

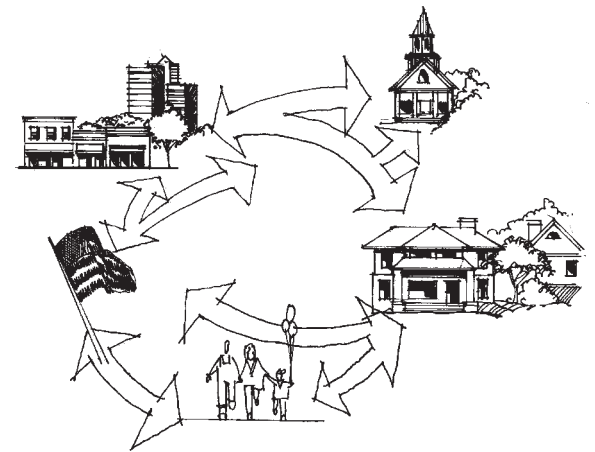


Planning/ Development Process

*This Section summarizes how planning relates to zoning and development, what the key points of the **FOCUS Kansas City Comprehensive and Strategic Plan** are, what the basic approval process is for planning and development decisions, and the role of the parties involved.*

Planning and the Comprehensive Plan

- ✓ Planning drives zoning. All requests for rezoning must comply with the City's adopted comprehensive plan.
- ✓ In Kansas City, the comprehensive and strategic plan is **FOCUS Kansas City**, adopted unanimously by City Council in October 1997.
- ✓ Other more detailed plans, such as Area Plans, corridor plans, project plans or neighborhood plans, make detailed recommendations regarding land uses. The **FOCUS Kansas City Plan** did not replace area plans. They still serve as a guideline as to how development should be occurring in a specific area of the city. Any amendments to area plans should be consistent with the **FOCUS Kansas City Plan**.





Neighborhood Assessment Workshop

FOCUS Overview

- ✓ **FOCUS** stands for “Forging Our Comprehensive Urban Strategy”.
- ✓ **FOCUS Kansas City** is a unique, citizen-based plan, which won the American Planning Association’s Outstanding Planning Award for a City Plan for 1999.
- ✓ **FOCUS** is an interconnected plan that provides a new decision-making framework for complex issues enabling all parts of the city to work together toward the same goals.
- ✓ **FOCUS Kansas City** provides a vision for Kansas City, as well as policy principles, a strategic framework and 600 specific recommendations and initiatives for guiding development, managing growth, strengthening neighborhoods, and connecting physical planning to social and economic solutions to urban challenges.

✓ The **FOCUS** vision of the New American City, making connections for the 21st Century:

- ✗ drives economic and development decisions
 - ✗ challenges us to eliminate barriers and divisions and build linkages and partnerships benefiting the whole community
 - ✗ emphasizes *connections* – “connecting people to places, people to each other and our past to our future.”
- ✓ **FOCUS Kansas City** emphasizes:
- ✗ targeting incentives (See the Land Use and Development Chapter on incentives)
 - ✗ partnerships (City/Private/Not-for-Profits/Neighborhoods)
 - ✗ neighborhoods choosing their own destinies through the Neighborhood Assessment Workshops
 - ✗ targeting of City services.

✓ Staff throughout city hall is working to implement **FOCUS** by incorporating the **FOCUS** principles and programs into their operations.

✓ The City Council has incorporated **FOCUS** initiatives in the City budget and use the **FOCUS Kansas City Plan** in making decisions every day at city hall.

✓ The private sector is working on the **FOCUS** agenda also.

Key **FOCUS** Land Use and Development Recommendations

FOCUS Kansas City has a number of key recommendations regarding land use and development that are the foundation for development decisions:

✓ The **FOCUS Kansas City Plan** recommends that development should be encouraged in mixed-use and transit centers along “Corridors.” **FOCUS** defines corridors as “physical and cultural pathways that connect people, neighborhoods, community anchors” and “also link history, culture and ideas.”

✗ Some major types of corridors in Kansas City include Great Pedestrian Streets, Boulevards and Parkways, Transit Corridors, Recreational Corridors, Natural Corridors, Cultural and Historic Corridors, and Highway and Interstate Corridors.

