

City of Westwood – 2024 Building Code Update

Including Kansas “By-Right Housing Development Act” (SB 418)

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DATE June 11th, 2026



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Agenda

- Recap of Code Adoption Process
- Summary of SB 418
- Impacts to Development in Westwood
- Necessary Changes to Westwood City Code
- Questions/Discussion

Code Adoption Process Recap

- Voted to approve the new codes on November 13, 2025
- Articles 2 through 10 and 12 repealed and replaced
 - IBC, IRC, IEBC, IFC, IPC, IFGC, IMC, NEC, IECC, and ISPSC
- New applications subject to these requirements starting in January
- Few other jurisdictions in Johnson County had finalized adoption

Summary of SB 418

- **Background**

- Kansas Legislature adopted Senate Bill 418, the "Kansas By-Right Housing Development Act."
- The law significantly changes local zoning authority and development review processes.
- Municipalities are required to update local regulations to comply with state law.

- **Major Provisions**

- Establishes "by-right housing development."
- Requires approval when objective standards are met.
- Imposes strict review timelines.
- Limits discretionary review by planning commissions.
- Requires all residential zoning districts to allow single-family housing.

Summary of SB 418

- **What Qualifies as By-Right Development?** Projects that:
 - Meet zoning and land use regulations.
 - Do not require public infrastructure extensions.
 - Do not create adverse drainage impacts.
 - Include:
 - Single-family homes
 - Townhomes up to 12 units
 - Accessory Dwelling Units (ADUs)

Summary of SB 418

- **Home Design Standards**
 - Single-Family Homes, Townhouses (IRC), and ADUs under 2,500 square feet (not including garage or basement)
 - Must allow use of the 2018 IRC.
 - Must allow single-car garages.
 - Exterior architectural finishes may be required on only one side.
 - Lots as small as 3,000 square feet must be permitted subject to reasonable setbacks.
- **Peer Jurisdictions**
 - Some cities are staying on old 2018 IRCs (no code update)
 - Some are using 2024 IRC while including an administrative exception to allow for 2018 if criteria above is met

Impacts to Development in Westwood

- **Development Review**
 - Reduced Planning Commission discretion for qualifying projects.
 - Increased reliance on objective code standards.
 - Faster review timelines required for staff and consultants.
 - Cities cannot impose a fee for a third-party (required if not met in 30 days)
- **Public Participation**
 - Single-family rezonings are no longer subject to:
 - Neighbor notification requirements.
 - Protest petitions.

Necessary Changes to Westwood City Code

- Building Code
 - Allow for use of Previously Adopted Ordinance 1050 for SF, TH, or ADU less than 2,500 square feet (2018 IRC with amendments)
 - Does not apply to commercial projects
- Zoning Code
 - No changes proposed at this time
 - ADUs already allowed by-right
 - No lot minimums currently in place
 - Further review needed for architectural finishes limit (one side)

Questions/Discussion