



- I. CALL TO ORDER
- II. PLANNING COMMISSION
 - a. Zoning Code Update Worksession.
- III. DISCUSSION
 - a. Reminder of August 6, 2024 Planning Commission/Board of Zoning Appeals Meeting at 5:30 PM at City Hall.
- IV. ADJOURNMENT



OTHER DISCUSSION
CITY OF INDEPENDENCE
July 30, 2024

Department Admin

Prepared By Kelly Passauer

AGENDA ITEM Zoning Code Update Worksession.

BACKGROUND With the adoption of the Community Development/Comprehensive Plan on May 23, 2024, the next step is to align the Zoning Code to ensure compliance with the newly adopted plan. Confluence has been hired to update the Zoning Code, and this is the first worksession to discuss this process. The agenda for this initial worksession will be as follows:

- Overview of Scope + Process
 - Overview of zoning code update and planning process
- Review of Existing Code
 - Review of the existing code and some challenges we've identified
- Discussion with the Planning Commission
 - Discussion from the Planning Commission on their experiences with the code
- Next Steps
 - Identifying our next steps and how the process will continue following our initial meeting

Below are related links:

- [Zoning Code](#)
- [Subdivision Regulations](#)
- [Community Development/Comprehensive Plan](#)



REQUEST FOR COMMISSION ACTION

CITY OF INDEPENDENCE

March 14, 2024

Department Admin

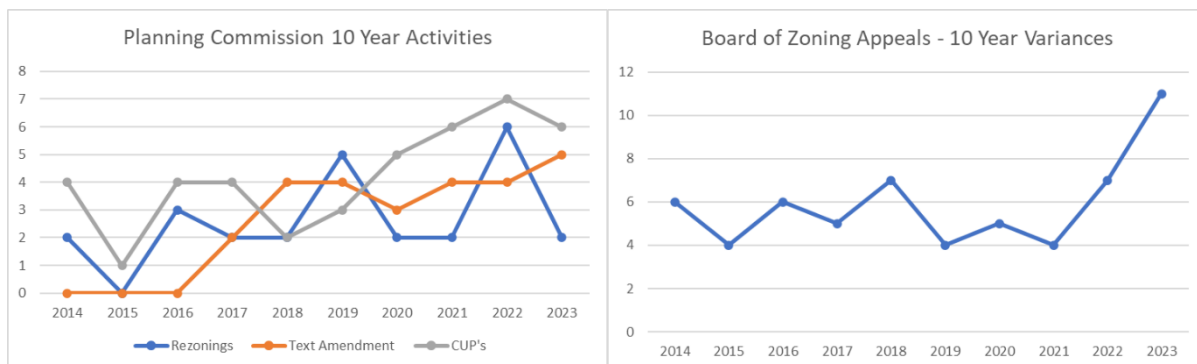
Director Approval Kelly Passauer

AGENDA ITEM Consider contracting with Confluence, Inc. to update the zoning regulations.

SUMMARY RECOMMENDATION Authorize the Mayor to sign the agreement.

BACKGROUND Confluence, Inc. is preparing a new Community Development/Comprehensive Plan. This important document provides a guide to the future development and growth of the City. The last update was in 1982. For the new Community Development/Comprehensive Plan to be effective, our zoning regulations must align with the new plan, which is scheduled to be completed by July 1, 2024.

While several text amendments have been made to the zoning regulations over the years (Example: 26 in the last ten years), these are generally dealt with as an issue arises. In addition, the fact that 59 variances have been requested in the last ten years is another indication that the zoning code needs a thorough review. City Staff is unaware of a detailed review of the entire zoning code in the past 30 years.



In addition, zoning regulation updates need to be reviewed to ensure compliance with current State Law and incorporate modern planning practices. The City Manager has been a member of the APA (American Planning Association) for several years. Confluence, Inc. has several staff members who are not only members of the APA but are also A.I.C.P. (American Institute of Certified Planners) certified. The mission of the APA is to create great communities for all. APA provides resources regarding modern planning practices, which include effectively managing change by anticipating and adapting to the needs of a changing world. This also includes practicing deregulation where practical to encourage future development, such as enabling the expansion of housing choices. The specifications in the contract also include that a special emphasis will be placed on pinpointing barriers to new housing and adjusting regulations to facilitate increased housing development, which was a recommendation from the 2023 Tanner Citizen Satisfaction Survey included in the Commission's 2024 goals.

FINANCIAL INFORMATION \$100,000 was budgeted in 2023 for the Comprehensive/Community Development Plan Update. A \$50,000 grant was awarded for this work. The cost for the grant administration is \$5,000. The contract with Confluence, Inc. for the update of the Comprehensive/Community Development Plan totals \$100,000, with one amendment for \$5,000 to perform a preliminary review of the zoning code. This leaves adequate funds that can be carried over to perform the update to the zoning regulations in the amount of \$20,000.

SUGGESTED MOTION I move to authorize the Mayor to sign a contract with Confluence, Inc. to update the zoning regulations.