✓ **FOCUS** recommends that infill development, redevelopment, or development proposed as a contiguous or an efficient extension of existing development patterns should be encouraged within Development Priority Zones as shown on the **Citywide FOCUS Recommendations Map**, and that “leapfrogging” should be avoided due to the cost of City services for noncontiguous areas.

✗ Outside of those areas, the full cost of infrastructure extensions must be the responsibility of the developer.

✓ **FOCUS** supports compact and mixed-use patterns of development, particularly along transit corridors, which reduce long commutes, retain open spaces, and minimize costs for public services and facili-



PLANNING/DEVELOPMENT PROCESS

Citywide FOCUS Recommendations

City of Kansas City, MO



City Limit Line

Transportation Centers



Multi-Modal Center



Park and Ride

Mixed Use Centers



Small Neighborhood



Neighborhood



Community



Regional

Mixed Use Corridors



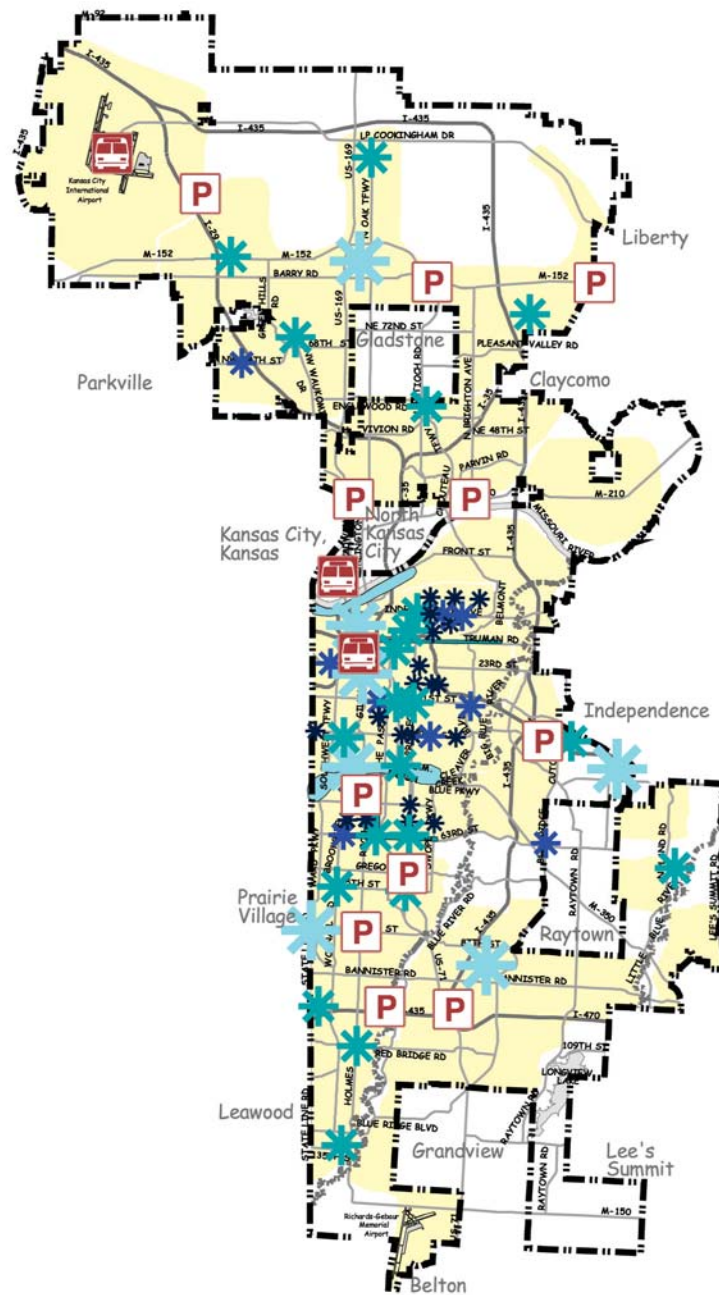
Community



Regional



Development Priority Zones



ties. The **FOCUS Recommendations Map** shows the primary locations of existing and proposed mixed-use and transportation centers.

✔ **FOCUS** promotes choice in transportation, including the automobile, public transit, bicycles, and walking. It suggests that all modes of transportation should be considered when planning for any mode and any land use.

