

Chapter 18.245
PLANNED RESIDENTIAL NEIGHBORHOOD DISTRICT

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18.245.010 Statement of intent

The zoning of property as PRN, Planned Residential Neighborhood District is intended to offer a mixture of residential opportunities in a single development. This planned zoning district would provide opportunities for its residents to live in a more planned neighborhood with reduced setbacks, smaller lots, alleys, porches, public meeting areas, parks for residents, and a variety of housing opportunities located in close proximity to each other. These neighborhoods would be designed with pedestrians in mind and would lessen the visual impact of garages and automobiles. Dwelling units within the PRN should be developed with a variety of architectural styles and layouts. The Planned Residential Neighborhood zoning district is intended to be used within any Residential Master Plan classification except for the Very-Low Density Category and subject to meeting the Planned Residential Neighborhood Guidelines.

(History: Ord. ZRR-2590 §5, 2005)

18.245.020 Permitted uses

- A. Dwelling units (all types) subject to meeting all height and development and performance standards;
- B. Assisted living;
- C. Elderly housing;
- D. Public parks and playgrounds including public recreation or service buildings and publicly-owned swimming pools;
- E. Private parks, playgrounds, swimming pools, tennis courts, clubhouses and other recreational facilities for the use of a development's residents;
- F. Public schools, and private schools with a curriculum equivalent to that of a public school, and institutions of higher learning, including stadiums and dormitories in conjunction therewith, if located on the campus;
- G. Publicly owned and operated community buildings, museums and libraries;
- H. Religious facilities;
- I. Accessory uses as provided in Chapter 18.390;

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- J. Agricultural uses;
- K. Accessory dwelling units;
- L. Communication towers designed as an architecturally compatible element to an existing non-residential use such as schools, churches, etc. and communication antennas mounted on existing non-residential structures and non-residential buildings;
- M. Utility structures.
- N. Roof-mounted wind turbine(s) on non-residential structures and non-residential buildings and wind turbines mounted on parking lot light poles located on property developed with a non-residential use.

(History: Ord. ZRR-2836 §6, 2010; ZRR-2590 §5, 2005)

18.245.030 Height and area regulations

The maximum height of buildings, the minimum dimension of lots and yards, and the minimum lot area per dwelling unit permitted on any lot shall be as follows, except as provided in Chapter 18.420:

- A. Maximum density - The maximum density for a development shall be established by the approved development plan at the time of rezoning. The density shall be calculated by dividing the total number of dwelling units with the boundaries of the rezoning request by the gross land area of the rezoning request.
 - 1. Lands that cannot be included as part of the gross land area include lands to be sold or dedicated to another entity for that entity's exclusive use and which are not constructed to be utilized by the Planned Residential Neighborhood residents. (i.e. churches, schools, private ball fields/parks not for use by the development's residents, and other similar lands).
- B. Maximum height:
 - 1. 45 feet.
 - 2. Accessory structures and uses shall not exceed the height of the main structure.
- C. Minimum setback
 - 1. All structures shall be setback a minimum of 10 feet from public street right-of-way.
 - 2. All structures shall be setback a minimum of 20 feet from back of curb if fronting on a private drive.

3. All garages attached to the main residential structures shall be setback a minimum of 20 feet from the street right-of-way line and at least four (4) feet behind the front façade of the main dwelling unit.
- D. Minimum side yard:
1. Six (6) feet on both sides; or
 2. In a platted zero lot line area, only one side yard shall be required, which shall be a minimum of 12 feet.
 3. No side yard setback shall be required for units sharing common party walls.
- E. The minimum separation for buildings located on the same lot shall be 12 feet. (Not including accessory structures unless required by building code.)
- F. Minimum rear yard – 20 feet.
- G. Minimum lot depth – 85 feet.
- H. Detached accessory buildings including garages and carports shall not be located in any required front or side yard setback area, but may be located in the rear yard setback area provided that no such building may be closer than three (3) feet to any interior property line, closer than 20 feet from any street right-of-way line, or in front of any building setback line. The ground area of all detached accessory buildings in the rear yard shall not exceed fifty percent (50%) of the total land area in the rear yard setback. No more than two (2) detached accessory buildings shall be permitted for each residence.
- (History: Ord. ZRR-2590 §5, 2005)

