

## ORDINANCE NO. 150600

Amending Chapter 88, the Zoning and Development Code, through revisions, clarifications, and other administrative changes throughout the chapter in accordance with the Zoning & Development Code periodic review. (Case No. 254-S-305)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Zoning and Development Code, is hereby amended by repealing and reenacting with like number and title Sections 88-110-06-C.6, 88-205-04-A, 88-275-02-B, 88-305-02-B, 88-420-02-A, 88-420-06, 88-425-11-B, 88-445-06-A.4, 88-435-03-A, 88-505-07, 88-570-02-F, 88-605-03-B, 88-805-04-O, 88-805-04-Y, 88-805-05-B, 88-805-05-F, and 88-810-1770, to read as follows:

### **88-110-06-C. BUILDING-TYPE SPECIFIC STANDARDS**

#### **6. Multi-unit House** (includes Multiplex)

Multi-unit houses are subject to the standards of *Table 110-2* (88-110-06-B) except as expressly modified or supplemented by the following standards.

- a. The street-facing facade of a multi-unit house may have only one visible entrance to the building. If the building is located on a corner lot, one building entrance may be visible from each street.
- b. Visible building entrances must be clearly emphasized by any one of the following means:
  1. covered porch or canopy;
  2. transom and sidelight windows;
  3. pilasters and pediment; or
  4. other significant architectural treatment that emphasizes the entrance. (Simple trim around the doorway does not meet this standard)
- c. Patio-style doors, such as sliding glass doors, may not be used for main entrance doors.
- d. A pedestrian circulation system must be provided that connects residential entrances to adjacent public rights-of-way and to parking areas and other on-site facilities.
- e. Surface parking and parking within accessory structures must be located behind the front building line and otherwise concealed from view of abutting streets. Parking areas may not be located directly between the principal building and the street or within any required side setback area. Surface parking and the edge of the driveway from the right-of-way to any

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parking area or structure must be landscaped in accordance with 88-425-05 and 88-425-06.

- f. The front facade of new multi-unit houses may not exceed 40 feet in width. Buildings may exceed this limitation if the street-facing plane of the building is broken into horizontal modules that comply with the following standards:
  - 1. Each module must be no greater than 30 feet and no less than 10 feet in width and must be distinguished from adjacent modules by a change in the wall plane of at least 16 inches in depth. For buildings that are 3 or more stories in height, the width of the module may be increased to 40 feet.
  - 2. Each module must have a corresponding change in the roofline.
  - 3. Each module must be distinguished from the adjacent module by at least one of the following means:
    - a. changes in material colors, types or textures;
    - b. changes in the building and/or parapet height;
    - c. changes in the architectural details such as decorative banding, reveals, stone, or tile accents;
    - d. change in window pattern; and
    - e. the use of balconies and recesses.
- g. Architecture of the multi-unit house shall be designed in context with and reflect the predominant characteristics of other residential buildings within 500 feet of the exterior property lines of the multi-house, in regard to scale, roof pitch, material, ingress/egress, and fenestration.

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**88-205 OVERLAY DISTRICTS GENERALLY**

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**88-205-04 ESTABLISHMENT**

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**88-205-04-A.** Overlay districts must be established in accordance with the zoning map amendment procedures 88-515.

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**88-275 KCIA, AIRPORT DISTRICT**

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**88-275-02 USES**

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**88-275-02-B.** The following uses are permitted in accordance with procedures of 88-530:

1. Airports, public, including passenger and freight terminals, aircraft storage, maintenance and related services for aircraft and air passengers
  2. Eating and Drinking Establishments
  3. Entertainment and Spectator Sports
  4. Funeral and Interment Service (cemetery/columbarium/mausoleum only)
  5. Gasoline and Fuel Sales
  6. Lodging
  7. Manufacturing, Production and Industrial Services
  8. Mining and Quarrying subject to 88-350-02-D
  9. Park/Recreation
  10. Religious Assembly
  11. Retail Sales
  12. Sports and Recreation, Participant
  13. Utilities and Services
  14. Warehousing, Wholesaling, and Freight Movement
  15. Other commercial and industrial uses that are compatible with airport operations.
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**88-305 ACCESSORY USES AND STRUCTURES**

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**88-305-02 LOT AND BUILDING STANDARDS IN RESIDENTIAL DISTRICTS**

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**88-305-02-B. SETBACKS**

1. Accessory buildings and structures are prohibited in front and street side yards (i.e., they may not be closer to the street than the principal building), except for structures that are customarily found in front or street yards, such as flag poles and minor landscape structures.

