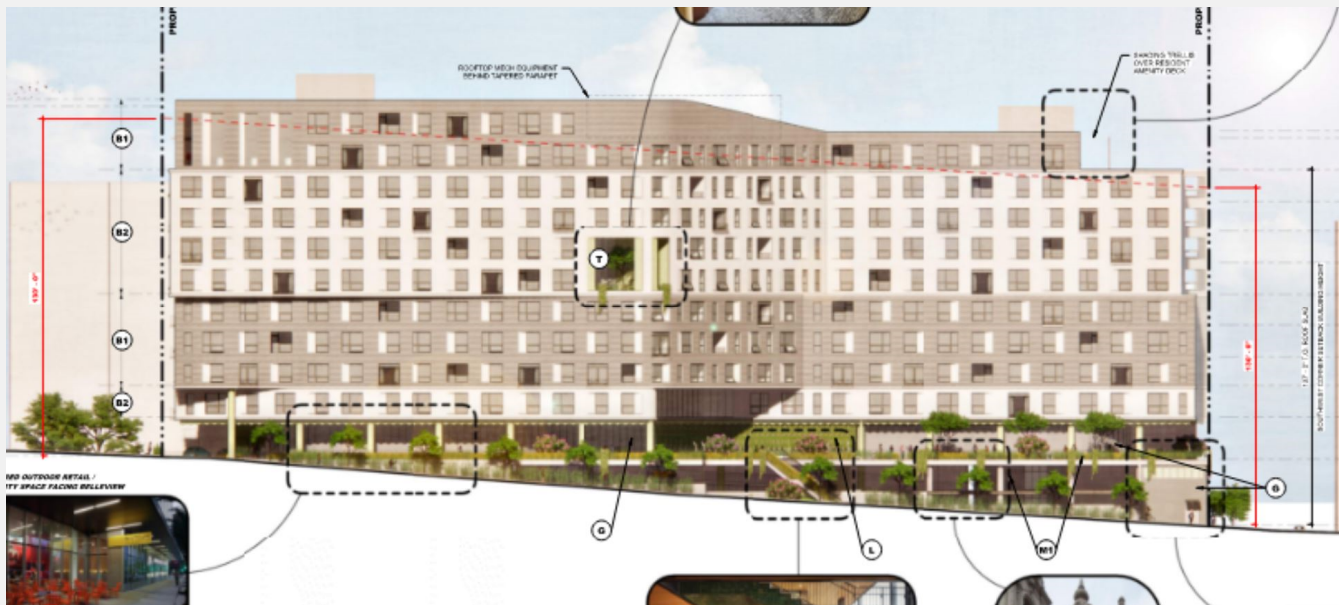
# Major Amendment Criteria in Other Cities

- Baltimore, MD
  - A 10% increase or 25% decrease in approved number of dwelling units.
  - A 10% increase or 25% decrease in max. building height.

## Three Periodic Review Criteria

- A. Whether the proposed Zoning and Development Code text amendment corrects an error or inconsistency in the Zoning and Development Code or meets the challenge of a changing condition;
- B. Whether the proposed Zoning and Development Code text amendment is consistent with adopted plans and the stated purpose of this Zoning and Development Code; and
- C. Whether the proposed Zoning and Development Code text amendment is in the best interests of the City as a whole.

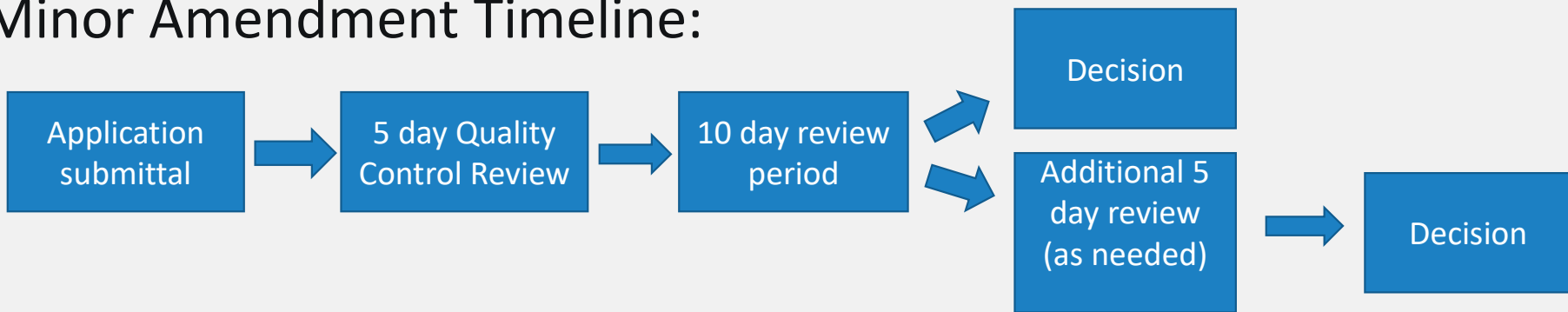
# 4711 Belleview Ave.



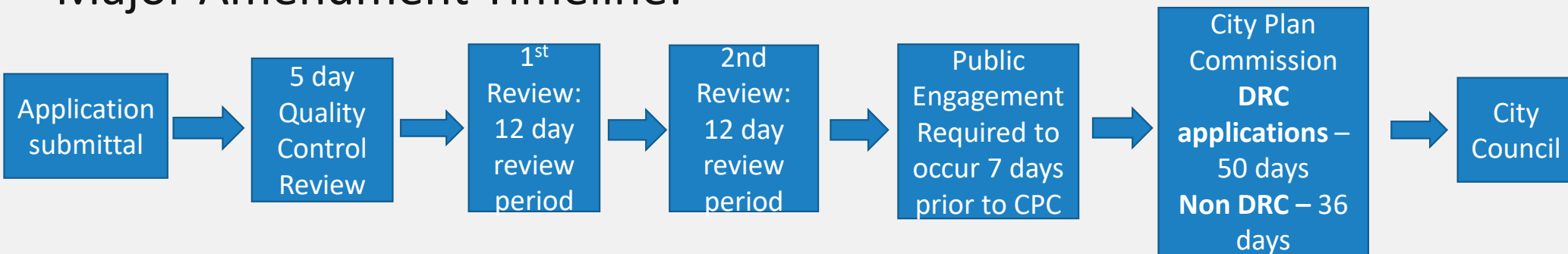
- Current height: 134'
- Current allowed height increase: 6'
- Proposed allowed height increase: 13.4'
- Current square footage per floor (largest floor): 33,796
- Max allowed increase under current code: 5,000 or
- Max allowed increase under proposed code: 46,755
- Still cannot increase unit count by more than 10% (31.7 units)

# Timelines:

## Minor Amendment Timeline:



## Major Amendment Timeline:



# Public Engagement

- Zoning Map Amendments (including UR and MPD districts)
- Development Plan Approval (including UR and MPD Preliminary Development Plan)
- Special Use Permits
- Preliminary Plats
- Minor Subdivisions that are requesting waivers or modifications

# Major Amendments in Kansas City 2022-2023

