



**Agenda**

**Neighborhood Planning and Development Committee**

Lee Barnes Jr., Chair  
Andrea Bough, Vice Chair  
Dan Fowler  
Brandon Ellington  
Teresa Loar

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**Wednesday, March 22, 2023**

**1:30 PM**

**26th Floor, Council Chamber**

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**PUBLIC OBSERVANCE OF MEETINGS**

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

\*\*\*Public Testimony is Limited to 2 Minutes\*\*\*

Beginning of Consent(s)

**City Plan Commission and Director of City Planning & Development**

**[230256](#)**

Sponsor: Director of City Planning and Development Department

Approving the plat of Forest Ridge Villas, an addition in Jackson County, Missouri, on approximately 9.77 acres generally located on the east side of Charlotte Street between E. 134th Street on the north and E. 135th Street on the south, creating 1 lot and 4 tracts for the purpose of a 194 unit multi-family development; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents.  
(CLD-FnPlat-2020-00016)

**Attachments:** [2020-00016 Docket Memo](#)

End of Consent(s)

**Director of City Planning & Development**

[230250](#)

Sponsor: Director of City Planning and Development Department

Amending Chapter 88, Code of Ordinances, by repealing Section 88-810-1140, Plan, Comprehensive, and enacting in lieu thereof a new section of like number and subject matter to denominate the KC Spirit Playbook as the City's comprehensive plan.

**Attachments:** [Docket Memo](#)

**Director of City Planning & Development**

[230253](#)

Sponsor: Director of City Planning and Development Department

Approving the petition to terminate the N.W. Plaza Circle Community Improvement District; terminating the N.W. Plaza Circle Community Improvement District generally located at N.W. 119th Terrace and N.W. Plaza Circle in Kansas City, Platte County, Missouri; and directing the City Clerk to report the termination of the District to the Missouri Department of Economic Development.

**Attachments:** [NW Plaza Cir Docket Memo](#)

**Director of City Planning & Development**

[230254](#)

Sponsor: Director of City Planning and Development Department

Approving the petition to terminate the N.W. 97th Terrace & N. Congress Avenue Community Improvement District; terminating the N.W. 97th Terrace & N. Congress Avenue Community Improvement District generally located at N.W. 97th Terrace and N. Congress Avenue in Kansas City, Platte County, Missouri; and directing the City Clerk to report the termination of the District to the Missouri Department of Economic Development.

**Attachments:** [NW 97th Terr Docket Memo](#)

**Director of City Planning & Development**

[230257](#)

Sponsor: Director of City Planning and Development Department

RESOLUTION - Adopting the KC Spirit Playbook as the City's Strategic and Comprehensive Plan and repealing and replacing the FOCUS Kansas City Plan that was adopted by the City Council by Committee Substitute for Resolution No. 971268 on October 30, 1997.

**Attachments:** [Docket Memo Splaybook](#)

**City Plan Commission and Director of City Planning & Development**

**230258** Sponsor: Director of City Planning and Development Department

Rezoning an area of about 19.79 acres generally located at 3350 North Holmes Street from District R-6 and District R-2.5 to District R-0.75 and approving a residential development plan that will also serve as a preliminary plat to allow for the construction of four buildings containing 340 residential units. (CD-CPC-2022-00202 and CD-CPC-2022-00205)

**Attachments:** [Ascent Docket Memo \(ordinance request\)](#)

**Director of City Planning & Development**

**230259** Sponsor: Director of City Planning and Development Department

Rezoning an area of about 2.5 acres generally located at Warwick Boulevard and E. 38th Street from District MPD to District MPD to allow for the construction of 100 residential units. (CD-CPC-2022-00022)

**Attachments:** [Docket Memo](#)

**City Plan Commission and Director of City Planning & Development**

**230261** Sponsor: Director of City Planning and Development Department

RESOLUTION - Approving an amendment to the Briarcliff/Winnwood Area Plan on about 19.79 acres generally located at 3350 North Homes Street by changing the recommended land use from residential medium density to residential high density for the Ascent Apartments (CD-CPC-2022-00203)

**Attachments:** [Ascent APA Docket Memo](#)

**Barnes Jr.**

**230262** Sponsor: Councilmember Lee Barnes, Jr.

Directing the City Manager to execute a First Amendment to Intergovernmental Cooperative Agreement with Port KC related to a development project in the River Market.

**Attachments:** [No Fact Sheet](#)

**Bunch**

[230267](#)

Sponsor: Councilmember Eric Bunch  
Amending Chapter 88, Code of Ordinances, by repealing Section 88-321, Short Term Rental Regulations, and enacting in lieu thereof a new section of like number and subject matter; repealing Sections 88-110-03, 88-120-03, 88-130-04 and 88-140-03, Uses, and enacting in lieu thereof new sections of like number and subject matter; and repealing Section 88-810-1582, Short Term Rental Intermediary; in order to effectuate the transfer of the regulation of Short Term Rentals from Chapter 88 to Chapter 56 of the Code of Ordinances. \*\*Item will be held until April 5, 2023\*\*

**Attachments:** [No Fact Sheet](#)

**Bunch and Lucas**

[230268](#)

