





Regulations and permits

How to navigate the process

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City Manager

What can we cover in 20 min?

1. Development regulations

- Zoning

- Special circumstances

2. Permits

- Building and trades

- Planning

- Signs

3. Understanding the process

4. Advocating for change

Development Regulations

Super secret short cut

- Call the City.
- Every business, project, property, use, etc., is different. Call the City.
- Call the City before:
 - You buy the property (zoning, stormwater, parking, sewer connections, etc.)
 - You contract with an engineer, an architect, a contractor, or a sign company
 - You spend YOUR money
 - Use your realtor, your banker, business organizations (Main Street/Chamber)

What is the purpose of development regulations

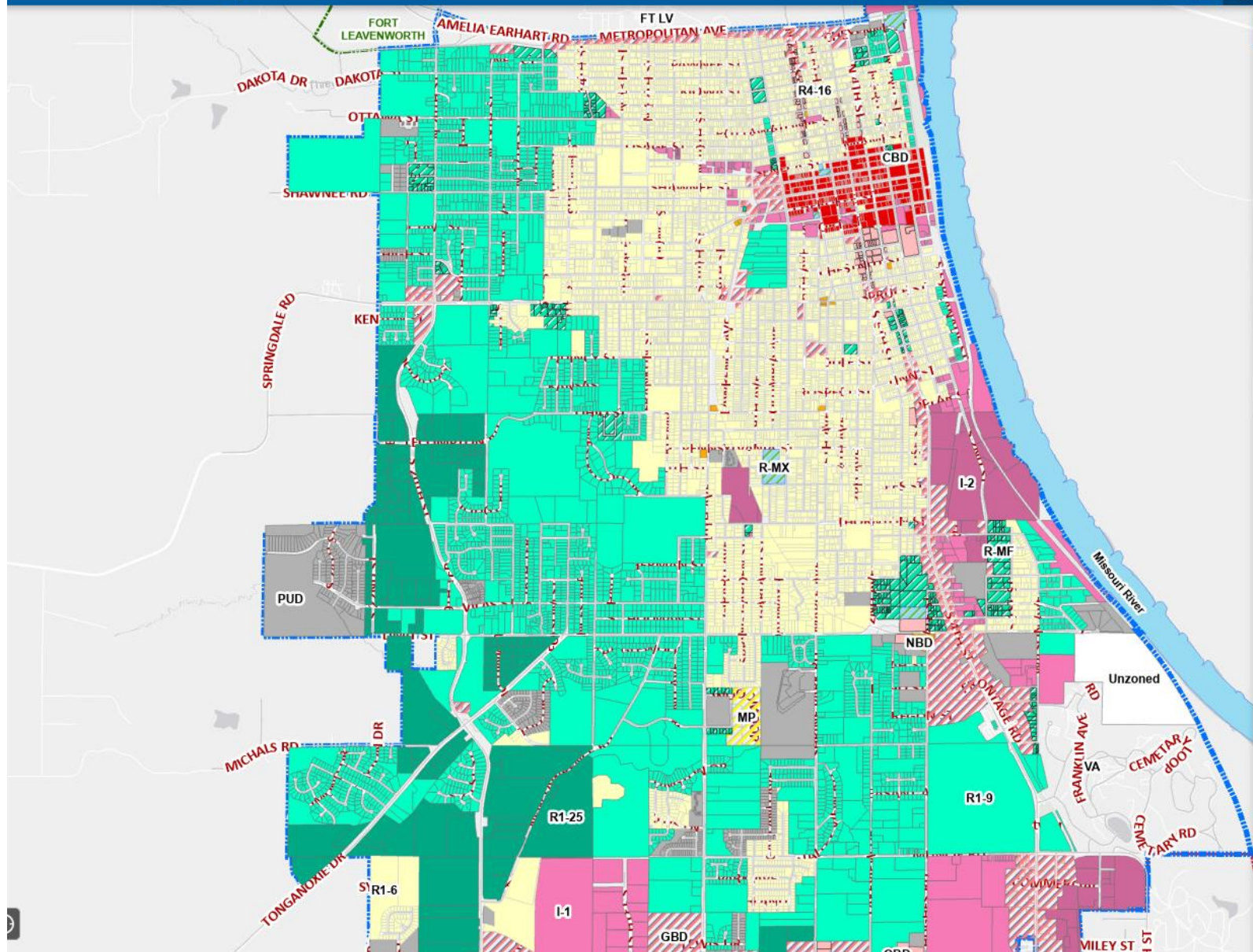
- - Land Use Control: Planning permits enable local governments to determine how land and properties within their jurisdiction can be used. They establish rules and regulations that help prevent **incompatible land uses**.
- - Aesthetics and Community Character: Permits can be used to maintain and enhance the aesthetic qualities and **community character of a particular area**. They may set standards for building design, landscaping, and other elements that contribute to the overall look and feel of a neighborhood.
- - Historic Preservation: In areas with historical significance, **permits can protect and preserve historic structures** by regulating alterations and renovations to maintain their historical character.
- - Community Engagement: **The permit process often involves community input and public hearings, allowing residents to have a say in the development of their neighborhoods and communities.**
- - Economic Development and Growth: Planning permits can be used to encourage economic growth in specific areas, such as commercial districts, by streamlining the approval process for certain types of businesses and developments.
- - Legal Framework: Permits provide a legal framework for both property owners and local governments, helping to avoid disputes and conflicts over land use and development.