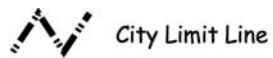
✔ The thousands of Kansas Citians who participated in **FOCUS** made it clear that *quality* has risen to the same level of importance as *quantity* in development. The **FOCUS Kansas City Plan** suggests 11 basic characteristics of Quality Places to live and work in Kansas City, which can be used to evaluate development and redevelopment:

- ✘ Walking is feasible, safe, and inviting.
- ✘ Streets form a continuous network, are of minimum width, are well designed, and allow for adequate public safety and traffic volume.
- ✘ Transportation alternatives are convenient and easy to use.
- ✘ Existing valuable and historic buildings are refurbished and reused.
- ✘ Buildings are designed to create or contribute to a sense of community.
- ✘ Residential land use is an essential component of mixed-use development.
- ✘ Neighborhoods and commercial districts have identifiable centers that create places for residents or employees to gather, interact, and communicate, and that help create an identity for the area.



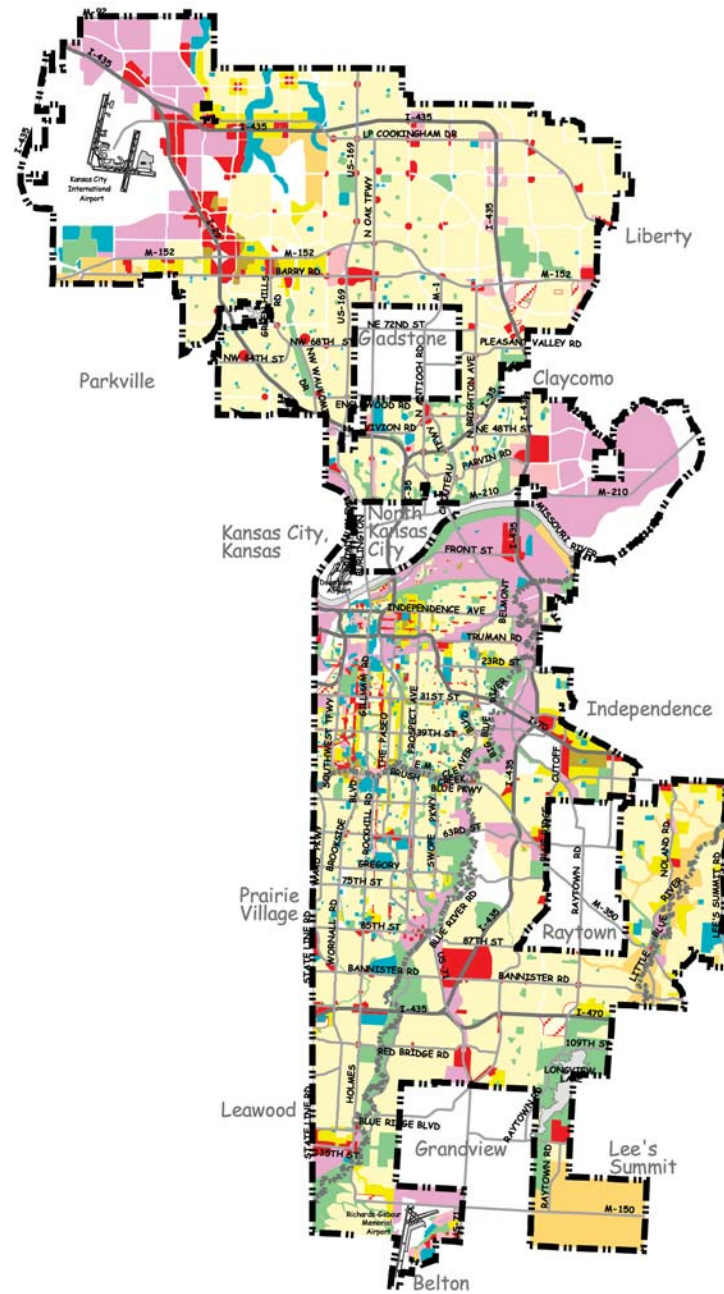
PLANNING/DEVELOPMENT PROCESS

Citywide Proposed Land Use City of Kansas City, MO



Proposed Land Use

- Agriculture & Residential
- Low Density Residential
- Medium Density Residential
- High Density Residential
- Office
- Retail
- Mixed Use
- Industrial
- Public/Semi Public
- Parks and Open Space



- ✗ New development occurs at infill sites or contiguous to existing development and uses existing infrastructure effectively.
- ✗ Neighborhoods and districts have distinct and identifiable characters.
- ✗ Development preserves or creates open space, respects existing topography, and minimizes the impact of development on the natural environment.
- ✗ New development and infrastructure are built to be useful for 100 years or more.

