



CITY PLAN COMMISSION STAFF REPORT

City of Kansas City, Missouri
City Planning & Development Department
www.kcmo.gov/cpc

November 7, 2023

Project Name
Periodic Review Amendments

Docket #15

Request
CD-CPC-2023-00106
Periodic Review Amendments to Zoning and Development Code

Applicant
City Planning and Development Department

APPROVAL PROCESS



NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

None. Text amendments apply citywide.

REQUIRED PUBLIC ENGAGEMENT

Standard protocol for periodic review text amendments is to post drafts to the City's website approximately 30 days in advance of the City Plan Commission hearing. This protocol was followed. The website provides a feedback form and to date no feedback has been received.

SUMMARY OF REQUEST + KEY POINTS

The City Planning and Development Department is proposing eight total amendments related to the following topics with this periodic review cycle:

- 1. Home Occupations
- 2. Westport Overlay District
- 3. Communications Service Establishments
- 4. Major Amendment Criteria

CONTROLLING + RELATED CASES

None.

PROFESSIONAL STAFF RECOMMENDATION

Docket #15 Approve Amendments 1-4 listed above

HOME OCCUPATIONS AMENDMENT

In the 2022 session, the Missouri General Assembly adopted House Bill 2593 restricting any political subdivision's authority to regulate home occupations (also referred to as home-based businesses). The following aspects of home occupations are regulated by our code but must be changed to be brought into conformance with the statute:

1. Whether employees are residents and the number of employees
2. Specific types of businesses or uses
3. The number of customers in the home or on the site at one time
4. Outdoor storage or activities related to the business when not visible from street
5. Whether structural modifications can be made to the home

In addition, the statute prohibits the city from requiring a business license and prohibits the city from requiring any sort of permit, plan, or other approval process for home occupations.

Zoning and Development Code Text Amendments (88-510-07)

In reviewing and making decisions on zoning and development code text amendments, the City Planning and Development Director, City Plan Commission, and City Council must consider at least the following factors:

- A. Whether the proposed zoning and development Code text amendment corrects an error or inconsistency in the Zoning and Development Code or meets the challenge of a changing condition;**
The amendment meets the challenge of a changing condition, that condition being a change to state law which prohibits cities from regulating home occupations in certain ways.
- B. Whether the proposed zoning and development code text amendment is consistent with adopted plans and the stated purpose of this Zoning and Development Code; and**
The purpose of the zoning and development code, in part, is to ensure adjacent land uses are compatible with one another and to preserve quality of life for all citizens in that regard. City Planning and Development staff do not believe this amendment is in keeping with those stated purposes, however we are obligated to follow state law.
- C. Whether the proposed zoning and development code text amendment is in the best interests of the City as a whole.**
City Planning and Development staff believes reasonable regulation of home occupations is necessary to preserve quality of life. The changes to state law will require the City to lean heavily on application of its nuisance laws pertaining to odor, noise and similar "effects" produced outside the home, as put by the statute, in order to preserve quality of life for our residents. Those laws are not part of the zoning and development code or enforced by this department. In particular, the inability to restrict the number of employees or customers in any manner, as well as the inability to prohibit outdoor activities or storage (unless visible from street) could have a deleterious effect on adjacent residents' quality of life. While we hold this concern, we are compelled to recommend approval so that our ordinance complies with state law.

WESTPORT OVERLAY DISTRICT

When the district was adopted in the summer staff failed to include referencing it in a list of all the city's overlay districts.

Zoning and Development Code Text Amendments (88-510-07)

In reviewing and making decisions on zoning and development code text amendments, the City Planning and Development Director, City Plan Commission, and City Council must consider at least the following factors:

- A. Whether the proposed zoning and development Code text amendment corrects an error or inconsistency in the Zoning and Development Code or meets the challenge of a changing condition;**
The amendment corrects an error.

- B. Whether the proposed zoning and development code text amendment is consistent with adopted plans and the stated purpose of this Zoning and Development Code; and**
The amendment is consistent with adopted plans and purpose of code.

- C. Whether the proposed zoning and development code text amendment is in the best interests of the City as a whole.**
The proposed amendment is in the best interests of the city as a whole.

COMMUNICATIONS SERVICE ESTABLISHMENTS

This use category includes data centers and is currently only allowed in M (Industrial Districts). The majority of large-scale data centers are on property zoned M or were part of an MPD or UR project. With the increasing demand for the services data centers offer there is an increasing interest in allowing small-scale data centers. One example is that cell tower companies are now in need of data centers on the same site as the tower itself. In these instances the only path available is to rezone to an M District. The code provides a tool to allow more uses in more districts while mitigating for their impacts in the form of use standards. This amendment proposes to allow communications service establishments in the same districts as cell towers and to limit their floor area when those districts are something other than industrial and provide standards for their location and design in B and D districts given their unfavorable impact on pedestrian activity.