Regulations 1:

Step one, know your zoning

- 1. If you dare to go it alone...14 zones, 2 special zoning districts

| Zoning District | Future Land Use Map Designation |
|---|-----------------------------------|
| R1-25 Low Density Single-Family Residential District | Low Density Residential |
| R1-9 Medium Density Single-Family Residential District | Low or Medium Density Residential |
| R1-7.5 Medium Single-Family Residential District | High Density Residential |
| R1-6 High Density Single-Family Residential District | High Density Residential |
| R4-16 Medium Density Multiple Family Residential District | High Density Residential |
| R-MF Multiple-Family Residential District | Multi Family |
| RMX-Residential Mixed Use | Urban Residential |
| MP Mobile/Manufactured Home Park District | Multi Family |
| NBD Neighborhood Business District | Commercial |
| OBD Office Business District | Commercial |
| CBD Central Business District | Commercial |
| GBD General Business District | Commercial |
| I-1 Light Industrial District | Industrial |
| I-2 Heavy Industrial District | Industrial |
| PUD Planned Unit Development District | Not Applicable |
| FP Flood Plain District | Not Applicable |
| | |

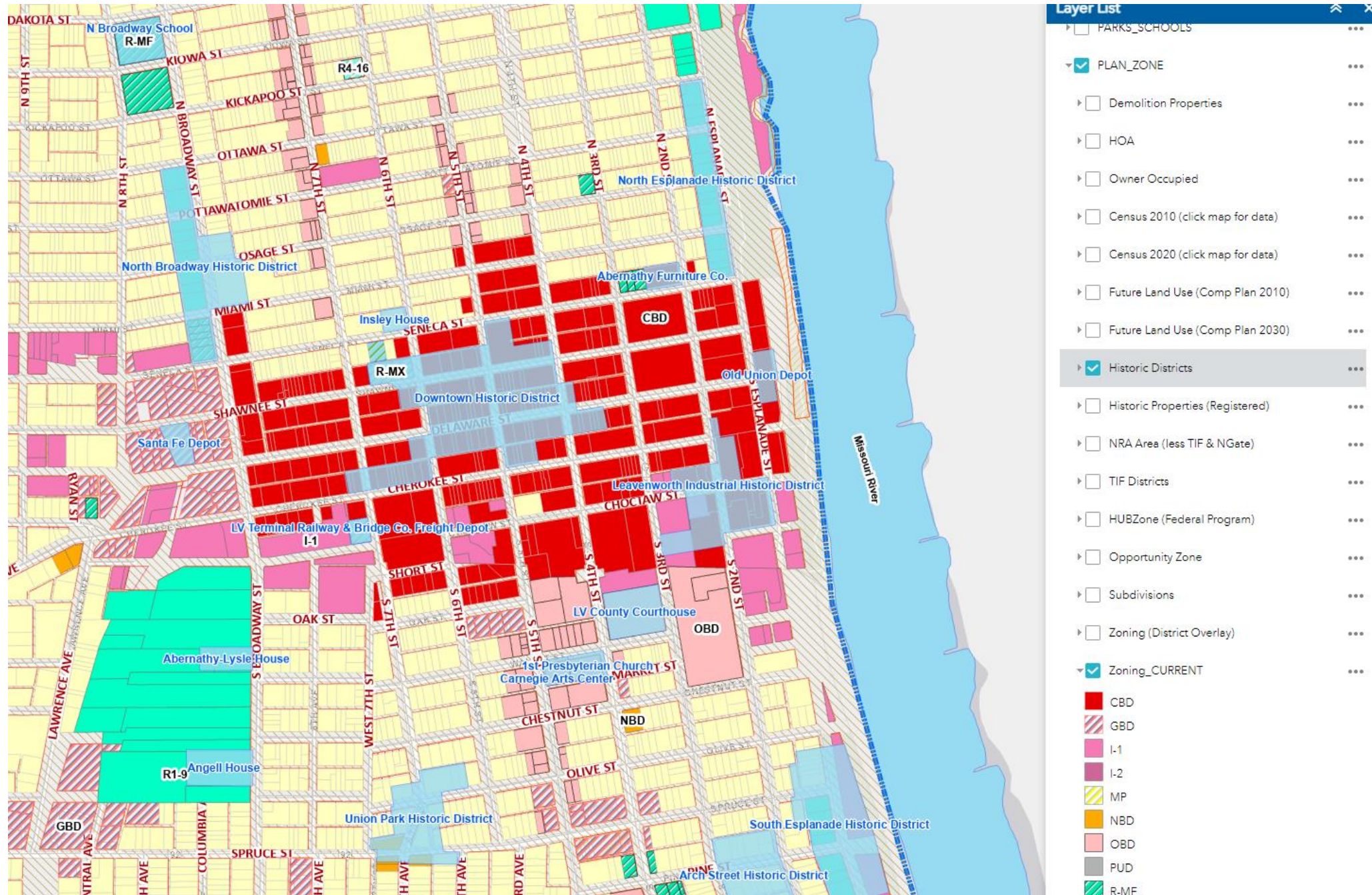


Layer List

- PARKS_SCHOOLS
- PLAN_ZONE
 - Demolition Properties
 - HOA
 - Owner Occupied
 - Census 2010 (click map for data)
 - Census 2020 (click map for data)
 - Future Land Use (Comp Plan 2010)
 - Future Land Use (Comp Plan 2030)
 - Historic Districts
 - Historic Properties (Registered)
 - NRA Area (less TIF & NGate)
 - TIF Districts
 - HUBZone (Federal Program)
 - Opportunity Zone
 - Subdivisions
 - Zoning (District Overlay)
- Zoning_CURRENT
 - CBD
 - GBD
 - I-1
 - I-2
 - MP
 - NBD
 - OBD
 - PUD

1. PLAN_ZONE
2. Layers
3. Deep dive
4. Refer back to development regs
5. Call the City

*Note on Historic Districts: These benefit property owners, if you know how to leverage tax credits. We can help!



Regulations 2: What is in the development regs?