Sponsor(s): Councilmember Eric Bunch and Mayor Quinton Lucas

Amending Chapter 56, Code of Ordinances, by enacting new Article VIII, entitled "Short-Term Rental Registration," which would become effective May 15, 2023, and requires short-term rentals operating in the City to register with the City on an annual basis, pay an annual registration fee, certify various safety information and the identity of the natural person who will reside on the property as a long-term resident or such person who has management control and responsibility for the short-term rental, and provides density restrictions for non-resident short-term rentals, penalty provisions for both short-term rentals and their booking service providers for non-compliance with such registration requirements, and places recordkeeping requirements on both short-term rentals and their booking service providers. \*\*Item will be held until April 5, 2023\*\*

**Attachments:** [No Fact Sheet](#)

HELD IN COMMITTEE

**Shields and Bunch**

[221085](#)

Sponsors: Councilmembers Katheryn Shields and Eric Bunch

RESOLUTION - Determining the compliance of the Union Hill "353" Redevelopment Project located south of Union Cemetery, and north of E. 31st Street, between Main Street on the west and Gillham Road on the east, and authorizing issuance of a Certificate of Completion to the Phoenix Redevelopment Corporation for the Union Hill Redevelopment Project.

**Attachments:** [Docket Memo 221085 1.23.2023](#)

**Robinson and Parks-Shaw**

[230189](#) Sponsor: Councilmember Melissa Robinson

Amending the Code of Ordinances by creating a new Chapter 37 entitled "Health in All Policies," consisting of Sections 37-1 through 37-5, to create a Health in All Policies Interdepartmental Task Force that will be a collaborative approach to improving the health of all people by incorporating health, sustainability, and equity considerations into decision-making across various sectors and policy areas. \*\*Item will be held until April 5, 2023\*\*

**Attachments:** [Ordinance Docket Memo 230189 MJ](#)

**Director of City Planning & Development and City Plan Commission**

[230198](#) Sponsor: Director of City Planning and Development Department

Rezoning an area of about 0.98 acres generally located at 400 Main street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), and approving a development plan that also serves as a preliminary plat. (CD-CPC-2022-00174)

**Attachments:** [Docket Memo Templatev28](#)  
[EV3065-SLBE Contract Review Request Form REV.](#)  
[10.26.2022 - Fillable-signed](#)

**Robinson and Parks-Shaw**

[230200](#) Sponsor: Councilmember Melissa Robinson

RESOLUTION - Directing the City Manager to develop a Citywide Doula Initiative and report back to the Council in 45 days. \*\*Item will be held until April 5, 2023\*\*

**Attachments:** [Docket memo for Resolution # 230200](#)

**Bough**

[230215](#) Sponsor: Councilmember Andrea Bough

Amending Chapter 10, Code of Ordinances, by repealing Section 10-106, Extended hours permits, and enacting in lieu thereof a new section of like number and subject matter that redefines the eligible neighbors who are notified and allowed to respond to a sales-by-drink licensee's application for an extended hours permit.

**Attachments:** [Docket Memo Template - 10-106 - 2-28-2023](#)

**Director of City Planning & Development**

[230232](#)

Sponsor: Director of City Planning and Development Department

Approving a residential development plan and preliminary plat in Districts B3-3 and R-1.5 for Kimpton Falls on an area of about 49.43 acres generally located south of N.W. Barry Road and along the future extension of Line Creek Parkway. (CD-CPC-2022-00225)

**Attachments:** [Kimpton Falls Docket Memo](#)

ADDITIONAL BUSINESS

1. There may be a general discussion regarding current Neighborhood Planning and Development Committee issues.
2. Closed Session
  - Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
  - Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
  - Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
  - Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
  - Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
  - Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
  - Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.
3. Those who wish to comment on proposed ordinances can email written testimony to [public.testimony@kcmo.org](mailto:public.testimony@kcmo.org). Comments received will be distributed to the committee and added to the public record by the clerk.

The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at [www.kcmo.gov](http://www.kcmo.gov)
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOublg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: [http://kansascity.granicus.com/ViewPublisher.php?view\\_id=2](http://kansascity.granicus.com/ViewPublisher.php?view_id=2)

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.



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**File #:** 230256

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ORDINANCE NO. 230256

Sponsor: Director of City Planning and Development Department

Approving the plat of Forest Ridge Villas, an addition in Jackson County, Missouri, on approximately 9.77 acres generally located on the east side of Charlotte Street between E. 134th Street on the north and E. 135th Street on the south, creating 1 lot and 4 tracts for the purpose of a 194 unit multi-family development; accepting various easements; establishing grades on public ways; authorizing the Director of City Planning and Development to execute and/or accept certain agreements; and directing the City Clerk to record this ordinance and attached documents. (CLD-FnPlat-2020-00016)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the plat of Forest Ridge Villas, a subdivision in Jackson County, Missouri, a true and correct copy of which is attached hereto and incorporated herein by reference, is hereby approved.

Section 2. That the plat granting and reserving unto Kansas City an easement and license or right to locate, construct, operate and maintain facilities including, but not limited to, water, gas, sewerage, telephone, cable TV, surface drainage, underground conduits, pad mounted transformers, service pedestals, any and all of them upon, over, under and along the strips of land outlined and designated on the plat by the words utility easement or U/E be and the same are



hereby accepted and where other easements are outlined and designated on the plat for a particular purpose, be and the same are hereby accepted for the purpose as therein set out.

