

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190461

Amending Chapter 88, Zoning and Development Code, Section 88-520-03-H, Lapse of Approval, to provide consistency in the Zoning and Development Code as to lapse of the approval period for Master Planned Development District Plans to be the same as for Development Plans and authorizing extensions of same.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Section 88-520-03-H, Lapse of Approval for Master Planned Development Plans, is hereby repealed and a new section of like number and subject matter is hereby enacted, with said revised new section to read as follows:

88-520-03-H. LAPSE OF APPROVAL

If the landowner fails to file an application or applications for final development plan approval within 4 years of the date of preliminary development plan approval, the approval will be deemed to have lapsed and the preliminary development plan will lapse and be of no further effect. The plan will not be deemed lapsed, however, if a phasing plan was approved with the development plan and if development is in compliance with that phasing plan. For projects to be developed in phases, phase limits must be shown on the preliminary development plan. Decision-making bodies may impose conditions upon the phasing plan as deemed necessary to ensure the orderly development of the subdivision, including requirements for financial guarantees ensuring construction of all required improvements. Upon recommendation by the City Plan Commission, the City Council shall have authority to adjust the commencement and completion dates through passage of an ordinance.

Section 2. That the Council finds and declares that before taking any action on the proposed amendments to Chapter 88 hereinabove, all public notices have been given and hearings have been held as required by law.

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



Authenticated as Passed



City James, Mayor



Marilyn Sanders, City Clerk

Date Passed

Secretary, City Plan Commission

Approved as to form and legality:



Sarah Baxter

Assistant City Attorney