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2. Accessory buildings and structures must be set back at least 1.5 feet from rear property lines, except that garages accessed from an alley and carriage houses are not required to be set back from a rear property line abutting an alley. Structures designed to contain animals must be set back at least 30 feet from rear property lines.
  
3. Accessory buildings and structures must be set back at least 1.5 feet from interior side property lines, and may not be closer to the street than the principal building in the streetside rear yard or at least 15 feet, whichever is less, except that accessory buildings and structures are not required to be set back from an interior side property line that abuts an alley. Structures designed to contain animals must be set back at least 30 feet from interior property lines.
  
4. If serving two lots, an accessory building and structure may be built across the side or rear line, and where an alley abuts a side or rear lot line, the garage may be built on the alley line.

**88-420 PARKING AND LOADING**

**88-420-02 APPLICABILITY**

**88-420-02 -A. NEW DEVELOPMENT**

Unless otherwise expressly stated, the parking and loading standards of this article apply to all new buildings constructed and all new uses established in all zoning districts after September 10, 1951.

**88-420-06 PARKING RATIOS**

Parking Ratios	
USE GROUP	Minimum Vehicle Parking Ratio
<b>Use Category</b> » specific use type	
<b>RESIDENTIAL</b>	
<b>Household Living</b>	
» Elderly Housing	1 per 3 dwelling units
» All other	1 per dwelling unit
<b>Group Living</b>	1 per 4 dwelling units or 1 per 4 beds/sleeping rooms
<b>PUBLIC/CIVIC</b>	
<b>College/University</b>	1 per 4 employees, plus 1 per 10 students
<b>Day Care</b>	
» Home-based (1-5)	None
» All other	1 per 4 employees
<b>Hospital</b>	1 per 3 beds, plus 1 per 4 employees

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<b>Parking Ratios</b>	
<b>USE GROUP</b>	
<b>Use Category » specific use type</b>	<b>Minimum Vehicle Parking Ratio</b>
<b>Library/Cultural Exhibit</b>	2.5 per 1,000 square feet
<b>Park/Recreation</b>	
» Community center	2.5 per 1,000 square feet
» All other park/recreation	per 88-420-08
<b>Religious Assembly</b>	1 per 7 seats in main assembly area
<b>Safety Service</b>	
» Fire station	1 per 4 employees
» Police station	1 per 4 employees
» Ambulance service	1 per 4 employees
<b>School</b>	
» Elementary/Junior High	1 per 4 employees
» Senior High	1 per 4 employees, plus 1 per 15 students
<b>Utilities and Services</b>	
» Basic, minor	None
» All other utilities and services	per 88-420-08
<b>COMMERCIAL</b>	
<b>Adult Business</b>	
» Adult media store	2.5 per 1,000 square feet
» Adult motion picture theater	1 per 4 seats or person capacity
» Sex shop	2.5 per 1,000 square feet
<b>Animal Service</b>	
» Sales and grooming	2.5 per 1,000 square feet
» Shelter or boarding	2.5 per 1,000 square feet, not including animal pen areas
» Veterinary	2.5 per 1,000 square feet, not including animal pen areas
» Stable	1 per 10 stalls
<b>Artist Work or Sales Space</b>	2.5 per 1,000 square feet of sales space
<b>Building Maintenance Service</b>	1 per 4 employees
<b>Business Equipment Sales and Service</b>	2.5 per 1,000 square feet
<b>Business Support Service</b>	
» Day labor employment agency	per 88-420-08
» Employment agency	2.5 per 1,000 square feet
» All other business support service	2.5 per 1,000 square feet
<b>Communication Service</b>	2.5 per 1,000 square feet
<b>Eating and Drinking Establishments</b>	
» Tavern or nightclub	20 per 1,000 square feet
» uncovered patios or decks	20 per 1,000 square feet
» All other eating/drinking establishments	10 per 1,000 square feet
» uncovered patios or decks	5 per 1,000 square feet
<b>Entertainment and Spectator Sports</b>	1 per 4 seats or person capacity
<b>Financial Services</b>	