18.245.040 Parking regulations

- A. Parking setback: No parking lot shall be located within 15 feet of any street right-of-way.
- B. A minimum of two off-street parking spaces shall be provided for each detached dwelling unit, at least one of which shall be in a garage or carport.
- C. A minimum of one off-street parking space shall be provided for each detached accessory dwelling unit.
- D. Required parking spaces for multi-family dwelling structures shall be provided at the following rate:

<u>Dwelling Unit</u>	<u>Number of Spaces Required per Unit</u>
Studio/efficiency	1.33
1 bedroom	1.5
2 bedroom	1.8
More than 2 bedrooms	2.0

A maximum of fifty percent (50%) of the required multifamily parking may be provided on-street, subject to good traffic engineering design principles. On-street parking that is available directly in front of, and in the case of a corner lot along the side of a lot, may be counted towards the required parking. Determination as to the appropriateness of on-street parking shall be determined at the time of preliminary development plan approval.

E. See Chapter 18.430 for other parking regulations for other uses not listed above.
(History: Ord. ZRR-2590 §5, 2005)

18.245.050 Development and performance standards

- A. District Size: All parcels hereafter zoned PRN, Planned Residential Neighborhood District shall contain a minimum 40 acres of land, provided that the Planning Commission and Governing Body may waive these requirements if the proposed tract of land abuts an existing development zoned PRN, and the proposed tract will enable a compatible extension of the existing development.
- B. No less than seventy-five percent (75%) of the total gross acreage being rezoned to PRN shall be developed with single-family detached units and common open space (see C below for minimum common open space).
- C. Minimum common open space: fifteen percent (15%) of gross land area (includes parks, natural open space areas, etc.) (Areas not allowed as part of Common Open Space can be found in the Site Design Standards).
- D. Developments shall use a minimum of three (3) dwelling unit types in a Planned Residential Neighborhood Development (minimum ten percent (10%) of the overall housing units to count). The different dwelling units include the following:
 - 1. Multi-family dwellings containing more than four (4) units per building;
 - 2. Single-family detached dwellings;
 - 3. Single-family units served by alleys;
 - 4. Two-family dwellings;

5. Triplexes, or four-plexes;
 6. Assisted living;
 7. Elderly housing.
- E. One (1) community gathering place (such as but not limited to a resident clubhouse, recreation center, meeting building, open air pavilion, etc.) shall be constructed per development (does not include swimming pools).
- F. Sidewalks shall be constructed on both sides of all streets and be a minimum of five (5) feet in width.
- G. No more than two (2) detached accessory buildings shall be permitted for each residence.
- H. Private alleys may be allowed.
- I. Accessory dwelling units shall be limited as follows:
1. Only one (1) accessory dwelling unit is permitted per lot and shall be a minimum of 400 square feet in size.
 2. Accessory dwelling units shall be limited to a maximum fifty percent (50%) of the primary dwelling unit square footage.
- J. Fences may be permitted in the front yard but shall be limited to three (3) feet in height and must be located entirely on the private lot. The fence shall be no more than fifty percent (50%) opaque and constructed of split rail, wood rail, wrought iron, or spaced picket fence. (All other regulations in Section 18.390.140 C shall be met.)
- K. At the time of preliminary development plan approval the following shall be submitted:
1. A plan clearly defining the type of residential dwelling unit to be constructed on each block or specific area;
 2. A written criteria (can include drawings or pictures) describing each residential area or building type. Items to be included are possibly residential type (Colonial, Prairie, etc.), colors, materials and any other information that will help explain the proposal;
 3. Typical elevations for the various building types, and
 4. A pedestrian and open space concept plan.