Zoning and Development Code Text Amendments (88-510-07)

In reviewing and making decisions on zoning and development code text amendments, the City Planning and Development Director, City Plan Commission, and City Council must consider at least the following factors:

- A. Whether the proposed zoning and development Code text amendment corrects an error or inconsistency in the Zoning and Development Code or meets the challenge of a changing condition;**
The amendment meets the challenge of a changing condition given the proliferation of the need for data centers of smaller scale.

- B. Whether the proposed zoning and development code text amendment is consistent with adopted plans and the stated purpose of this Zoning and Development Code; and**
The amendment is consistent with adopted plans and purpose of code.

- C. Whether the proposed zoning and development code text amendment is in the best interests of the City as a whole.**
The proposed amendment is in the best interests of the city as a whole.

MAJOR AMENDMENT CRITERIA

The zoning and development code sets forth criteria for what distinguishes a minor from a major amendment to a previously-approved plan. The purpose of the distinction is to identify which changes are of limited significance and thus "minor" and able to be approved by staff versus those that are considered substantial and thus "major" and benefitting from a public hearing process through City Plan Commission and City Council or Board of Zoning Adjustment. This amendment removes the caps which apply to increases in building floor area, impervious area and building height. The cap on building floor area and impervious area is very small which results in a bias against large scale projects. For example, a 100,000 square foot building adding 2,000 square feet triggers a major amendment. The process for this would require the applicant to file plans, subject the plans to today's policies and code requirements, hold a public engagement meeting, go to City Plan Commission, and then go to Council or BZA for final approval – all before staff can issue a building permit for the 2,000 square foot addition. The percentages would be retained, therefore using the same example, the applicant would need to file for a major amendment when the building increase is 10,000 square feet or greater.

Zoning and Development Code Text Amendments (88-510-07)

In reviewing and making decisions on zoning and development code text amendments, the City Planning and Development Director, City Plan Commission, and City Council must consider at least the following factors:

- A. Whether the proposed zoning and development Code text amendment corrects an error or inconsistency in the Zoning and Development Code or meets the challenge of a changing condition;**
The amendment corrects an error or inconsistency in the code.

- B. Whether the proposed zoning and development code text amendment is consistent with adopted plans and the stated purpose of this Zoning and Development Code; and**
The amendment is consistent with adopted plans and purpose of code.

- C. Whether the proposed zoning and development code text amendment is in the best interests of the City as a whole.**
The proposed amendment is in the best interests of the city as a whole.

ATTACHMENTS

1. Draft amendments

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **RECOMMENDS APPROVAL**.

Respectfully Submitted,

Name

88-305-04 HOME OCCUPATION

88-305-04-A. GENERAL

Home occupations are accessory uses to uses in the household living category. The regulations of this section are primarily intended to ensure that home occupations in R zoning districts will not be a detriment to the ~~character and livability~~character, livability, and safety of the surrounding residential neighborhood. The regulations are also intended to ensure that the home occupation remains subordinate to the residential use, and that the residential viability of the dwelling is maintained. The regulations also recognize that many types of work can be done in a home with little or no effect on the surrounding neighborhood.

88-305-04-B. APPLICABILITY

Home occupations are allowed in R districts only if they comply with all ~~of~~ the standards of this section.

88-305-04-C. EXEMPTIONS

1. HOME-BASED DAY CARE

Home-based day care facilities are not regulated as home occupations and are exempt from the regulations of this section.

2. BED AND BREAKFAST

Bed and breakfast uses are not regulated as home occupations and are exempt from the regulations of this section.