Section 3. That the grades of the streets and other public ways set out on the plat, herein accepted are hereby established at the top of curb, locating and defining the grade points which shall be connected by true planes or vertical curves between such adjacent grade points, the elevations of which are therein given, in feet above the City Directrix.

Section 4. That the Director of City Planning and Development is hereby authorized to execute a Covenant to Maintain Storm Water Detention and BMP Facilities Agreement, to be in a form substantially as that attached hereto as Exhibit A and incorporated herein by reference.

Section 5. That the Director of City Planning and Development is hereby authorized to execute and/or accept any and all agreements necessary to clear the title of any right of way, utility easements or other public property dedicated on the plat.

Section 6. That the City Clerk is hereby directed to record copies of this ordinance, together with the documents described herein and all other relevant documents, when the Developer has met all of the requirements for the plat to be released for recording, in the Office of the Recorder of Deeds of Jackson County, Missouri.

Section 7. That the Council finds that the City Plan Commission has duly recommended its approval of this plat on January 5, 2021.

..end

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Approved as to legality:

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Eluard Alegre  
Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Final Plat of Forest Ridge Villas

### Discussion

A Final Plat in Kansas City, Jackson County Missouri

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

Private Development

3. How does the legislation affect the current fiscal year?

NA

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

NA

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

NA

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

2. This fund has a structural imbalance.  Yes  No



# City of Kansas City, Missouri

## Docket Memo

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Select (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

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- 
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### Prior Legislation

CONTROLLING CASE CD-CPC-2019-00048 & 00049 - Ordinance No. 190483 passed by City Council on June 27, 2019, rezoned about 10 acres generally located on the east side of Charlotte Street between E. 134th Street on the north and E. 135th Street on the south, from Districts R-80 and R-2.5 to District R-1.5, and approving a development plan and preliminary plat to allow for a 194-unit residential development.

RELATED RELEVANT CASES Case No. 5259-P – Ordinance No. 39176 passed by City Council on February 26, 1971, rezoned about 11.5 acres generally located at the northeast corner of E. 135th Street and Charlotte Street from District RA (Agricultural) to District R-3 (low density/ low apartments).

### Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts



# City of Kansas City, Missouri

## Docket Memo

1. What will be the potential health impacts to any affected groups?

NA

2. How have those groups been engaged and involved in the development of this ordinance?

NA

3. How does this legislation contribute to a sustainable Kansas City?

This project consists of public and private improvements for a multifamily residential development on a previously undeveloped site to create 194 multi-family units. The proposed development will significantly increase the area of impervious surfaces. The peak rate of storm water discharge and total runoff volume will be maintained after development. The development will improve the aesthetics of the site and increase the tax base for the City.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

NA

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

NA



**File #:** 230250

ORDINANCE NO. 230250

Sponsor: Director of City Planning and Development Department

Amending Chapter 88, Code of Ordinances, by repealing Section 88-810-1140, Plan, Comprehensive, and enacting in lieu thereof a new section of like number and subject matter to denominate the KC Spirit Playbook as the City’s comprehensive plan.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-810-1140, Plan, Comprehensive, and enacting in lieu thereof a new section of like number and subject matter, said section to read as follows:

**Sec. 88-810-1140. Plan, Comprehensive.**

A master plan for development of the city, including area plans for any of its geographical parts, prepared and adopted by the plan commission, pursuant to RSMo 89.340, and including any part of such plan separately adopted and any amendment to such plan or parts of the plan. The KC Spirit Playbook is considered the city’s comprehensive plan.

Section 2. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by law have been given and had.

..end

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:

\_\_\_\_\_

Sarah Baxter  
Senior Associate City Attorney

# City of Kansas City, Missouri



## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Amending Chapter 88, the Zoning and Development Code, as it pertains to 88-810-1140, Plan, Comprehensive, a Master Plan for development of the city, including area plans for any of its geographical parts. It was prepared and adopted by the plan commission, pursuant to RSMo 89.340, and including any part of such plan separately adopted and any amendment to such plan or parts of the plan. The KC Spirit Playbook is considered the city's comprehensive plan.

### Discussion

See CPC staff report

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
N/A
3. How does the legislation affect the current fiscal year?  
N/A
4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
N/A
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
N/A

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### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

See CPC staff report

### Service Level Impacts

See CPC staff report

### Other Impacts

1. What will be the potential health impacts to any affected groups?

See CPC staff report



# City of Kansas City, Missouri



## Docket Memo

2. How have those groups been engaged and involved in the development of this ordinance?

In a multi-year process using a variety of virtual and in-person points of contact.

3. How does this legislation contribute to a sustainable Kansas City?

See CPC staff report

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

This is the update to the City's plan which will not recommend specific projects and associated costs but could lead to future efforts in the implementation of the plan.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

See CPC staff report.