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- L. At the time of construction plan approval, the developer shall submit a letter confirming that the each single-family dwelling unit conforms to the single-family architectural criteria approved at the time of preliminary development plan. This shall be provided at the time of construction plan approval.
- M. Approval or disapproval of proposed preliminary development plans for non-residential uses shall be based upon the following:
 - 1. The capability of the site to accommodate the building, parking and drives with appropriate open space, and safe and easy ingress and egress, with direct access to a thoroughfare, super-collector or a collector street.
 - 2. An appropriate degree of harmony will prevail between the architectural quality of the proposed building and the surrounding neighborhood.
 - 3. The appropriateness of the minimum dimensions and areas of lots and yards stated in Section 18.180.030 may be considered and increased.
- N. No single-family dwelling shall be constructed, reconstructed, altered or moved unless it conforms to the minimum dwelling size regulations set forth in Chapter 18.460.
- O. Residential real estate sales offices are subject to the following standards:
 - 1. There shall be only one (1) residential real estate sales office in any one (1) subdivision.
 - 2. All sales shall be limited to the sale of new properties located within that subdivision.
 - 3. Any sales office within a subdivision shall be located within a permanent residential structure with a minimum dwelling size classification equal to or greater than that of the approved subdivision. Manufactured homes, mobile homes and construction trailers shall not be permitted.
 - 4. No additional parking facilities other than adjacent on-street or customary driveway parking shall be permitted.
 - 5. Each residential real estate sales office shall obtain a Certificate of Occupancy from the Code Administrator or his or her designee prior to commencement of the sales office. Revocation of the Certificate of Occupancy may result if any of the above standards are violated.
 - 6. Upon issuance of any Certificate of Occupancy for ninety percent (90%) of the homes within the subdivision, the sales office shall be terminated.
 - 7. Any residential real estate sales office which meets the above standards will be exempt from the plan approval requirements set forth in Chapter 18.140.

8. A model home complex operated in conjunction with a residential sales office may include a decorative fence in the front yard enclosing or defining the extent of the complex. To qualify as a decorative fence, the surface of the fence must be at least fifty percent (50%) open, the fence cannot be constructed of chain link or other wire materials and cannot exceed four (4) feet in height. The front yard fence shall be removed upon the termination of the sales office.
- P. Residential-design manufactured homes are subject to the following architectural or aesthetic standards:
1. The roof shall be double-pitched and have a minimum vertical rise of four (4) feet for each 12 feet of horizontal run, and shall be covered with roofing material that is residential in appearance, including, but not limited to, approved wood, asphalt composition shingles or fiberglass, but excluding corrugated aluminum, corrugated fiberglass or metal roofs.
 2. All roof structures shall provide an eave projection of no less than nine (9) inches, which shall include a gutter.
 3. The exterior siding shall consist predominantly of vinyl or metal horizontal lap siding (the reflectivity of which does not exceed that of gloss white paint), wood, hardboard, brick, stone or stucco comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction in the City.
 4. The manufactured home shall be set up in accordance with the recommended installation procedures of the manufacturer and the standards set by the National Conference of States on Building Codes and Standards and published in "Manufactured Home Installations, 1987" (referred to as NCS BCS A225.1), and a continuous, permanent masonry foundation or masonry curtain wall, unpierced except for required ventilation and access, shall be installed under the perimeter of the manufactured home.
 5. Stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home shall be installed or constructed in accordance with the standards set out in Title 16, and shall be attached firmly to the primary structure and anchored securely to the ground.
 6. All fuel supply systems shall be constructed and installed within the foundation wall or underground in compliance with all applicable building and safety codes, except that any bottled gas tanks may be located above ground and outside the foundation wall provided they are fenced so as not to be clearly visible from the street or abutting properties.