88-305-04-D. STANDARDS

A dwelling unit or accessory building may be used for one or more home occupations subject to compliance with all of the following minimum standards:

1. The home occupation must be accessory and secondary to the use of a dwelling unit for residential purposes, and the home occupation must not change the residential character of the residential building or adversely affect the character of the surrounding neighborhood.
- ~~2. All employees must reside in the dwelling unit in which the home occupation is located.~~
- ~~3. No more than two clients shall be present at any time and must be present by appointment only.~~
- ~~4. No separate entrance from the outside of the building may be added to the residential building for the sole use of the home occupation.~~
- ~~52. There may be no internal or external structural alterations or construction, nor the installation of any equipment that would change the residential character of the property upon which the home occupation is located. Examples of such prohibited alterations include construction of parking lots, paving of required setbacks, and the addition of commercial-like exterior lighting.~~
- ~~63. The home occupation and all related activities, including storage, must be conducted completely within the dwelling unit.~~The home occupation and all related activities shall be permitted within any dwelling unit and accessory building on the site as well as any yard not visible from the street.
- ~~74.~~ No home occupation may produce or emit any noise, vibration, smoke, dust, or other particulate matter, odorous matter, heat, humidity, glare, or any other effect that unreasonably interferes with any person's enjoyment of their residence.
- ~~85.~~ Hazardous substances are prohibited, except that consumer quantities are allowed. Consumer quantities of hazardous substances are packaged and distributed in a form intended or suitable

for sale through retail sales outlets for consumption by individuals for purposes of personal care and household use.

~~96.~~ One non-illuminated wall sign, not exceeding 80 square inches in area may be displayed.

~~10.~~ The following uses are expressly prohibited as or in conjunction with home occupations:

- ~~(a) any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other small engines), large appliances (such as washing machines, dryers, and refrigerators), or any other work related to automobiles and their parts;~~
- ~~(b) dispatch centers or other businesses where employees come to the site and are dispatched to other locations;~~
- ~~(c) animal grooming, care, or boarding;~~
- ~~(d) retail sales.~~

(Ord. No. 130441, § 1, 7-11-2013)

88-205-07 DOCUMENTATION OF OVERLAYS

88-205-07-A. Once an overlay district is approved by the city council, the city planning and development department must amend the official zoning maps to identify the overlay district boundaries and designation, together with the underlying zoning designation.

88-205-07-B. The city planning and development department must maintain a list of established overlay districts by type.

88-205-07-C.

| Zoning Map Symbol | District Name |
|-------------------|----------------------------------|
| CXO | Adult Entertainment Overlay |
| HO | Historic Overlay |
| NCO | Neighborhood Character Overlay |
| PO | Pedestrian-Oriented Overlay |
| Zoning Map Symbol | Special Character District Name |
| ICO | Independence Corridor Overlay |
| MCO | Main Corridor Overlay |
| PBO | Plaza Bowl Overlay |
| TCO | Troost Corridor Overlay |
| WHO | Wornall Homestead Overlay |
| <u>WOD</u> | <u>Westport Overlay District</u> |

(Ord. No. 160759 , § 1, 10-20-2016; Ord. No. 180027 , § A, 3-1-2018; Ord. No. 190501 , § A, 7-11-2019)

Note(s)—Former 88-205-08. See editor's note, § 88-205-03

88-327 COMMUNICATIONS SERVICE ESTABLISHMENTS

88-327-01 PURPOSE AND APPLICABILITY

The purpose of these standards is to permit communications service establishments in more districts due to their limited impact on adjacent properties while also acknowledging that such uses may negatively impact pedestrian-oriented areas of the city due to the relative lack of pedestrian traffic they generate. These standards allow the uses in more districts when the impact is minimized.

88-327-02 IN DISTRICT R-80

Communications service establishments shall not exceed 50,000 square feet in floor area unless approved by special use permit in accordance with 88-525.

88-327-03 IN B & D DISTRICTS

1. Communications service establishments shall not occupy the ground floor of any building with street frontage. For the purposes of this section, a building with street frontage is any building located within 50 feet of a street right-of-way line.
2. Communications service establishments shall not exceed 100,000 square feet in floor area unless approved by special use permit in accordance with 88-525.