DEVELOPMENT REGULATIONS TABLE OF CONTENTS

ARTICLE 1. GENERAL PROVISIONS

- 1.01 Overview
- 1.02 Administration
- 1.03 Interpretation
- 1.04 Enforcement
- 1.05 Nonconformances

ARTICLE 2. APPLICATIONS & PROCEDURES

- 2.01 Text Amendments
- 2.02 Platting
- 2.03 Zoning Change
- 2.04 Special Use Permits
- 2.05 Site Plan
- 2.06 Minor Modifications
- 2.07 Appeals

ARTICLE 3. SUBDIVISION STANDARDS

- 3.01 Purpose and Intent
- 3.02 Applicability and Exemptions
- 3.03 Minimum Design Standards
- 3.04 Required Improvements
- 3.05 Exceptions

ARTICLE 4. ZONING DISTRICTS & STANDARDS

- 4.01 Purpose
- 4.02 Establishment of Districts & Intent
- 4.03 Property Development Standards
- 4.04 Use Standards
- 4.05 Redevelopment Overlay District

ARTICLE 5. ACCESS & PARKING

- 5.01 Applicability
- 5.02 Required Parking
- 5.03 General
- 5.04 Parking Design
- 5.05 Access
- 5.06 Off-street Loading
- 5.07 Drive-Through Stacking

ARTICLE 6. LANDSCAPE & SITE DESIGN

- 6.01 Purpose & Applicability
- 6.02 Landscape Units
- 6.03 Required Landscaping

DEVELOPMENT REGULATIONS TABLE OF CONTENTS

- 6.04 Parking Lot Landscaping
- 6.05 Buffers
- 6.06 Landscape Design
- 6.07 Screening
- 6.08 Fences
- 6.09 Tree Preservation

ARTICLE 7. DESIGN STANDARDS

- 7.01 Purpose and Applicability
- 7.02 Residential Design
- 7.03 Non-Residential Design
- 7.04 Alternate Equivalent Compliance

ARTICLE 8. SIGNS

- 8.01 Purpose and Intent
- 8.02 Scope
- 8.03 Computations
- 8.04 Permits
- 8.05 Sign Installers
- 8.06 General Standards
- 8.07 Signs Permitted in All Districts
- 8.08 Signs Permitted in Residential Districts
- 8.09 Signs Permitted in the Mobile Home Park District
- 8.10 Signs Permitted in the Neighborhood Business District and Residential Mixed Use District
- 8.11 Signs Permitted in Commercial and Industrial Districts
- 8.12 Temporary Signs
- 8.13 Electronic Message Center Signs
- 8.14 Billboards
- 8.15 Nonconforming, Hazardous, Illegal, and Prohibited Signs
- 8.16 Appeals

ARTICLE 9. HISTORIC PRESERVATION

- 9.01 Purpose
- 9.02 General
- 9.03 Applicability
- 9.04 Leavenworth Preservation Commission
- 9.05 Administration
- 9.06 Enforcement
- 9.07 Appeals
- 9.08 Variances
- 9.09 Historic Resources Survey
- 9.10 Identification of Landmarks and Historic Districts
- 9.11 Leavenworth Landmarks Register
- 9.12 Nomination of Landmarks and Historic Districts
- 9.13 Report and Recommendation
- 9.14 City Commission Designation
- 9.15 Designation
- 9.16 Procedure for Demolition, Alteration, or Expansion

DEVELOPMENT REGULATIONS TABLE OF CONTENTS

- 9.17 Signs
- 9.18 Retention of Accessory Structures and Landscaping
- 9.19 Public Properties
- 9.20 Promotion of Other Functions
- 9.21 Promotion
- 9.22 Public Hearing Process
- 9.23 Alteration, Expansion or Demolition – Major

ARTICLE 10. SUPPLEMENTAL STANDARDS

- 10.01 Solar Energy
- 10.02 Wind Energy
- 10.03 Commercial Communication Towers and Antennae

ARTICLE 11. BOARD OF ZONING APPEALS

- 11.01 Creation
- 11.02 General
- 11.03 Powers and Jurisdiction
- 11.04 Applications
- 11.05 Appeal of Board Decisions