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**File #:** 230253

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ORDINANCE NO. 230253

*Sponsor: Director of City Planning and Development Department*

*Approving the petition to terminate the N.W. Plaza Circle Community Improvement District; terminating the N.W. Plaza Circle Community Improvement District generally located at N.W. 119th Terrace and N.W. Plaza Circle in Kansas City, Platte County, Missouri; and directing the City Clerk to report the termination of the District to the Missouri Department of Economic Development.*

**BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:**

*Section 1. That pursuant to Section 67.1481, RSMo., the petition to terminate the N.W. Plaza Circle Community Improvement District (the "District"), which includes a plan for the dissolution and distribution of remaining assets of the District, is hereby approved. The petition is attached hereto as Exhibit 1.*

*Section 2. That the District is hereby terminated as set forth in the petition.*

*Section 3. That the City Clerk is hereby directed to provide a copy of this ordinance to the Missouri Department of Economic Development pursuant to Section 67.1481.2, RSMo.*

..end

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*Approved as to form:*

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*Eluard Alegre  
Associate City Attorney*



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Approving the petition to terminate the N.W. Plaza Circle Community Improvement District; terminating the District generally located at N.W. 119<sup>th</sup> Terrace and N.W. Plaza Circle in Kansas City, Platte County, Missouri; and directing the City Clerk to report the termination of the District to the Missouri Department of Economic Development.

### Discussion

This Ordinance terminates the existing N.W. Plaza Circle Community Improvement District. This District was created in August of 2020, but never established a sales tax or other funding source. The District has never provided any services, collected any revenues, made no expenditures, and has no outstanding assets or financial obligations to distribute.

Termination of a District requires that existing assets of a District must be sold or transferred in accordance with a dissolution plan, as approved by this Ordinance. As there were never any assets or revenues accumulated by this District, there are no assets to be included within the dissolution plan.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

1000-642044 CID Support

3. How does the legislation affect the current fiscal year?

The City incurs some costs through mailing and publishing hearing notices. As this District is on a single parcel, mailing and publishing costs are negligible.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No.



# City of Kansas City, Missouri

## Docket Memo

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No.

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

This is a petition to terminate, so there is no fiscal impact.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
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### Prior Legislation

200529- Approval of formation petition and creation of the District

### Service Level Impacts



# City of Kansas City, Missouri

## Docket Memo

This Ordinance has no impact on service levels provided in the District.

### Other Impacts

1. What will be the potential health impacts to any affected groups?  
N/A
2. How have those groups been engaged and involved in the development of this ordinance?  
N/A
3. How does this legislation contribute to a sustainable Kansas City?  
No impact.
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
N/A



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**File #:** 230254

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ORDINANCE NO. 230254

*Sponsor: Director of City Planning and Development Department*

*Approving the petition to terminate the N.W. 97th Terrace & N. Congress Avenue Community Improvement District; terminating the N.W. 97th Terrace & N. Congress Avenue Community Improvement District generally located at N.W. 97th Terrace and N. Congress Avenue in Kansas City, Platte County, Missouri; and directing the City Clerk to report the termination of the District to the Missouri Department of Economic Development.*

**BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:**

*Section 1. That pursuant to Section 67.1481, RSMo, the petition to terminate the N.W. 97th Terrace & N. Congress Avenue Community Improvement District (the "District"), which includes a plan for the dissolution and distribution of remaining assets of the District, is hereby approved. The petition is attached hereto as Exhibit 1.*

*Section 2. That the District is hereby terminated as set forth in the petition.*

*Section 3. That the City Clerk is hereby directed to provide a copy of this ordinance to the Missouri Department of Economic Development pursuant to Section 67.1481.2, RSMo.*

..end

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*Approved as to form:*

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*Eluard Alegre  
Associate City Attorney*



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Approving the petition to terminate the N.W. 97<sup>th</sup> Terrace & N. Congress Avenue Community Improvement District; terminating the District generally located at N.W. 97<sup>th</sup> Terrace and N. Congress Avenue in Kansas City, Platte County, Missouri; and directing the City Clerk to report the termination of the District to the Missouri Department of Economic Development.

### Discussion

This Ordinance terminates the existing N.W. 97<sup>th</sup> Terrace & N. Congress Avenue Community Improvement District. This District was created in August of 2020, but never established a sales tax or other funding source. The District has never provided any services, collected any revenues, made no expenditures, and has no outstanding assets or financial obligations to distribute.

Termination of a District requires that existing assets of a District must be sold or transferred in accordance with a dissolution plan, as approved by this Ordinance. As there were never any assets or revenues accumulated by this District, there are no assets to be included within the dissolution plan.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

1000-642044 CID Support

3. How does the legislation affect the current fiscal year?

The City incurs some costs through mailing and publishing hearing notices. As this District is on a single parcel, mailing and publishing costs are negligible.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No.



# City of Kansas City, Missouri

## Docket Memo

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No.

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

This is a petition to terminate, so there is no fiscal impact

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Finance and Governance (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Reform the City's economic incentives to meet the policy objectives of the City Council
- Ensure the resiliency of City government
- Engage in workforce planning including employee recruitment, development, retention, and engagement
- Ensure a responsive, representative, engaged, and transparent City government
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### Prior Legislation

200530- Approval of formation petition and creation of the District

### Service Level Impacts





# City of Kansas City, Missouri

## Docket Memo

This Ordinance has no impact on service levels provided in the District.

### Other Impacts

1. What will be the potential health impacts to any affected groups?  
N/A
2. How have those groups been engaged and involved in the development of this ordinance?  
N/A
3. How does this legislation contribute to a sustainable Kansas City?  
No impact.
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
N/A



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**File #: 230257**

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RESOLUTION NO. 230257

Sponsor: Director of City Planning and Development Department

RESOLUTION - Adopting the KC Spirit Playbook as the City's Strategic and Comprehensive Plan and repealing and replacing the FOCUS Kansas City Plan that was adopted by the City Council by Committee Substitute for Resolution No. 971268 on October 30, 1997.