✓ Appendix B provides more detail on the **FOCUS Kansas City Phase 1 Policy Plan**, the component plans, and the 12 Building Blocks and Strategies.

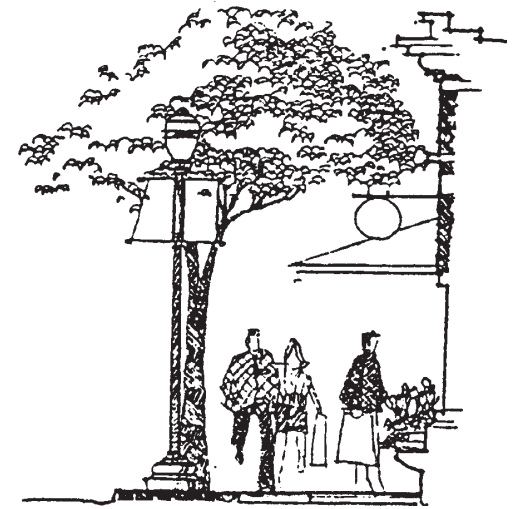
The Development Process

The Role of the Adopted Plan

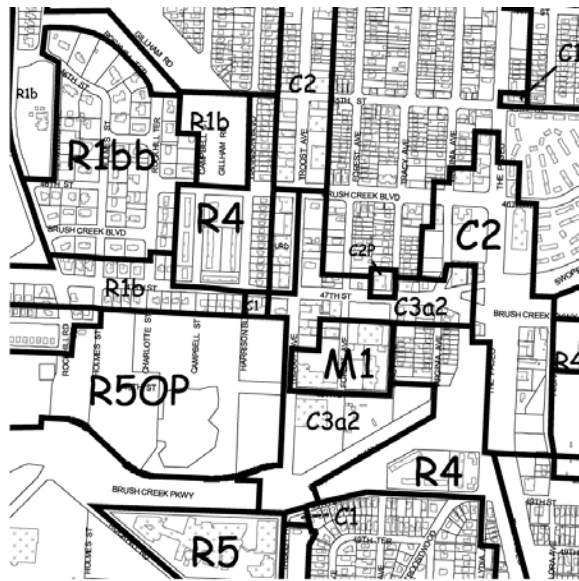
✓ **FOCUS** is the adopted policy guide for all land use and development decisions.

✓ Although Missouri law does not require that particular zoning decisions strictly conform to the land use plan, it is one of the major factors courts will consider when reviewing a city's zoning decisions, and it is one of the primary bases used for the staff's recommendation on any particular zoning request.

✓ The **Proposed Land Use Map** shows where, in general, the different uses should be located in the city in the long term. It is a composite of smaller scale adopted land use plans, such as the Area Plans, which provide more detail in specific areas of the city.



PLANNING/DEVELOPMENT PROCESS



Typical Zoning Map

Zoning

- ✓ The Missouri Zoning Enabling Act provides cities with authority under its police powers to regulate land use along with area, height, setback and bulk requirements.
- ✓ Zoning helps implement land use plans by regulating exactly what uses are allowed on specific parcels of land and how they can be developed in terms of placement on the lot, height, density, access, parking, signage, setbacks and other design requirements.
- ✓ Zoning Districts are designated by general category of use such as Residential, Office, Commercial (i.e. business), and Manufacturing (i.e. industrial), in addition to some special planned districts that have more detailed requirements.
- ✓ Certain zoning districts allow for development, if the proposal meets the zoning regulations, through the building permit process only; this is generally referred