88-327 COMMUNICATIONS SERVICES ESTABLISHMENTS

**Table 110-1
Residential Districts Use Table**

| USE GROUP (refer to 88-805 Use Groups and Categories) | ZONING DISTRICT | | | | | | | | | | Use Standards |
|---|-----------------|----------|-----------|-----|---------|-----------|-----------|------------|-----------|-----------|--------------------------|
| | R- 80 | R- 10 | R- 7.5 | R-6 | R- 5 | R- 2.5 | R- 1.5 | R- 0.75 | R- 0.5 | R- 0.3 | |
| RESIDENTIAL | | | | | | | | | | | |
| Household Living | P | P | P | P | P | P | P | P | P | P | 88-110-06- C & 88-323 |
| Group Living (except as noted below) | - | - | - | - | - | - | S | S | S | S | 88-350 |
| » Group homes | - | - | - | - | - | - | P | P | P | P | 88-350 |
| » Nursing home | S | S | S | S | S | S | P | P | P | P | 88-350 |
| PUBLIC/CIVIC | | | | | | | | | | | |
| Bicycle-Sharing Facilities | P | P | P | P | P | P | P | P | P | P | 88-322 |
| Club, Lodge, or Fraternal Organization | - | - | - | - | - | - | P | P | P | P | |
| College/University | P/S | P/S | P/S | P/S | P/ S | P/S | P/S | P/S | P/S | P/S | 88-365 |
| Day Care | | | | | | | | | | | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | | | | | | |
|---|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------------|
| » Home-based (1—5) | P | P | P | P | P | P | P | P | P | P | |
| » Family (up to 10) | P | P | P | P | P | P | P | P | P | P | 88-330-01 |
| » Group (up to 20) | P | S | S | S | S | S | P | P | P | P | 88-330-02 |
| » Center (21+) | P | - | - | - | - | - | - | - | - | - | 88-330-02 |
| Detention and Correctional Facilities | S[1] | - | - | - | - | - | - | - | - | - | 88-335 |
| Halfway House | S | - | - | - | - | - | - | - | - | - | 88-352 |
| Hospital | - | - | - | - | - | - | - | - | S | S | |
| Library/Museum/Cultural Exhibit | P/S | - | - | - | P/S | P/S | P/S | P/S | P/S | P/S | 88-365 |
| Park/Recreation | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | 88-365 |
| » Homes Association Amenities | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | 88-805-03-H |
| Religious Assembly | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | 88-365 |
| Safety Service (except as noted below) | S | S | S | S | S | S | S | S | S | S | 88-365 |
| » Fire station | P | P | P | P | P | P | P | P | P | P | 88-365 |
| » Police station | P | P | P | P | P | P | P | P | P | P | 88-365 |
| School | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | 88-365 |
| Utilities and Services (except as noted below) | S[1] | S | S | S | S | S | S | S | S | S | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | | | | | | |
|--|----------------|---|---|---|---|---|---|---|---|---|---------------|
| » Basic, minor | P | P | P | P | P | P | P | P | P | P | 88-425-08-B |
| COMMERCIAL | | | | | | | | | | | |
| Animal Service | | | | | | | | | | | |
| » Shelter or boarding | P | - | - | - | - | - | - | - | - | - | 88-315 |
| » Stable | P | - | - | - | - | - | - | - | - | - | 88-315 |
| » Veterinary Office | P | - | - | - | - | - | - | - | - | - | |
| Communications Service Establishments | <u>P/S</u> | = | = | = | = | = | = | = | = | = | <u>88-327</u> |
| Entertainment Venues and Spectator Sports | S | - | - | - | - | - | - | - | - | - | |
| Funeral and Interment Service | | | | | | | | | | | |
| » Cemetery/columbarium/mausoleum | S | S | S | S | S | S | S | S | S | S | 88-345 |
| » Crematory | S | S | S | S | S | S | S | S | S | S | 88-345 |
| » Undertaking | - | - | - | - | - | - | - | - | S | S | |
| Lodging | | | | | | | | | | | |
| » Bed and breakfast | S | - | - | S | S | S | S | S | S | S | 88-320 |
| » Recreational vehicle park | S[1] | - | - | - | - | - | - | - | - | - | |
| » Short term rental, non resident | Not permitted. | | | | | | | | | | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | | | | | | |
|--|--|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------------|
| » Short term rental, resident | Permitted in all R Districts in accordance with Chapter 56 and 88-321. | | | | | | | | | | |
| Neighborhood-serving retail | S | S | S | S | S | S | S | S | S | S | 88-360 |
| Office, Administrative, Professional or General | - | - | - | - | - | - | S | S | S | S | |
| Reuse of officially designated historic landmark (local or national) if proposed use is not permitted | S | S | S | S | S | S | S | S | S | S | |
| Sports and Recreation, Participant | S | - | - | - | - | - | - | - | - | - | |
| INDUSTRIAL | | | | | | | | | | | |
| Mining and Quarrying | S[2] | - | - | - | - | - | - | - | - | - | |
| Waste-Related Use (except as noted below) | - | - | - | - | - | - | - | - | - | - | |
| » Composting facility | S[1] | - | - | - | - | - | - | - | - | - | 88-328 |
| » Demolition debris landfill | S[1] | - | - | - | - | - | - | - | - | - | 88-380 |
| OTHER | | | | | | | | | | | |
| Agriculture, Animal | P/* | P/* | P/* | P/* | P/* | P/* | P/* | P/* | P/* | P/* | * Chapter 14 |
| Agriculture, Crop | P | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | P/S | 88-312-01 |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| Agricultural, Urban | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|-------------|
| » Home Garden | P | P | P | P | P | P | P | P | P | P | 88-312-02-A |
| » Community Garden | P | P | P | P | P | P | P | P | P | P | 88-312-02-B |
| » Community Supported Agriculture (CSA) | P | S | S | S | S | S | S | S | S | S | 88-312-02-C |
| ACCESSORY SERVICES | | | | | | | | | | | |
| Wireless Communication Facility | | | | | | | | | | | |
| » Freestanding | P | - | - | - | - | - | - | - | - | - | 88-385 |
| » Co-located antenna | P | P | P | P | P | P | P | P | P | P | 88-385 |