ARTICLE 12. DEFINITIONS

APPENDIX A – USE TABLE

Regulations example: Signs and parking

8.11. Signs Permitted in Commercial and Industrial Districts (OBD, CBD, GBD, I-1 & I-2)

| | Maximum Number | | | Maximum Size | | | Maximum Height | | |
|----------------------------|----------------|------------|----------------|--------------------------------|--------------------------------|--------------------------------|----------------|-----|----------------|
| | CBD | OBD | GBD, I-1 & I-2 | CBD | OBD | GBD, I-1 & I-2 | CBD | OBD | GBD, I-1 & I-2 |
| Attached Signs [1] [2] | 1 per side | 1 per side | 1 per side | 150 s.f. | 96 s.f. | 500 s.f. | N/A | N/A | N/A |
| Freestanding Signs [3] [4] | 1 | 1 | 1 | 50 s.f. | 50 s.f. | 100 s.f. | 15 | 15 | 15 |
| Window Signs | N/A | N/A | N/A | 150 s.f. or 33% of window area | 150 s.f. or 33% of window area | 150 s.f. or 33% of window area | N/A | N/A | N/A |

[1] Maximum 10% of wall surface to which signs are attached

8 - 11

LEAVENWORTH, KANSAS

UPDATED 2022

DEVELOPMENT REGULATIONS ARTICLE 8. SIGNS

8.11 Commercial & Industrial

[2] Projecting signs are allowed as regulated by section 8.11.C.5

[3] When located across street from commercial or industrial use, height may be increased per section 8.11.D.1

[4] Size may not exceed 1 s.f. per lineal foot of frontage in OBD or CBD, and 2 s.f. per lineal foot of frontage in GBD, I-1 & I-2

- A. All signs as regulated and permitted in Section 8.07 - Signs Permitted in All Districts.
- B. Signs as regulated and permitted in the NBD.
- C. Signs attached to a building shall be allowed as follows:

ARTICLE 5. ACCESS & PARKING

5.01 Applicability

The parking standards in this article shall apply in the following circumstances:

- A. Whenever a structure is erected, converted, structurally altered or moved;
- B. Whenever an existing structure or use is expanded or a use changed to increase the required parking by more than 10%.
 - 1. Where the increase is between 10% and 25%, parking shall be provided only for the increase caused by the proposed expansion.
 - 2. Where the increase is greater than 25%, parking shall be provided based on the entire building and site.
- C. These off-street parking and loading requirements shall not apply in the CBD (Central Business District) nor shall these requirements be imposed upon existing structures or uses at the time of passage of these Development Regulations.

5.02. Required Parking

- A. **Parking Table:** All uses shall provide the parking specified below, unless reduced by other provisions of this Article. Any required ADA accessible spaces shall be included in this parking requirement. Any use not specifically listed shall be interpreted as a listed use that most similarly matches the proposed use in terms of traffic impacts, site design and performance.

| Specific Use | Required Parking Rate |
|---|--|
| Animal Hospital | 1 per 400 s.f. |
| Assembly Hall | 1 per 3 persons at maximum capacity |
| Auditorium, Theater, Stadium, Arena, or Convention Hall | 1 per 4 seats |
| Automobile Service Station | 2 per service bay, plus 1 per employee |
| Automobile Wrecking Yard | 1 per 2 employees, plus 1 per 10,000 s.f. storage. |
| Banks | 1 per 300 s.f., plus 1 per 2 employees. |
| Bowling Alley | 5 per alley, plus 1 per 200 s.f. non-alley |
| Cartage, express, Parcel Delivery and Freight Terminal | 1 per 2 employees, plus 1 per each vehicle on premises |
| Car Washes | 3 waiting spaces per stall |
| Church, Temple, Synagogue, or Place of Assembly | 1 per 4 seats (1 per 30 s.f. if no fixed seating) |

Regulations 3: Establishing Development Regulations

The screenshot shows the City of Leavenworth website. The header includes the city logo and navigation links for Government, Departments, Community, and How Do I?. The main content area is titled "Development Regulations" and includes a list of purposes, a description of the review process, and contact information. A sidebar on the left lists various planning and community development services.