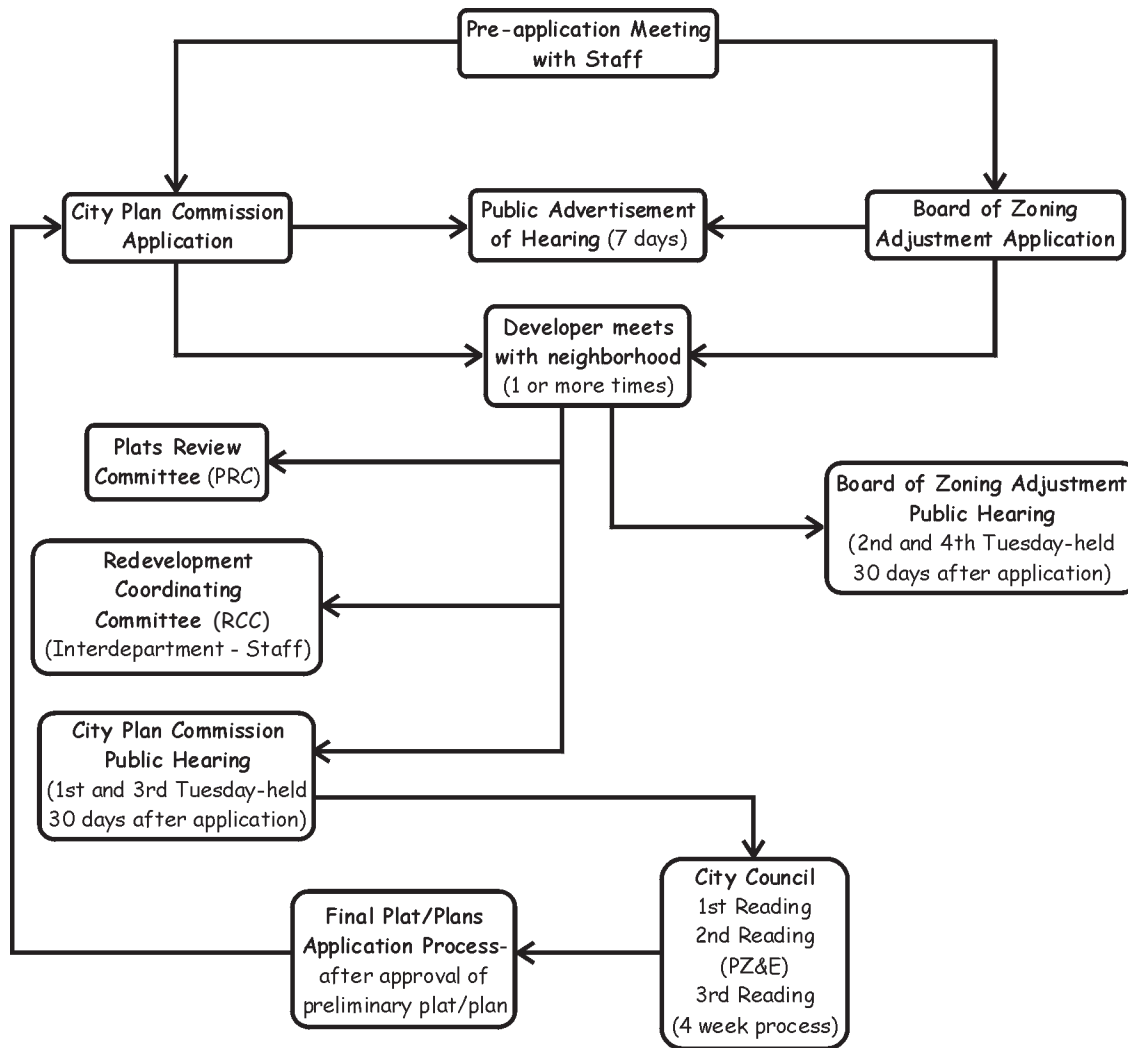
to as “open zoning”, and the districts have no “P” for “Planned” in the designation. Therefore, the City has no mechanism in open zoning districts for controlling site design issues.

- ✓ Planned zoning districts require approval of a specific development plan to be reviewed by the City Plan Commission and approved by the City Council.

Subdivision Regulations

- ✓ A subdivision of land is a division or redivision of a parcel of land into two or more lots or other tracts.
- ✓ Subdivision Regulations allow for the creation of tracts of more than 20 acres if they conform to zoning regulations (lot area, lot width/depth ratio, public street frontage). The exception is that the minimum lot size for a one-family dwelling in GP-7 (an agricultural and low density residential use district in the vicinity of Kansas City International Airport) is 40 acres.

The Development Approval Process City of Kansas City, MO



PLANNING/DEVELOPMENT PROCESS



Economic Development Corporation Board Meeting

✓ The City's Subdivision Regulations establish required improvements and detailed standards for the design of subdivisions and infrastructure to provide for coordinated development within the city.