**Table 120-1
Office, Business, and Commercial Districts Use Table**

| USE GROUP (refer to 88-805 Use Groups and Categories) | ZONING DISTRICT | | | | | Use Standards |
|--|-----------------|----|----|----|----|---------------|
| | O | B1 | B2 | B3 | B4 | |
| RESIDENTIAL | | | | | | |
| Household Living | | | | | | |
| » Detached houses | P | P | P | P | P | 88-120-03-H.3 |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | |
|---|---|---|---|---|----------------------------|------------------------|
| » In any other residential building type | - | P | P | P | P | 88-323 |
| » In mixed-use building | P | P | P | P | P | |
| Group Living | P | P | P | P | P[5] | |
| PUBLIC/CIVIC | | | | | | |
| Bicycle Sharing Facilities | P | P | P | P | P | 88-322 |
| Club, Lodge, or Fraternal Organization | P | P | P | P | P[5 for Ground Floor Uses] | |
| College/University | P | P | P | P | P[5 for Ground Floor Uses] | |
| Day Care | | | | | | |
| » Home-based (1—5) | P | P | P | P | P[5 for Ground Floor Uses] | |
| » Family (up to 10) | P | P | P | P | P[5 for Ground Floor Uses] | |
| » Group (up to 20) | P | P | P | P | P[5 for Ground Floor Uses] | |
| » Center (21+) | P | P | P | P | P[5 for Ground | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | |
|---|------|------|------|------|----------------------------|---------------------------|
| | | | | | Floor Uses] | |
| Hospital | S | P | P | P | P[5 for Ground Floor Uses] | |
| Library/Museum/Cultural Exhibit | P | P | P | P | P | |
| Park/Recreation | P | P | P | P | P | |
| Religious Assembly | P | P | P | P | P | |
| Safety Service | | | | | | |
| » Fire station | P | P | P | P | P[4] | |
| » Police station | P | P | P | P | P | |
| » Ambulance service | S | S | S | P | P[4] | |
| School | P | P | P | P | P[5 for Ground Floor Uses] | |
| Utilities and Services (except as noted below) | S[1] | S[1] | S[1] | S[1] | S[1][5] | |
| » Basic, minor | P | P | P | P | P | 88-425-08-B |
| COMMERCIAL | | | | | | |
| Adult Business | | | | | | |
| » Adult media store | - | - | P[1] | P[1] | P[1][4] | 88-310-03 |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | |
|---|------------|-------------|------------|------------|----------------------------|--|
| » Adult motion picture theater | - | - | - | P[1] | P[1][4] | 88-310-02 |
| » Sex shop | - | - | - | P[1] | P[1][4] | 88-310-02 |
| Animal Service | | | | | | |
| » Sales and grooming | - | P | P | P | P | 88-315 |
| » Shelter or boarding | - | - | P | P | P[4] | 88-315 |
| » Stable | - | - | - | - | S[4] | 88-315 |
| » Veterinary | - | - | P | P | P[5 for Ground Floor Uses] | 88-315 |
| Artist Work or Sales Space | - | P | P | P | P | |
| Building Maintenance Service | - | - | - | P | P[5] | |
| Business Equipment Sales and Service | - | - | P | P | P | |
| Business Support Service (except as noted below) | - | - | P | P | P[5] | |
| » Day labor employment agency | - | - | - | - | S[1][4] | 88-331 |
| Communications Service Establishments | <u>P/S</u> | <u>P/S-</u> | <u>P/S</u> | <u>P/S</u> | <u>P/S</u> [5] | 88-327 |
| Drive-Through Facility | - | - | P[2] | P[2] | P[2] | 88-338 and 88-340 |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | |
|---|---|---|------|------|----------------------------|------------------------|
| Eating and Drinking Establishments (except as noted below) | P | P | P | P | P | |
| » Tavern or nightclub | - | - | P | P | P | |
| Entertainment Venues and Spectator Sports | | | | | | |
| » Indoor small venue (1—149 capacity) | - | - | P | P | P[5 for Ground Floor Uses] | |
| » Indoor medium venue (150—499 capacity) | - | - | S | P | P[5 for Ground Floor Uses] | |
| » Indoor large venue (500+ capacity) | - | - | - | S | P[5 for Ground Floor Uses] | |
| » Outdoor (all sizes) | - | - | - | S | P[5] | |
| Financial Services (except as noted below) | S | P | P | P | P | |
| » Pawn shop | - | P | P | P | P | |
| » Short-term loan establishment | - | - | P[1] | P[1] | P[1][4] | 88-325 |
| Food and Beverage Retail Sales | - | P | P | P | P | |