WHEREAS, KC Spirit Playbook has been completed over a period of three years involving a Citizen Empowerment Committee and the input of thousands of citizens through a variety of outreach and engagement methods; and

WHEREAS, the KC Spirit Playbook provides overall direction for the future of Kansas City that envisions our City as a vibrant, equitable, just, inclusive, welcoming, and thriving community where we consider people first by empowering members of the community to shape their environment. In doing so, this effort acknowledges and will address past and current inequities by fostering equitable community and economic development that supports all residents with opportunities for a high quality of life; and

WHEREAS, the KC Spirit Playbook process produced an Envisioning Statement with Supporting Vision Statements and ten goal statements, to provide guidance on how to implement the goals of the plan. The goal statements relate to the following subjects: Connected City; Environment for People of All Ages; Healthy Environment; History, Arts, and Culture; Parks and Open Spaces; Quality Design; Smart City; Strong and Accessible Neighborhoods; and Sustainable and Equitable Growth. The Goals are the major themes and statements of philosophy that are essential for the city to achieve the plan's vision. All City actions will be measured against progress toward these goals; and

WHEREAS, a multi-disciplinary planning team of City staff and professional consultants under the leadership of the City Planning and Development Department provided the technical expertise to produce KC Spirit Playbook; and

WHEREAS, the KC Spirit Playbook represents a new era in strategic public action, public-private partnerships, and citizen-based planning; and

WHEREAS, the City will lead the community by example in following the KC Spirit Playbook; and

WHEREAS, legal notice of the public hearing before the City Plan Commission was published on \_\_\_\_\_, in conformity with state and local law; and

WHEREAS, the City Plan Commission considered the KC Spirit Playbook on \_\_\_\_\_; and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did on \_\_\_\_\_, recommend approval of the KC Spirit Playbook Plan; NOW, THEREFORE,

**BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:**

Section 1. That the KC Spirit Playbook as prepared by the City Planning and Development Department in collaboration with the citizens of Kansas City, Missouri, is hereby adopted as Kansas City's strategic and comprehensive plan. The KC Spirit Playbook will provide general guidance and policy direction for future plans and ordinances, and amendments to all existing adopted plans. A copy of said Plan is on file in the office of the City Clerk and incorporated herein by reference.

Section 2. That the Council hereby declares that the KC Spirit Playbook is adopted as a supplement to the existing citywide plans and area plans which the City has adopted (excluding FOCUS) and not as a replacement for them. Any future amendments to existing citywide plans or area plans or any development of new plans should be guided by and comply with the policy direction set forth in the KC Spirit Playbook.

Section 3. That the Council finds and declares that before taking any action on the proposed the KC Spirit Playbook, all public notices and hearings required by law have been given and had.

..end

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# City of Kansas City, Missouri



## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Provides overall direction for the future of Kansas City that envisions our city as a vibrant, equitable, just, inclusive, welcoming, and thriving community where we consider people first by empowering members of the community to shape their environment. In doing so, this effort acknowledges and will address past and current inequities by fostering equitable community and economic development that supports all residents with opportunities for a high quality of life. (CD-MISC-2022-00001)

### Discussion

See CPC staff report

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
N/A
3. How does the legislation affect the current fiscal year?  
N/A
4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
N/A
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

See CPC staff report

### Service Level Impacts

See CPC staff report

### Other Impacts

1. What will be the potential health impacts to any affected groups?

See CPC staff report

# City of Kansas City, Missouri



## Docket Memo

2. How have those groups been engaged and involved in the development of this ordinance?

In a multi-year process using a variety of virtual and in-person points of contact.

3. How does this legislation contribute to a sustainable Kansas City?

See CPC staff report

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

This is the update to the City's plan which will not recommend specific projects and associated costs but could lead to future efforts in the implementation of the plan.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

See CPC staff report.



**File #: 230258**

ORDINANCE NO. 230258

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 19.79 acres generally located at 3350 North Holmes Street from District R-6 and District R-2.5 to District R-0.75 and approving a residential development plan that will also serve as a preliminary plat to allow for the construction of four buildings containing 340 residential units. (CD-CPC-2022-00202 and CD-CPC-2022-00205)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1377 rezoning an area of about 19.7 acres located at 3350 North Holmes Street from District R-6 (Residential Dash 6) and District R-2.5 (Residential Dash 2.5) to District R-0.75 (Residential Dash 0.75) said section to read as follows:

80-20A-1377 That an area legally described as:

All that part of the East Half of the Southeast Quarter lying West of N. Holmes Road, as now established and the South Quarter of Lot 12, all of Lots 13 and 14, and all of Lot 15, except the South 475 feet thereof, in Braecklein’s Subdivision, a subdivision, all in Section 11, Township 50, Range 33 in Kansas City, Clay County, Missouri, being more particularly described as follows: Commencing at the Southwest corner of the Southeast Quarter of said Section 11, thence South 89°03’20” East along the South line of said Southeast Quarter, 844.44 feet, thence North 00°56’40” East, 609.53 feet a point on the East Right-of-Way of Cherry Street, as now established and the true Point of Beginning of the tract herein described; thence along said East Right-of-Way line the following seven course; course one, on a curve to the left with an initial tangent bearing North 14°16’52” West, a radius of 1,160.15 feet, a length of 250.80 feet; course two, North 26°40’01” West, 197.54 feet; course three, on a curve to the right, tangent to the last described course, with a radius of 539.14 feet, a length of 273.27 feet; course four, North 02°22’29” East, 259.95 feet; course five, on a curve to the right, tangent to the last described course, with a radius of 669.22 feet, a length of 84.81 feet; course six, North 09°38’09” East, 132.25 feet; course seven, on a curve to the left, tangent to the last described course, with a radius of 662.07 feet, a length of 93.36 feet to the North line of the South Quarter of said Lot 12; thence South 89°06’11” East along said North line and the south line of Hill Crest Annex, a