✓ The City's Subdivision Regulations require the approval of both a preliminary and a final plat. Preliminary development plans can act as the preliminary plat.

The Approval Process

✓ Rezoning, development and redevelopment cases are usually initiated by the applicant, the property owner, the property owner's agent, or with the certified approval of the property owner. The applicant may contact department planning staff and/or Economic Development Corporation (EDC) staff, for initial consultation on the development.

✓ The Development Assistance Team (DAT), made up of staff representatives from a number of City departments that have

development requirements, can provide a potential applicant with information regarding what the potential City requirements might be for a rezoning or development. The Planning Department's Business Assistance Center schedules a meeting at the applicant's request.

✓ Depending on the type of case, the applicant applies directly for a hearing before the City Plan Commission, Board of Zoning Adjustment, or seeks approval first from one of the development entities such as the Land Clearance for Redevelopment Authority (LCRA), Planned Industrial Expansion Authority (PIEA) or Tax Increment Financing (TIF) Commission, for preliminary approvals and recommendations (see Appendix C for more information on specific development incentives).

✓ Prior to the City Plan Commission hearing, the Plats Review Committee or the Redevelopment Coordinating Committee provides the applicant with a formal review and recommendations on development

requirements. Staff from the City Planning and Development Department, Codes Administration, Law, Public Works, Water Services, Parks and Recreation, and taxing entities, among others are members of the committees.

✔ Most cases referred by other development entities require a City Plan Commission hearing, but some require only a city council hearing.

✔ The City Plan Commission hearings are held on the first and third Tuesdays of the month, starting at 9 a.m.

✔ All rezoning, amendments to approved plans, and redevelopment related cases that require recommendations from the City Plan Commission, with the exception of final plans, final plats, and some temporary uses, must be advertised. To allow time for advertising, as well as for case review and preparation, applications must be submitted to the City Planning and Development Department six weeks in advance of the City Plan Commission hearing.

✔ It is City Plan Commission policy that the applicant for all zoning applications must contact the adjacent residents and neighborhood groups prior to the City Plan Commission public hearing. Failure to do so can cause delays in the hearing process.

✔ Although staff endeavors to work with applicants to ensure they understand and can comply with requirements of the review process, inaccurate and incomplete applications can also delay the hearing process.

✔ If the City Plan Commission recommends approval of the case, or if it recommends denial, but a councilperson introduces it directly to council, a council hearing is held on the case.

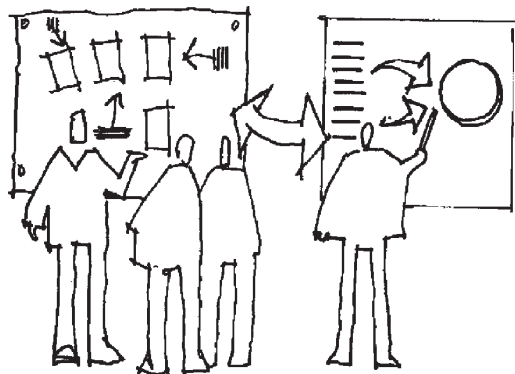
✔ All planning, zoning, development, and redevelopment issues and cases go to the Planning, Zoning and Economic Development Committee (PZE) of City Council.

✔ Most planning and zoning cases before the PZE must be advertised for 15 working days.



Plats Review Committee

PLANNING/DEVELOPMENT PROCESS



✔ Applicants are also encouraged to meet with affected neighborhoods prior to the public hearing before the Council.

✔ The PZE also holds one or more public hearings on a case and then recommends to the full council whether or not a case should be approved. An applicant can expect a major rezoning to take about six months, with half spent during CPC approval, and half for Council approval. Less complicated cases can take less time, and more complicated ones may take longer.

The Role of City Planning Staff

✔ District planners, who are the **long range planners**, work with area developers, property owners, neighborhood groups, community agencies, and local businesses to develop plans, to ensure sound design of projects and to ensure that proposed devel-

opment complies with the policies and adopted land use found in each area plan. District Planners present new area, corridor, project, and neighborhood plans at public hearings before the City Plan Commission and City Council.

✔ Development Management planners, who are the **current planners**, work with applicants on specific zoning, rezoning and development requests and are staff to the City Plan Commission and Board of Zoning Adjustment. Development Management planners present Area Plan amendments and all other zoning and development cases, including those from LCRA, at public hearings before the City Plan Commission.