| Funeral and Interment Service | | | | | | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | |
|--|---|------|------|------|----------------------------|---------------------------|
| » Cemetery/columbarium/mausoleum | S | S | S | S | S | 88-345 |
| » Cremating | - | S | S | S | S | 88-345-02 |
| » Undertaking | - | S | P | P | P[5] | 88-345 |
| Gasoline and Fuel Sales | - | S[3] | S[3] | S[3] | P[3][5] | 88-323 |
| Lodging | | | | | | |
| » Bed and Breakfast | - | P | P | P | P[5 for Ground Floor Uses] | 88-320 |
| » Hotel/motel | - | - | - | P[2] | P[2] | 88-323 |
| » Recreational vehicle park | - | - | - | S[1] | S[1][4] | |
| » Short term rental, non resident | - | P | P | P | P | Chapter 56 |
| » Short term rental, resident | - | P | P | P | P | Chapter 56 |
| Mobile Vendor Park | - | - | - | P | P | 88-358 |
| Office, Administrative, Professional or General | P | P | P | P | P[5 for Ground Floor Uses] | |
| Office, Medical | P | P | P | P | P[5 for Ground Floor Uses] | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | |
|--|---|---|------|------|----------------------------|---------------------------|
| » Blood/plasma center | - | - | - | S | S | |
| Parking, Accessory | P | P | P | P | P | 88-323 |
| Parking, Non-accessory | - | - | S[1] | P[1] | P[1] | |
| Personal Improvement Service | P | P | P | P | P | |
| Repair or Laundry Service, Consumer | - | P | P | P | P | |
| Research Service | P | P | P | P | P[5 for Ground Floor Uses] | |
| Retail Sales | - | P | P | P | P | |
| » Outdoor Retail Sales - Class A | - | P | P | P | P | 88-366-01 |
| » Outdoor Retail Sales - Class B | - | - | - | P | P[4] | 88-366-02 |
| Reuse of officially designated historic landmark (local or national) if proposed use is not permitted | S | S | S | S | S | |
| Sports and Recreation, Participant | | | | | | |
| » Indoor | - | P | P | P | P[5 for Ground Floor Uses] | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | |
|---|---|-----|------|------|---|------------------------|
| » Outdoor | - | - | - | P | P[5 for Ground Floor Uses] | |
| Vehicle Sales and Service | | | | | | |
| » Car wash/cleaning service | - | - | S[1] | P[1] | P[1][5, if not within a parking structure] | |
| » Heavy equipment sales/rental | - | - | - | S[1] | P[1][4] | |
| » Light equipment sales/rental (indoor) | - | - | P[2] | P[2] | P[2] | 88-323 |
| » Light equipment sales/rental (outdoor) | - | - | S[1] | S[1] | P[1][5, if not within a parking structure] | |
| » Motor vehicle repair, limited | - | - | S[2] | P[2] | P[2][5] | 88-323 |
| » Motor vehicle repair, general | - | - | - | S[2] | P[2][5] | 88-323 |
| » Vehicle storage/towing | - | - | - | - | P[1][4] | 88-375 |
| INDUSTRIAL | | | | | | |
| Manufacturing, Production and Industrial Service | | | | | | |
| » Artisan | - | P/S | P | P | P | 88-318 |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | | | |
|--|-----|-----|-----|-----|---------|--|
| » Limited | - | - | - | - | S[4] | |
| » General | - | - | - | - | S[2][4] | 88-323 |
| » Intensive | - | - | - | - | | |
| Recycling Service | | | | | | |
| » Limited | - | - | - | - | S[1][4] | |
| Self-Storage Warehouse | - | - | - | - | P[2][4] | 88-323 , 88-369 |
| Warehousing, Wholesaling, Storage, Freight Movement | | | | | | |
| » Indoor | - | - | - | - | P[2][4] | 88-323 , 88-378 |
| » Outdoor | - | - | - | - | - | 88-378 |
| AGRICULTURAL | | | | | | |
| Agriculture, Animal | P/* | P/* | P/* | P/* | P/*[4] | *Chapter 14 |
| Agriculture, Crop | P | P | P | P | P[4] | 88-312-01 |
| Agriculture, Urban | | | | | | |
| » Home Garden | P | P | P | P | P | 88-312-02-A |
| » Community Garden | P | P | P | P | P[4] | 88-312-02-B |
| » Community Supported Agriculture (CSA) | P | P | P | P | P[4] | 88-312-02-C |
| ACCESSORY SERVICES | | | | | | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| Wireless Communication Facility | | | | | | |
|--|---|---|------|------|---------|------------------------|
| » Freestanding | - | - | P[1] | P[1] | P[1][4] | 88-385 |
| » Co-located antenna | P | P | P | P | P[5] | 88-385 |