SUPPORTING DOCUMENTS

1. Contract For Zoning Update
2. Attachment A

CONTRACT

Develop Updated Zoning Regulations

This Agreement is entered into on the 14th day of March, 2024, by and between the CITY OF INDEPENDENCE, KANSAS, hereafter CITY, and CONFLUENCE, INC., an Iowa corporation, hereafter CONTRACTOR:

1. **Project Description:** The project involves the update of its existing zoning regulations to align with the forthcoming Community Development/Comprehensive Plan, comply with the Kansas State Statutes, and incorporate modern planning practices. A special emphasis will be placed on pinpointing barriers to new housing and adjusting regulations to facilitate increased housing development. The CONTRACTOR possesses the necessary expertise and experience to complete the update process.

2. **Specifications:** The CONTRACTOR agrees to provide additional professional services necessary to develop updated zoning regulations that align with the new Community Development/Comprehensive Plan, State Statutes, and modern planning practices; prepare clear documentation explaining the rationale for proposed changes; facilitate public engagement to gather feedback on proposed changes; revise the draft regulations based on feedback and finalize the updated Zoning Regulations; and provide necessary guidance for the adoption process. A more detailed Scope of Work is included in Attachment A.

3. **Compensation:** CITY shall pay CONTRACTOR total compensation in the amount of \$20,000.00 for the completion of the scope of work in Section 2 and Attachment A of this contract. Compensation will be paid in agreed progress payments based upon actual work performed.

4. **Term of Agreement:** CONTRACTOR shall begin the scope of work included in Section 2 and Attachment A of this amendment at such time as mutually agreed by the CITY, but no later than July 1, 2024, and shall diligently complete this scope of work no later than November 21, 2024.

5. **Indemnification:** CONTRACTOR agrees to indemnify and hold harmless CITY, its agents and employees, for any damages to persons or property arising from acts or omissions of CONTRACTOR, or its agents or employees, in performance of this agreement.

6. **CONTRACTOR Requirements:** CONTRACTOR shall be responsible for, and provide the CITY proof of, the following upon request:

- a. Current Occupational License issued by the City, if required.
- b. A minimum of \$500,000.00 general liability insurance.
- c. All statutorily required workers compensation coverage.
- d. A minimum of \$500,000.00 in automobile liability insurance.

This Agreement shall be governed by and construed in accordance with the laws of the State of Kansas.

IN WITNESS WHEREOF, the parties hereto have executed this Contract to make it binding upon the parties hereto effective this 14th day of March, 2024.

CITY OF INDEPENDENCE

03/14/2024
Date

By: _____
TIM EMERT, Mayor

ATTEST: _____
DAVID W. SCHWENKER, City Clerk

CONFLUENCE, INC.

Date

By: _____
CHRISTOPHER SHIRES, Principal-in-Charge

Scope of Work

- **Start Date: July 1, 2024**

Task 1: Preliminary Draft Code Update (2 months)

- 1.1 **Planning Commission Meeting:** Discussion with Planning Commission for guidance on future zoning code updates in addition to aligning with Community Development/Comprehensive Plan.
- 1.2 **Staff Review:** Based upon the analysis and input received during the comprehensive plan process and preliminary meeting with the Planning Commission, the consultant team will complete a preliminary draft of the code update (80% complete draft) and meet virtually with City staff to review the preliminary draft. (2 to 3 virtual meetings)

Task 2: Draft Review + Input (1 month)

- 2.1 **Community forum:** The Consultant will conduct a community forum to review the components of the proposed code updates, respond to questions, and collect public input and comments. Following the workshop, the Consultant will review the community input with City Staff and make updates as warranted.
- 2.2 **Planning Commission Workshop:** The Consultant team will present the proposed code update at a workshop of the Planning Commission and collect any input and comments. It is anticipated that the City Commission will be invited to attend this workshop. Following the workshop, the Consultant will review the input with City Staff and make updates as warranted and prepare a final draft code update.

Task 3: Final Draft Review and Approval (1 Month)

- 3.1 **Planning Commission Hearing:** The Consultant will attend and present the code update at a public hearing of the Planning Commission and make changes as may be requested by the Commission.
- 3.2 **City Commission Meeting:** The Consultant will attend and present the code updates at a public meeting of the City Commission and make any final changes as may be requested by Commission.
- 3.3 **City Commission Meeting:** Any final changes requested by the City Commission will be presented for final adoption by ordinance.

- **Deadline: November 21, 2024**



OTHER DISCUSSION
CITY OF INDEPENDENCE
July 30, 2024

Department Admin

Prepared By Kelly Passauer

AGENDA ITEM Reminder of August 6, 2024 Planning Commission/Board of Zoning Appeals Meeting at 5:30 PM at City Hall.

BACKGROUND



Tuesday, August 6, 2024

Commission/Court Room, City Hall 5:30 PM

Independence Planning Commission/Board of Zoning Appeals

To join by Conference Call dial:1-785-289-4727 Conference ID: 820 754 218#

- I. CALL TO ORDER
- II. MINUTES
 - a. Consider approving minutes of the April 16, 2024 and May 7, 2024 Planning Commission/Board of Zoning Appeals meeting.
- III. BOARD OF ZONING APPEALS (DOES NOT INCLUDE OUTSIDE CITY APPOINTMENTS)
 - a. Public Hearing to receive comments on variance requests to reduce the setback(s) and exceed the maximum lot coverage in an R-3, low density multi-family dwelling district at 200 South 2nd Street.
- IV. PLANNING COMMISSION
 - a. Public Hearing to consider a text amendment relating to “Shipping containers” in a residential district as a conditional use.
- V. DISCUSSION
- VI. ADJOURNMENT