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Parking Ratios	
USE GROUP	Minimum Vehicle Parking Ratio
Use Category » specific use type	
» Pawn shop	2.5 per 1,000 square feet
» All other financial services	2.5 per 1,000 square feet
<b>Food and Beverage Retail Sales</b>	2.5 per 1,000 square feet
<b>Funeral and Interment Service</b>	
» Cemetery/columbarium/mausoleum	per 88-420-08
» Cremating	1 per 4 employees
» Undertaking	1 per 4 seats or person capacity
<b>Gasoline and Fuel Sales</b>	1 per pump
<b>Lodging</b>	
» 1-20 rooms	1 per room
» 21-40 rooms	1 per 4 rooms
» 41+ rooms	1 per 6 rooms
<b>Office, Admin. Professional or General</b>	1 per 1,000 square feet
<b>Office, Medical</b>	4 per 1,000 square feet
<b>Personal Improvement Service</b>	2.5 per 1,000 square feet
<b>Repair or Laundry Service, Consumer</b>	2.5 per 1,000 square feet
<b>Research Service</b>	1 per 1,000 square feet
<b>Retail Sales</b>	2.5 per 1,000 square feet
<b>Sports and Recreation, Participant</b>	
» Indoor	1 per 4 seats or person capacity
» Outdoor	per 88-420-08
<b>Vehicle Sales and Service</b>	
» Car wash/cleaning service	None
» Heavy equipment sales/rental	1 per 1,000 square feet of office space and covered display area
» Light equipment sales/rental (indoor)	1 per 1,000 square feet of office space and covered display area
» Light equipment sales/rental (outdoor)	1 per 1,000 square feet of office space and covered display area
» Motor vehicle repair, limited	2 per service bay
» Motor vehicle repair, general	2 per service bay
» Vehicle storage/towing	1 per employee
<b>INDUSTRIAL</b>	
<b>Manufacturing, Production and Industrial Service</b>	1 per 4 employees
<b>Recycling Service</b>	1 per 4 employees
<b>Residential Storage Warehouse</b>	3, plus 1 per 75 storage spaces
<b>Warehousing, Wholesaling, Freight Movement</b>	1 per 4 employees
<b>OTHER</b>	
<b>Agriculture, Crop</b>	None
<b>Wireless Communication Facility</b>	None

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**88-425 LANDSCAPING AND SCREENING**

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**88-425-11 INSTALLATION AND MAINTENANCE**

**88-425-11-B. MAINTENANCE**

1. The property owner or successors in interest are jointly and severally responsible for proper maintenance of landscaped areas in accordance with the approved landscape plan.

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**88-435-03 OUTDOOR STORAGE**

**88-435-03-A. REGULATIONS**

Outdoor storage as allowed per Tables 120-1 and 140-1, provided it complies with the following standards:

1. Outdoor storage areas must be located outside of drive aisles, fire lanes, parking spaces, and any required setback;
2. In the B4 district outdoor storage is prohibited in any required setback or within 20 feet of any property or right-of-way line, whichever is greater;
3. In the M districts, outdoor storage is prohibited in any required setback or within 10 feet of any property or right-of-way line, whichever is greater;
4. In the B4 district, outdoor storage may not cover an area exceeding 50% of the lot area and may not be located between the building line and any public right-of-way.
5. Outdoor storage is allowed as an accessory use in the B4 and all M districts if such storage is a customary accessory use to the principal use on a site.
6. Outdoor storage must be screened in accordance with the standards of 88-425-09.

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**88-445-06 SIGNS IN RESIDENTIAL DISTRICTS**

**88-445-06-A. RESIDENTIAL SIGNS**

Only the following signs are allowed in districts AG-R, R-80, R-10, R-7.5, R-6, R-5, R-2.5, R-1.5, R-0.5, and R-0.3:

**4. INSTITUTIONAL AND OFFICE USES**

A lot with an institutional use as its principal use, such as a church, school, police or fire station, community center, public park; an office building; or other permitted principal uses not described herein, may have:

**a. MONUMENT SIGNS**

One monument sign per street frontage which may not exceed 32 square feet in area or 6 feet in height. One sign per lot may include changeable

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copy, but the changeable copy feature must use direct human intervention for changes and may not include any form of digital or electronic display. Such sign may be internally or externally illuminated.