subdivision in said Kansas City, 627.47 feet to the Southeast corner thereof and the West line of the East Half of said Southeast Quarter; thence North 00°57'07" East along the East line of said Hill Crest Annex and the West line of the East Half of said Southeast Quarter, 158.84 feet to the West Right-of-Way line of N. Holmes Road, as now established; thence along said West Right-of-Way the following six courses; course one, on a curve to the right with an initial tangent bearing South 21°36'00" East, a radius of 1,230.00 feet, a length of 258.17 feet; course two, South 09°34'27" East, 298.89 feet; course three, on a curve to the right, tangent to the last described course, with a radius of 905.00 feet, a length of 495.88 feet; course four, South 21°49'14" West, 95.99 feet; course five, on a curve to the left, tangent to the last described course, with a radius of 770.00 feet, a length of 173.56 feet;

is hereby rezoned from District R-6 (Residential Dash 6) and District R-2.5 (Residential Dash 2.5) to District R-0.75 (Residential Dash 0.75), all as shown outlined on a map marked Section 80-20A-1377, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. The proposed development is located in an area where the Charles B. Wheeler Downtown Airport (MKC) height zoning restrictions apply. No structure in this area should be constructed which exceeds these restrictions.

Given the potential height and proximity of this plan to MKC, the proposed development will exceed FAR Part 77, Objects Affecting Navigable Airspace, standards. The proponent/developer shall file an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical improvements or new structures and receive a Determination of No Hazard to Air Navigation from the FAA. Temporary cranes used for construction activities extending higher than the proposed top elevation of the building will need to be evaluated for compliance with FAR Part 77 standards as well. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>.

It is further recommended the proponent/developer provide the FAA with a 1A survey accuracy statement assuming the highest horizontal and vertical tolerance was used for this design. This information certifies the ground elevations the developer has portrayed within the plans are to higher level of accuracy. Per OEAAA, if this accuracy statement isn't provided, an adjustment commensurate with a 50 foot vertical buffer is applied to the development. This information can be referenced at: <https://oeaaa.faa.gov/oeaaa/external/content/surveyAccuracy.jsp>



The proponent/developer is recommended to comply with Chapters 3, 4, and 5 of FAA Advisory Circular (AC) 70/7460-1, Obstruction Marking and Lighting, as amended.

2. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
4. The developer shall provide color elevations for trash enclosures, the enclosures shall match the building materials of the primary structure.
5. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
6. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
7. The developer shall secure approval of a project plan from the City Plan Commission prior to a building permit.
8. The developer shall be granted a deviation to 88-405-10-K Half Street Improvements along North Cherry Street.
9. The developer shall submit a site plan showing compliance with 88-420-15-H-2 regarding lighting for pedestrian safety at the time of project plan submittal.
10. The developer shall submit a lighting plan in compliance with 88-430 at the time of project plan submittal.
11. The developer shall coordinate with the North Kansas City Levee District to prepare a macro stormwater/drainage study in compliance with Section 5600 (Storm Drainage Systems & Facilities) prior to project plan submittal. The macro stormwater/drainage study shall be included in the submittal for the project plan and shall be approved by the City Plan Commission.
12. The developer shall show the location of the short term and long term bicycle storage on the site plan at the time of project plan.

13. The developer shall secure approval of a project plan from the City Plan Commission prior to a building permit.
14. The developer shall include a detailed list of all landscaping materials including the varieties of native plants in the "native mix".
15. The enclosed pipe system along North Cherry Street runs into the District right-of-way. The developer shall ensure that the enclosed pipe system along Cherry receives all necessary permits through USACE, with acceptance contingent upon a vote by the Board of Supervisors of the North Kansas City Levee District.
16. The developer shall clearly label if the proposed basin is wet or dry on all the plans included for the project plan.
17. The developer shall comply with Kansas City, Missouri's Division V Section 5600 Storm Drainage Systems and Facilities and submit a revised preliminary stormwater drainage study with required corrections to pages 13, 17, 18, 21, 22, 23, 23, and 25 of the plan to the North Kansas City Levee District and receive approval of the plan at the time of project plan submittal.
18. Upon approval of the preliminary stormwater drainage study and prior to issuance of permits, the District and USACE will require the following steps to be completed:
  - a. Update to the stormwater drainage study (SDS) to correspond to the final design plans (if needed). At the time of project plan submittal.
  - b. Review of the SDS and final design plans by the NKC Levee District to confirm they align with updated SDS or preliminary SDS at the time of project plan submittal.
  - c. Any work within the District's right-of-way must be approved by a vote by the NKC Levee District Board of Supervisors. This is done in conjunction with the approval of the access agreement or easement noted in item d.
  - d. Any work within the District's right-of-way will require an easement or access agreement with the NKC Levee District for the work on the District's property.
  - e. Any work within the District's right-of-way will require submittal to the USACE and receipt of a Section 408 permit. This submittal should be made near the end of the design process.