✔ City Planning and Development Department staff is using the **FOCUS Kansas City Plan** as a guide in making recommendations on development cases.

The Role of the Board of Zoning Adjustment

✓ The Board of Zoning Adjustment (BZA) is established by the City Charter, which requires that there be five regular members appointed by the Mayor that hear each case, with an additional three alternate members who can hear a case in the absence of a regular member.

✓ The Board of Zoning Adjustment is responsible, as specified in the Zoning Ordinance, for the following:

- ✗ review and approval of certain types of variances from some requirements of the Zoning Ordinance under certain conditions,
- ✗ review and approval of particular uses to be permitted in certain Zoning Districts under specific conditions (Conditional Use Permits),
- ✗ review in certain circumstances of the decisions of the Director of Codes Administration in his or her enforcement of the Zoning Ordinance.

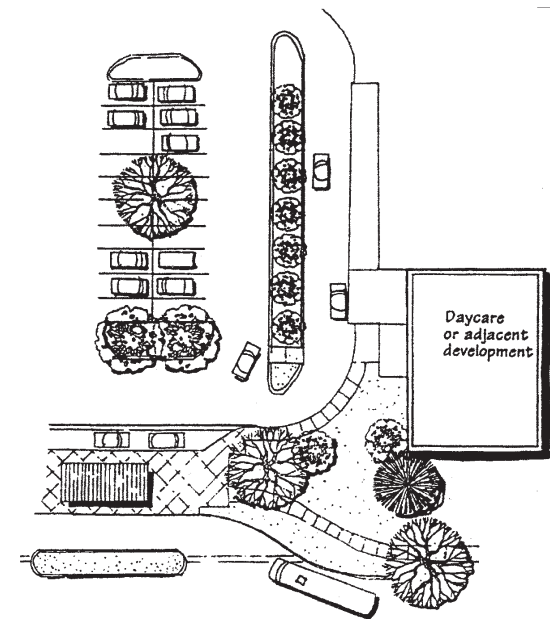
✓ The BZA is a “quasi-judicial body” in that its decisions are final and appealable to the circuit court in accordance with Missouri law. It does not make recommendations to the City Council.

✓ The BZA holds regular meetings on the second and fourth Tuesdays of each month.

The Role of the City Plan Commission

✓ The City Plan Commission (CPC) was established by the City Charter and consists of eight members appointed by the Mayor. It is a citizen advisory board that makes recommendations on city planning matters including:

- ✗ all proposed zoning changes and any required development plans or amendments to those plans,
- ✗ zoning ordinance amendments,
- ✗ all proposed land use plans, including area plans, and amendments to those plans,



Concept Plan

PLANNING/DEVELOPMENT PROCESS



Neighborhood Meeting Sponsored By City Council

- ✘ the **Major Street Plan** and any proposed changes, and
- ✘ all preliminary and final plats.

Public testimony and extensive review of cases are the hallmarks of CPC hearings.

✔ The City Plan Commission generally does not have final approval on items it reviews, except for final plans, but makes recommendations to the City Council.

✔ **FOCUS Kansas City** recommends: The CPC should coordinate (through joint meetings and review) an effective process for specific review by appropriate agencies and boards to determine financial tools, development incentives, landmark status, etc.

- ✘ *The CPC will encourage the early use of the Community Impact Statement in the public hearing and approval process.*

[Note: The Community Impact Statement is a process proposed in the **FOCUS Governance Plan** that is designed to evaluate major expenditures and investments by the City.]

- ✘ *The CPC will take the primary responsibility to determine if proposed plans support FOCUS priorities and objectives.*

✔ **The Role of the City Council**

The City Council has the primary role in the City of setting policy and making final planning and development decisions. Staff generally makes recommendations to Boards and Commissions who in turn make recommendations to the City Council. The Council makes final decisions in zoning changes and preliminary development plans, except their role in the approval of final plats is limited by specific requirements listed below.

✔ If a final plat meets the requirements of the City's Subdivision Regulations and is in conformance with the approved preliminary plat or preliminary development

plan, the City Council has no discretion to deny them. The Council may, however, require certain conditions on the approval of the preliminary plat or preliminary development plan (subject to legal guidelines). These conditions must be met prior to approval of a final plat.