**Table 130-1
Downtown Districts Use Table**

| USE GROUP (refer to 88-805 Use Groups and Categories) | Zoning District | | | Use Standards |
|---|-------------------------------------|----|----|------------------|
| | Use Category » specific use type | DC | DX | |
| RESIDENTIAL | | | | |
| Household Living | | | | |
| » Single-family home | P | P | P | |
| » In single-purpose residential building | P | P | P | 88-323 |
| » In mixed-use building | P | P | P | |
| Group Living | S | S | S | |
| PUBLIC/CIVIC | | | | |
| Bicycle Sharing Facilities | P | P | P | 88-322 |
| Club, Lodge, or Fraternal Organization | P | P | P | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | |
|---|------|------|------|-------------|
| Table 130-1 Downtown Districts Use Table | P | P | P | |
| Day Care | | | | |
| » Home-based (1—5) | P | P | P | |
| » Family (up to 10) | P | P | P | |
| » Group (up to 20) | P | P | S | |
| » Center (21+) | P | P | S | |
| Hospital | S | S | S | |
| Library/Museum/Cultural Exhibit | P | P | P | |
| Park/Recreation (except as noted below) | P | P | P | |
| » Community center | P | P | P/S | 88-365 |
| Religious Assembly | P | P | P | |
| Safety Service | | | | |
| » Fire Station | P | P | P | 88-365 |
| » Police Station | P | P | P | 88-365 |
| » Ambulance service | P | P | P | 88-365 |
| School | P | P | P/S | 88-365 |
| Utilities and Services (except as noted below) | S[1] | S[1] | S[1] | |
| » Basic, minor | P | P | P | 88-425-08-B |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| COMMERCIAL | | | | |
|---|------------|------------|-------------|------------------------|
| Adult Business | | | | |
| » Adult media store | P[1] | P[1] | - | 88-310-03 |
| » Adult motion picture theater | P[1] | P[1] | - | 88-310-02 |
| » Sex shop | P[1] | P[1] | - | 88-310-02 |
| Animal Service | | | | |
| » Sales and grooming | P | P | S | 88-315 |
| » Shelter or boarding | P | P | - | 88-315 |
| » Stable | - | S | - | 88-315 |
| » Veterinary | P | P | S | 88-315 |
| Artist Work or Sales Space | P | P | P | |
| Building Maintenance Service | P | P | - | |
| Business Equipment Sales and Service | P | P | - | |
| Business Support Service (except as noted below) | P | P | - | |
| » Day labor employment agency | - | S[1] | - | |
| Communications Service Establishments | <u>P/S</u> | <u>P/S</u> | <u>P/S-</u> | 88-327 |
| Drive-Through Facility | S[2] | S[2] | - | 88-338 & 88-340 |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | |
|---|------|------|---|--------|
| Eating and Drinking Establishments (except as noted below) | P | P | P | |
| » Tavern or nightclub | P | P | S | |
| Entertainment Venues and Spectator Sports | | | | |
| » Indoor small venue (1—149 capacity) | P | P | S | |
| » Indoor medium venue (150—499 capacity) | P | P | S | |
| » Indoor large venue (500+ capacity) | S | S | S | |
| » Outdoor (all sizes) | S | S | S | |
| Financial Services (except as noted below) | P | P | P | |
| » Pawn shop | - | S[1] | - | |
| » Short-term loan establishment | - | P[1] | - | 88-325 |
| Food and Beverage Retail Sales | P | P | P | |
| Funeral and Interment Service | | | | |
| » Cemetery/columbarium/mausoleum | - | - | - | |
| » Cremating | - | - | - | |
| » Undertaking | P[2] | P[2] | - | 88-345 |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | |
|--|------|------|------|------------|
| Gasoline and Fuel Sales | S[3] | S[3] | - | 88-323 |
| Lodging | | | | |
| » Bed and Breakfast | P | P | P | |
| » Hotel/motel | P[2] | P[2] | S[2] | 88-323 |
| » Short term rental, non-resident | P | P | P | Chapter 56 |
| » Short term rental, resident | P | P | P | Chapter 56 |
| Mobile Vendor Park | P | P | - | 88-358 |
| Office, Administrative, Professional or General | P | P | P | |
| Office, Medical | P | P | P | |
| » Blood/plasma center | S | S | - | |
| Parking, Accessory | P | P | P | 88-323 |
| Parking, Non-accessory | S[1] | S[1] | S[1] | |
| Personal Improvement Service | P | P | P | |
| Repair or Laundry Service, Consumer | P | P | S | |
| Research Service | P | P | S | |
| Retail Sales | P | P | P | |
| » Outdoor Retail Sales - Class A | P | P | P | 88-366-01 |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | |
|--|------|------|-----|--------|
| Reuse of officially designated historic landmark (local or national) if proposed use is not permitted | S | S | S | |
| Sports and Recreation, Participant | | | | |
| » Indoor | P | P | S | |
| » Outdoor | S | S | S | |
| Vehicle Sales and Service | | | | |
| » Car wash/cleaning service | S[1] | S[1] | - | |
| » Heavy equipment sales/rental | - | S[1] | - | |
| » Light equipment sales/rental (indoor) | S[2] | S[2] | - | 88-323 |
| » Light equipment sales/rental (outdoor) | S[1] | S[1] | - | |
| » Motor vehicle repair, limited | S[2] | S[2] | - | 88-323 |
| » Motor vehicle repair, general | - | S[2] | - | 88-323 |
| » Vehicle storage/towing | - | S[1] | - | 88-375 |
| INDUSTRIAL | | | | |
| Manufacturing, Production and Industrial Service | | | | |
| » Artisan | P | P | P/S | 88-318 |
| » Limited | S | S | S | |