19. The developer shall widen the cul de sac of North Kenwood to 50 feet (diameter) or whatever the widest is that is feasible if less than 50 feet.
20. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
21. That full street improvements to North Holmes Street shall be made including curbs, gutters, sidewalks, streetlights, relocating any utilities as may be necessary and adjusting vertical grades for the road, and obtaining a required permit from the Land Development Division for said improvement prior to recording the plat or prior to issuance of a building permit, whichever occurs first.
22. The developer shall submit construction plans in compliance with adopted standards for all improvements required by the traffic study approved by the Public Works Department, and shall secure permits for those improvements as required by the Land Development Division, prior to recording the plat.
23. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
24. The developer shall pay impact fees as required by Chapter 39 of the City's Code of Ordinances, as required by the Land Development Division.
25. The developer shall secure permits to extend public sanitary and storm water conveyance systems to serve all proposed lots within the development and determine adequacy of receiving systems as required by the Land Development Division, prior to recording the plat or issuance of a building permit, whichever occurs first.
26. The developer shall grant a BMP and/or surface drainage easement to the City as required by the Land Development Division, prior to recording the plat or issuance of any building permits.
27. The developer shall submit a storm drainage study prepared by a Missouri licensed civil engineer to the Land Development Division showing compliance with current adopted standards in effect at the time of submission, including water quality BMP's, to the Land Development Division for review and acceptance for the entire development area, and submit a micro storm drainage study with each subsequent plat or phase showing compliance with the approved macro and adopted standards. The developer shall secure permits to construct any improvements as necessary to mitigate impacts from rate, volume, and quality of

runoff from each proposed phase, prior to recording the plat or prior to issuance of a building permit, whichever occurs first, as required by the Land Development Division. The developer shall coordinate the development of the storm drainage study with, and allow for review by, the North Kansas City Levee District.

28. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
29. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
30. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
31. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
32. Due to the size of this project and the response time for the Fire Department we suggest another entrance off of Cherry Street. Required Fire Department access roads shall be an all-weather surface (IFC-2012: § 503.2.3) and Fire Department access roads shall be provided prior to construction/demolition projects begin (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) and required Fire Department access roads shall be designed to support a fire apparatus with a gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
33. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure (IFC-2018 § D105).
34. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
35. The developer shall provide fire lane signage on fire access drives.
36. The proposed building shall have a Fire Department access road within 150 feet of any exterior portion of the structure. (IFC-2018: § 503.1.1)
37. As noted on the plans on sheet C200, the developer is responsible for payment of cash-in-lieu of parkland dedication in accordance with 88-408. The amount due

shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to a certificate of occupancy.

38. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way
39. The developer shall submit plans to Parks and Recreation Department and obtain permits prior to beginning construction of any improvements located on property owned by the City of Kansas City Parks Department. Such improvements shall be installed per Parks and Recreation Department standards.
40. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by the Parks and Recreation Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits
41. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
42. The developer shall have a water flow test done to ensure there is adequate water pressure to serve the development.
43. No water service line will be less than 1-1/2" in diameter where three or more units or commercial building will be served by one domestic service line and meter.
44. The developer shall submit water main extension drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations. Show fire hydrants at 300' max. spacing.
45. The developer shall submit an analysis by a registered professional engineer in Missouri to verify adequate capacity of the existing water mains and verify fire flow capacity prior to the issuance of the final plat. Depending on adequacy of

the existing water mains systems, making other improvements may be required to confirm the south connection does not require a north connection.

46. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
47. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
48. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
49. The developer shall mitigate any increase in peak flow rate and total volume for storm water on the project due to sensitive downstream infrastructure.

A copy of said rezoning, development plan and preliminary plat is on file in the office of the City Clerk with this ordinance and made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

..end

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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.

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

The applicant is seeking approval of a development plan for a multi-unit development serving as a preliminary plat, an area plan amendment from Residential Medium Density to Residential High Density, and a rezoning without plan from District R-6 (Residential 6) and District R-2.5 (Residential 2.5) to District R-0.75 (Residential 0.75).

### Discussion

The development is proposing four building containing 340 residential units, amenity deck, 558 parking stalls, and a proposed trail connection to North Oak Trafficway. The development is located north of the City of Kansas City and north of the Hillside Drainage Ditch and Levee managed by the North Kansas City District. The developer is working with the North Kansas City Levee District to ensure the calculations, methods of detention, and proposed improvements meet the standards of the Levee District. The developer is preserving a majority of the trees along North Cherry Street as shown on their tree preservation plan, the developer is also requesting a waiver to the half street improvements along North Cherry. Full improvements to North Holmes Street are being proposed in lieu of the half street improvements along North Cherry Street. Staff supports the waiver to the half street improvements due to the concern regarding the impact additional impervious surfaces would have on the runoff to North Cherry. The development will be in compliance with all applicable plans and policies after all conditions have been met.