**b. WALL SIGNS**

One wall sign per public entrance, which may not exceed 20 square feet in area. Such sign may not include any form of digital or electronic display. Such sign may be internally or externally illuminated.

**c. INCIDENTAL SIGNS**

1. One sign per driveway is permitted, which may not exceed 42 inches in height and 6 square feet in area.
2. Incidental signs must be set back a minimum of 10 feet from all property lines.
3. Such sign may not contain a commercial message but may include the logo of the institutional use.

**d. INTERIM SIGNS**

1. One interim sign bearing a noncommercial message or a message related to the sale, lease, rental, or construction of the property. Such sign may not exceed 8 square feet in area or 4 feet in height.
2. Additional interim signs not bearing commercial messages. No such sign may exceed 8 square feet in area or 4 feet in height. A maximum of 16 square feet of sign area is allowed per lot.
3. During the period from 6 weeks prior to a public election to be held in Kansas City to 2 weeks after such election, each lot may display additional signs not bearing commercial messages. No such sign may exceed 8 square feet in area or 4 feet in height.

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**88-505-07 PUBLIC HEARING NOTICES**

**88-505-07-A. REQUIRED NEWSPAPER NOTICE**

Whenever the provisions of this zoning and development code require that newspaper notice be provided, the notice must be published by the city at least 15 days before the date of the hearing in a newspaper of general circulation within Kansas City or as otherwise required by law.

**88-505-07-B. REQUIRED MAILED NOTICE**

Required mailed notices must be sent by U.S. mail, first class at least 13 days before the date of the hearing to the subject property owner, any registered neighborhood organization, and/or registered civic organization whose boundaries include the subject



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property, and all owners of property within 300 feet of the subject property. Addresses must be based on the latest available, city-maintained property ownership information. For all hearings before the board of zoning adjustment or city plan commission, the city planning and development director must certify by affidavit that the mailing has occurred. The affidavit will become part of the record as proof of such mailing.

**88-505-07-C. COURTESY NOTICES**

In addition to any required public hearing notices, the city may elect to provide additional courtesy notification, which may include Internet postings and information signs posted on the subject property.

**88-505-07-D. CONTENT OF NOTICE**

All required public hearing notices should: (1) indicate the date, time and place of the public hearing or date of action that is the subject of the notice (or other information sufficient for those interested to determine the date, time, and place); (2) describe any property involved in the application by street address or by general description; (3) describe the general nature, scope and purpose of the application or proposal; (4) indicate where additional information on the matter can be obtained; and (5) provide contact or other information sufficient for those interested to determine when the council will hold its hearing on the rezoning.

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**88-570 ADMINISTRATIVE ADJUSTMENTS**

**88-570-02 APPLICABILITY; AUTHORIZED ADMINISTRATIVE ADJUSTMENTS**

**88-570-02-F. BICYCLE PARKING**

1. The city planning and development director is authorized to approve an administrative adjustment reducing the number of bicycle spaces required under 88-420-09.
2. Such an administrative adjustment may be approved only when the city planning and development director determines that use will generate reduced bicycle traffic or that it would be impossible to provide bicycle parking at the subject location.

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**88-605-03 STREET NAMING COMMITTEE**

**88-605-03-B. MEMBERSHIP**

The following individuals are members of the street naming committee:

1. city planning and development director;
2. public works director;
3. parks and recreation director;

4. fire chief;
5. police chief

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**88-805 USE GROUPS AND CATEGORIES**

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**88-805-04 COMMERCIAL USE GROUP**

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**88-805-04-O. LODGING**

Provision of lodging services on a temporary basis of not more than 30 days, with incidental food, drink and other sales and services intended for the convenience of guests. The following are lodging use types:

1. **BED AND BREAKFAST**  
A detached house in which the owner offers overnight accommodations and meal service to guests for compensation.
2. **HOTEL/MOTEL**  
An establishment, other than a detached house, in which short-term lodging is offered for compensation and that may or may not include the service of one or more meals to guests. Typical uses include hotels, motels, and boarding houses.
3. **RECREATIONAL VEHICLE PARK**  
A development site, parcel, or tract of land designed, maintained or intended to be used for the purpose of providing short-term accommodation of not more than 30 days for placement of two or more recreational vehicles including all buildings used or maintained for the use of the occupants in the recreational vehicle park.