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7. The moving hitch, transporting lights, and wheels and axles shall be removed.
 8. The manufactured home shall be oriented on the lot so that its long axis is parallel with the street. A perpendicular or diagonal placement may be permitted if the narrow dimension of the unit, as it appears from the street, is no less than fifty percent (50%) of the unit's long dimension.
 9. The lot shall be landscaped to ensure compatibility with surrounding properties. The lot shall be seeded, sodded or planted with other appropriate ground cover in compliance with Section 18.450.030.
 10. The manufactured home shall have a length not exceeding four (4) times its width, with length measured along the longest axis and width measured at the narrowest part of the other axis. The minimum dimensions of the manufactured home shall be 22 feet in width and 40 feet in length.
 11. A garage or carport, constructed in accordance with the requirements of Title 16 of the Overland Park Municipal Code shall be provided.
 12. If the manufactured home is located within a subdivision that has a minimum floor area classification established in compliance with Section 18.460.350, then the total livable floor area of the manufactured home shall comply with the minimum floor area required for that subdivision.
- Q. Communication towers are subject to preliminary development plan approval. In addition, communication towers are subject to the same height and setback requirements as other structures within this district and the performance standards outlined in Section 18.395.070 G-O.
- R. Communication antennas may be installed on an existing structure located on property developed with a non-residential use or on a non-residential building subject to the performance standards in Section 18.250.050 H.
- S. Utility structures may be installed upon the issuance of a building permit and are subject to the following standards:
1. Size and Height - The structure is limited to 54 inches in height above average grade and shall be limited to a footprint no larger than 12 square feet in area, except as otherwise provided in this Section.
 2. Thoroughfare or super-collector landscape easements - If the structure is located within a thoroughfare or super-collector landscape easement, the structure is subject to site plan approval. The structure shall be limited to seven (7) feet in

height above average grade and shall be limited to a footprint no larger than 42 square feet in area. Paved access to the structure from a thoroughfare street may be considered, in which case an asphalt driveway meeting the requirements of Section 18.430.020 shall be constructed. The City Engineer may waive the requirements for curbing and drainage facilities when they are not needed for drainage purposes. The driveway shall be designed such that vehicles can turn around without backing onto the thoroughfare.

3. Location in public right-of-way - Any structure located within the public right-of-way shall be located behind the sidewalk and is subject to approval by the City Engineer.
 4. Landscaping - Any structure that is located between the public right-of-way and an established building line shall be substantially screened from public view. Where landscaping is used for screening, a landscape plan signed by a registered landscape architect shall be submitted with an application for a building permit. The landscape plan is subject to approval by the City. Maintenance of all landscaping shall be the responsibility of the utility, unless written acceptance of such responsibility is provided from the property owner or homes association.
 5. Noise - The structure shall comply with all noise requirements, established by the City.
 6. Non-residential uses - Utility structures that are located on property that has been approved for a non-residential use, are subject to the requirements set forth in Section 18.250.050 H and are exempt from the above standards.
 7. Abandonment – Any structure that is not operated for a continuous period of six (6) months shall be considered abandoned. The owner of said structure shall remove the structure and return the site to its original condition within 30 days following abandonment of the structure.
 8. Notwithstanding any provisions to the contrary, utility structures may continue to be installed upon the issuance of a special use permit under the applicable provisions of the UDO as they existed on January 1, 2001, and any applicant for approval of a utility structure may elect to follow those procedures and requirements or elect to comply with the amended provisions allowing a building permit to be issued without a special use permit.
- T. Roof-mounted wind turbines may be installed on a structure located on property developed with a non-residential use or on a non-residential building subject to the performance standards in Section 18.250.050 J. Wind turbines may be installed on parking lot light poles located on property developed with a non-residential use subject to the performance standards in Section 18.250.050 K.

(History: Ord. ZRR-2836 §7, 2010; ZRR-2848 §17, 2010; ZRR-2795 §2, 2009; ZRR-2698 §12, 2007; ZRR-2590 §5, 2005)

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