- ZONING AND DEVELOPMENT CODE CITY OF KANSAS CITY, MISSOURI
88-327 COMMUNICATION SERVICES ESTABLISHMENTS

| | | | | |
|--|------|------|---|---------------|
| » General | S | S[2] | - | 88-323 |
| Recycling Service | | | | |
| » Limited | - | S[1] | - | |
| Self-Storage Warehouse | - | S[2] | - | 88-323 88-369 |
| Warehousing, Wholesaling, Storage, and Freight Movement | | | | |
| » Indoor | S[2] | S[2] | — | 88-323 88-378 |
| » Outdoor | | S[2] | - | 88-323 88-378 |
| AGRICULTURAL | | | | |
| Agriculture, Animal | - | P/* | - | Chapter 14 |
| Agriculture, Crop | P | P | P | 88-312-01 |
| Agriculture, Urban | | | | |
| » Home Garden | P | P | P | 88-312-02-A |
| » Community Garden | P | P | P | 88-312-02-B |
| » Community Supported Agriculture (CSA) | P | P | P | 88-312-02-C |
| ACCESSORY | | | | |
| Wireless Communication Facility | | | | |
| » Freestanding | - | - | - | |
| » Co-located antenna | P | P | P | 88-385 |

88-516-06 - AMENDMENTS TO DEVELOPMENT PLANS OR PROJECT PLANS

88-516-06-A. MAJOR AMENDMENTS

1. Major amendments to approved development plans or project plans must be reviewed and approved in accordance with the development plan or project plan review procedures of this ordinance. Major amendments to development plans or project plans include one or more changes, in cumulative total (when compared to the original plan approval), that would:
 - a. increase building coverage by more than 10%;
 - b. increase the total floor area by more than 10% ~~or 5,000 square feet, whichever is less;~~₁
 - c. increase building height by more than 10% ~~or 6 feet, whichever is less;~~₁
 - d. increase the total impervious surface coverage by more than 10% ~~or 2,000 square feet, whichever is less;~~₁
 - e. result in extensive site modification involving location of buildings, razing, and reconstruction of approved uses;
 - f. increase the number of dwelling units by more than 10%; or
 - g. result in any other change that the city planning and development director determines will have impacts that warrant full review of the application in accordance with the development plan review procedures.