✔ City Council has major opportunities to influence planning and development issues on a case by case basis as they are presented to the Planning, Zoning and Economic Development Committee of Council for recommendation, and in the development of planning policy and direction as set forth in the *FOCUS Kansas City Strategic and Comprehensive Plan*.

✔ The Council's long term role is to update and implement the city's comprehensive plan.

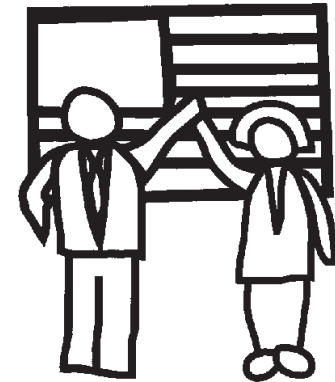
Role of Development Entities

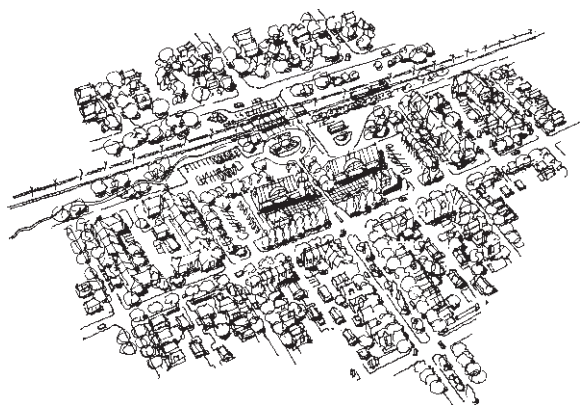
✔ There are a number of semi-autonomous entities that provide development incentives that review, hold public hearings and make recommendations prior to cases coming to the City Plan Commission, or City Council. These are:

- ✘ the Tax Increment Financing (TIF) Commission,
- ✘ the Land Clearance for Redevelopment Authority (LCRA),
- ✘ the Planned Industrial Expansion Authority (PIEA).

TIF Plans are not required to be reviewed by the City Plan Commission. However, most TIF plans will require URD zoning and therefore incentives and the URD plan are reviewed together by the Council.

Staff to LCRA and the TIF Commission is provided by the Economic Development Corporation (EDC).





Concept for a Mixed-Use Center

Planning and Development Issues

✓ *FOCUS Kansas City* includes specific recommendations about use of development incentives and coordination among all the entities dealing with development:

- ✘ *The City will use development incentives to encourage private development that achieves **FOCUS** priorities and is proactive whenever possible.*
- ✘ *All elected officials, appointed board and commission members, and professional staff should adhere to coordinated, objective, and linked decision making processes between their respective jurisdictions.*

✓ Incorporating this in day to day decision making will be a challenge to all entities involved in the planning and development process.

✓ Although the *FOCUS Kansas City Plan* did not replace the area plans, they still must be revised to include *FOCUS* principles and specific recommendations implementing *FOCUS*. In addition, the number, age, and overlapping nature of land use plans all over the city is an issue which should be resolved with the new area planning approach that City Planning and Development is now undertaking.

✓ Current zoning often does not comply with proposed land use as recommended in the adopted land use plan, and sometimes does not reflect current land use. This causes uncertainty among property owners and interested parties as to exactly what is allowed on a piece of property. Rezoning all property to comply with the adopted land use plan would be very complex, and may not be advisable until all old plans are updated. The creation of a new comprehensive development code, integrating all development ordinances, including the Zoning and Subdivision Ordinances, recommended in *FOCUS*, has been initiated and will help address this issue.

Summary

The Planning and Development Process is related to a balance of protecting property rights and protecting health, safety and welfare. The *FOCUS Kansas City Plan* is the adopted policy guide for all land use and development decisions. The City Plan Commission holds a public hearing on a zoning, subdivision, or development case within 6 weeks of formal submission, depending on the requirements for public notice, and the applicant submitting a complete application and meeting with affected neighborhood groups. The Planning, Zoning and Economic Development Committee of City Council holds another public hearing, generally 5 to 6 weeks after the CPC hearing, and the full City Council makes the final decision on a case.

The next Section – The 1st District – shows how decisions about the district relate to regional and citywide issues. It provides detailed information about the district, including facts and trends.



PLANNING/DEVELOPMENT PROCESS