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**88-805-04-Y. VEHICLE SALES AND SERVICE**

Sales of motor vehicles or services related to motor vehicles. The following are vehicle sales and service use types:

6. **VEHICLE STORAGE AND TOWING**  
Storage of operating motor vehicles or vehicle towing services. Typical uses include towing services, private tow lots, impound yards and fleet storage yards. Includes the use of a site for temporary storage of motor vehicles to be sold, rented, salvaged, dismantled, or repaired for a period of not more than 15 days.

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**88-805-05 INDUSTRIAL USE GROUP**

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**88-805-05-B. MANUFACTURING, PRODUCTION AND INDUSTRIAL SERVICES**

- 1) **ARTISAN**  
On-site production of goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment. Typical uses include woodworking and cabinet shops, ceramic studios, jewelry manufacturing, and

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similar types of arts and crafts or very small-scale manufacturing uses that have no negative external impacts on surrounding properties.

- a. Artisanal Food and Beverage Production includes production of foods and beverages consumed and/or offered for sale on-site or produced for sale off-site, in accordance with 88-318.

2) **LIMITED**

Manufacturing of finished parts or products, primarily from previously prepared materials. Typical uses include: catering establishments, printing and related support activities; machinery manufacturing; food manufacturing; computer and electronic product manufacturing/assembly; electrical equipment, appliance, component manufacturing/assembly; furniture and related product manufacturing/assembly; a contractor's establishment if the principal use is fabrication and manufacturing; and other manufacturing and production establishments that typically have very few, if any, negative external impacts on surrounding properties.

3) **GENERAL**

- a. Manufacturing of finished or unfinished products, primarily from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials. Typical uses include: asphalt plants, concrete plants, textile mills; textile product mills; apparel manufacturing; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; chemical manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; transportation equipment manufacturing; primary metal manufacturing; and fabricated metal product manufacturing. Also includes medical, scientific, or technology-related research establishments that produce odors, dust, vibration, noise, or other external impacts that are detectable beyond the property lines of the subject property.
- b. Industrial service firms engaged in the repair or servicing of industrial or commercial machinery, equipment, products, or by-products. Typical uses include: welding shops; machine shops; industrial tool repair; fuel oil distributors; solid fuel yards; laundry, dry-cleaning, and carpet cleaning plants; and photofinishing laboratories. Excludes uses classified as "repair or laundry services."

4) **INTENSIVE**

Manufacturing of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, and radioactive materials. Also includes smelting, animal slaughtering, and oil refining.

**88-805-05-F. WAREHOUSING, WHOLESALING AND FREIGHT MOVEMENT**

Storage, wholesale sales, and distribution of materials and equipment. Typical uses include storage warehouses; moving and storage firms; trucking or cartage operations; truck staging or storage areas; parking station for busses, trucks, and trailers; and wholesale sales of materials and equipment to parties other than the general public.

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**88-810-1770 SIGN, OUTDOOR ADVERTISING**

A sign which directs attention to a business; commodity, service, activity, or product sold, conducted, or offered off the premises where such sign is located.

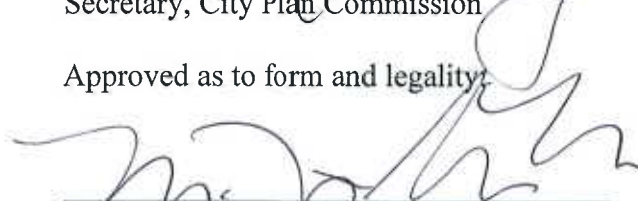
Section B. That the Council finds and declares that before taking any action on the proposed amendment to Chapter 88 hereinabove, all public notices have been given and hearings have been held as required by law.

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I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised and public hearings were held.

  
Secretary, City Plan Commission

Approved as to form and legality:

  
M. Margaret Sheahan Moran  
Assistant City Attorney



Authenticated as Passed

  
Sly James, Mayor

Marilyn Sanders, City Clerk

JUL 23 2015

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Date Passed