PLANNING & COMMUNITY DEVELOPMENT

- PLANNING
- Demolition Permit
- Sign Permit
- Fence Permit
- Development Regulations**
- Special Use Permit
- Rezoning Application
- Plat Application
- Historic Preservation
- Planning Commission
- Board of Zoning Appeals

Development Regulations

The Development Regulations serve the following purposes:

1. To promote the health, safety, comfort and economic development of the city;
2. To preserve and protect property values throughout the city;
3. To regulate the height, number of stories and size of buildings; the percentage of lot coverage; the size of yards, courts, and other open spaces; and density of population;
4. To divide the jurisdictional area into zones and districts;
5. To regulate the location and use of buildings and land within each district or zone.

The Development Regulations are reviewed and updated on an annual basis by the Planning Commission and City Commission.

CONTACT INFORMATION

Phone: 913-680-2626

Hours: 8 a.m. - 5 p.m. Monday-Friday

Location: 100 N 5th St. | Leavenworth, KS 66048

[View Full Contact Details](#)

Development Regulations (2 MB)

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1. Development regulations are reviewed by many groups, including the public, business owners, third-party entities, and the City's Planning Commission, before being adopted by the City Commission.
2. The process is deliberately long, and is open to the public.
3. Development regulations change, but change is brought about by a large-scale identification of a change in development, an error, or an overwhelming public sentiment.
4. Changes are done every year.

Permits 1:

| INSPECTIONS AND PERMITS DIVISION - |
|---|
| Commercial Construction - |
| New Commercial Structures & Additions |
| Major Renovations & Change of Occupancy |
| Minor Interior & Exterior Renovation |
| Commercial Dumpster/Pod |
| Land Disturbance & Excavation |
| Residential Construction + |
| M.E.P. Trade License & Permits |
| Grease Trap Program |
| Frequently Asked Questions |
| Monthly Building Permit Reports |
| Payment Portal |

Building permits

- The purpose of a building permit is to ensure that the minimum standards are met to safeguard life, limb, health, property, and public welfare
- State and federal regulations
- Grease traps: City operates under the State MS4 Permit
 - Six minimum control measures
 - #3 Illicit Discharge Detection and Elimination

Planning permits

- Planning permits are designed to enforce the tenants of development regulations as development occurs and property owners change
- **Legal Framework** – Demolitions require legal notifications of utility companies and environmental reviews for items like asbestos and lead paint.

| PLANNING - |
|-------------------------|
| Demolition Permit |
| Sign Permit |
| Fence Permit |
| Development Regulations |
| Special Use Permit |
| Rezoning Application |
| Plat Application |
| Historic Preservation + |
| Planning Commission |
| Board of Zoning Appeals |
| Political signs |

Building and planning permits

Super secret short cut

- Call the City.
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Understanding the process and advocating for change

- These are your codes.
 - Established by working groups and business organizations
 - Sign codes, mobile food vendors, districts
 - Reviewed and managed by the volunteer Planning Commission
 - Approved by the City Commission
- Government moves slowly because that is the expectation
 - Public meetings – and notifications
 - Alternatives
 - Communication
 - Implementation
- Identify a problem...come up with a solution
 - What do you want to do that you can't?
 - If not this than what
 - It can be done!!!

Advocating for change

- There is strength in numbers (and organization)
 - Main Street
 - Chamber of Commerce Government Affairs Committee
 - Other
- Make the change for tomorrow, not for today
 - I have a sale this weekend, how do I change the sign code
 - Tell a story of how it helps the greater City
 - Ask why something is in place...what is the worst-case scenario
- It takes perseverance
 - Work through your elected officials
 - Understand the steps
 - Gather support

Questions?