

**Chapter 18.328**  
**DND DOWNTOWN NEIGHBORHOOD DISTRICT**

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**18.328.010 Statement of intent**

The zoning of property as DND – Downtown Neighborhoods District, is intended to encourage private and public investment in the neighborhoods surrounding the commercial core of Downtown Overland Park. The intent is to offer a unique living environment that offers a variety of housing styles, that supports the downtown businesses, and acts as a way to stabilize the surrounding single-family neighborhoods.

(History: Ord. ZRR-2343 §67, 2002)

**18.328.020 Permitted uses**

No building, structure, land or premises shall be used, and no building or structure shall be hereafter erected, constructed, reconstructed, moved or altered, except for one or more of the following uses, subject to the development and performance standards set forth in Section 18.328.050:

- A. Townhouses, containing two to six dwelling units per building, on development parcels of one acre or larger.
- B. Single-family detached dwellings on development parcels smaller than one acre.
- C. Public parks and playgrounds, including public recreation or service buildings and publicly owned swimming pools.
- D. Private parks, playgrounds, swimming pools, tennis courts, clubhouses and other recreational facilities within the project for the use of project residences.
- E. Accessory uses as provided in Chapter 18.390.

(History: Ord. ZRR-2418 §2, 2003; ZRR-2343 §67, 2002)

**18.328.030 Height and area regulations**

The maximum height of buildings and provisions for yards shall be as follows, except as otherwise provided in Chapter 18.420:

- A. Maximum height:
  - 1. Residences – 2 ½ stories, and not exceeding 35 feet.

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2. Accessory structures and uses, – one story, not exceeding 20 feet and not exceeding the height of the main structure.
- B. Front yards – front yards shall be a minimum of 10 feet and a maximum of 20 feet.
- C. Minimum side yards:
1. 6 feet for single family dwellings, except the street side yard on corner lots shall be not less than 10 feet.
  2. No side yard is required for dwellings within a townhouse building, except under the following conditions:
    - a. Townhouse buildings adjacent to any other residential property, shall be setback not less than 6 feet from the side property line.
    - b. The street side yard on corner lots shall be not less than 10 feet.
- D. Rear yards – 25 feet, except where garages are oriented toward a private alleyway or shared driveway in the rear of a lot, in which case an 18-foot setback shall be provided from the alleyway or shared driveway.
- E. Lot width:
1. For single-family dwellings, the minimum lot width shall be 40 feet, and the maximum lot width shall be 60 feet.
  2. For townhouse buildings, there are no lot width requirements.
- F. Minimum average lot depth:
1. For single-family dwellings, the average lot depth shall be 115 feet.
  2. For townhouse buildings, there are no lot depth requirements.
- G. Minimum lot area per dwelling unit:
1. For single-family dwellings, 4,500 square feet per unit (9.68 units per acre).
  2. For townhouse developments between one and two acres in size, 4,356 square feet per unit (10 units per acre).
  3. For townhouse developments between two and three acres in size, 3,630 square feet per unit (12 units per acre).
  4. For townhouse developments larger than three acres in size, 2,725 square feet per

unit (16 units per acre).  
(History: Ord. ZRR-2343 §67, 2002)

**18.328.040 Parking regulations**

- A. Two off-street parking spaces shall be provided for each dwelling unit, at least one of which shall be a covered parking space.
- B. For other parking requirements, see Chapter 18.430.  
(History: Ord. ZRR-2343 §67, 2002)

**18.328.050 Development and performance standards**

- A. The Planning Commission or City Council may require assurance of the financial and administrative ability of any agency created by a developer for the purpose of maintaining common open space, alleyways, private parking courts, and facilities of a non-public nature.
- B. Decorative wooden, PVC, or ornamental metal fencing of a single unified design that compliments the architectural character of the residences may be permitted along front and side property lines at the time of downtown development plan approval. Said fencing shall not exceed three feet in height.
- C. Detached accessory buildings 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 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 thirty percent of the total land area in the rear yard setback. No more than two detached accessory buildings shall be permitted for each residence.
- C. Prior to the issuance of any building permit, downtown development plan approval shall be obtained as provided for in Chapter 18.140.  
(History: Ord. ZRR-2343 §67, 2002)

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