The City Plan Commission recommended adding three conditions to the application. The first two were recommended by the North Kansas City Levee District to ensure corrections to the Stormwater Drainage Study be completed and receive approval at the time of Project Plan submittal and to ensure all proper permits are applied for and approved prior to the issuance of permits. The City Plan Commission recommended adding a final condition requiring the developer to widen the cul de sac on North Kenwood Road to 50 feet.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
NA
3. How does the legislation affect the current fiscal year?  
NA
4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.



# City of Kansas City, Missouri

## Docket Memo

NA

- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

NA

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods





# City of Kansas City, Missouri

## Docket Memo

### Prior Legislation

NA

### Service Level Impacts

See City Plan Commission Staff Report.

### Other Impacts

1. What will be the potential health impacts to any affected groups?  
NA
2. How have those groups been engaged and involved in the development of this ordinance?  
NA
3. How does this legislation contribute to a sustainable Kansas City?  
NA
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
NA
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
NA



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**File #: 230259**

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ORDINANCE NO. 230259

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 2.5 acres generally located at Warwick Boulevard and E. 38th Street from District MPD to District MPD to allow for the construction of 100 residential units. (CD-CPC-2022-00022)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1378 rezoning an area of about 2.5 acres generally located at Warwick Boulevard and E. 38th Street from District MPD (Master Planned Development) to District MPD (Master Planned Development) said section to read as follows and approving a major amendment to the approved MPD (Master Planned Development) to allow for the construction of 100 residential units in district MPD on about 2.5 acres generally located at Warwick Boulevard and E. 38th Street, and more specifically described as follows:

Section 80-20A-1378. That an area legally described as:

All of Lot 1, Westport Plat, a subdivision in Kansas City, Jackson County, Missouri, according to the recorded plat thereof.

is hereby rezoned from District MPD (Master Planned Development) to District MPD (Master Planned Development), all as shown outlined on a map marked Section 80-20A-1378, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved, subject to the following conditions:

1. All mechanical equipment and dumpsters shall be screened pursuant to 88-425-08.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.

3. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
5. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
6. The developer shall secure approval of an MPD final plan from the City Plan Commission prior to a building permit.
7. The developer shall coordinate with the KCATA to resolve pedestrian level lighting and ADA compliant bus stop on Warwick Boulevard prior to approval of an MPD final plan.
8. Deviations to the boulevard and parkway standards are hereby granted to allow a 105-foot setback from Warwick Boulevard.
9. Deviations to the boulevard and parkway standards are hereby granted to allow for 0-foot setback from the Gillham Road right-of-way.
10. Deviations to the boulevard and parkway standards are hereby granted to allow for seven additional parking stalls to be constructed within the existing vehicular use area on the northwest corner of the project area.
11. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted prior to issuance of any building permits, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to issuance of any certificate of occupancy.
12. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach

entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.

13. The developer shall grant a City approved pedestrian right-of-way easement, for the portions of the public sidewalks approved to be outside of the street right-of-way, to the City as required by the Land Development Division, prior to any certificate of occupancy.
14. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
15. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and depending on adequacy of the receiving system, make other improvements as may be required.
16. The developer shall submit a letter to the Land Development Division from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, that identifies sidewalks, curbs, and gutters in disrepair as defined by Public Works Department's "OUT OF REPAIR CRITERIA FOR SIDEWALK, DRIVEWAY AND CURB revised 11/5/2013" and based on compliance with Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters where said letter shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed to remedy deficiencies and/or to remove existing approaches no longer needed by this project. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages as required by the Land Development Division and prior to issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
17. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 §507.1)
18. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
19. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)

20. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1 and NFPA1221)
21. A required Fire Department access road shall be an all-weather surface (IFC-2012: § 503.2.3) and Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 §7.5.5) Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)
22. Dead-end Fire Department access road(s) in excess of 150 feet shall be provided with an approved turnaround feature (i.e., cul-de-sac, hammerhead). Dead-end streets in excess of 150 feet in length resulting from a “phased” project shall provide an approved temporary turnaround feature (i.e., cul-de-sac, hammerhead). (IFC-2018: § 503.2.5) The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
23. The developer shall submit a letter to the Parks and Recreation Department from a licensed civil engineer, licensed architect, or licensed landscape architect, who is registered in the State of Missouri, stating the condition of the sidewalks, curbs, and gutters along boulevard/parkway, which is a parks and recreation jurisdictional street. The letter shall identify state of repair as defined in Chapters 56 and 64, Code of Ordinances, for the sidewalks, curbs, and gutters. It shall identify the quantity and location of sidewalks, curbs, and gutters that need to be constructed, repaired, or reconstructed. The developer shall secure permits to repair or reconstruct the identified sidewalks, curbs, and gutters as necessary along all development street frontages, as required by the Parks and Recreation Department, prior to recording the plat or issuance of any certificate of occupancy permits including temporary certificate of occupancy permits.
24. The developer shall submit plans to Parks and Recreation Department and obtain permits prior to beginning construction of streetscape improvements (including but not limited to sidewalks, curbs, gutters, streetscape elements, pedestrian and street lighting) on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per Parks & Recreation Department standards.
25. The developer shall install and/or replace any dead or missing street trees along roadways adjacent to this project.
26. The developer shall pay money-in-lieu of parkland dedication in the amount of \$202.89 per unit per approved ordinance #150834 and Case No. 14560-MPD.

27. The developer shall comply with the parkway and boulevard standards of 88-323 unless certain waivers granted by the City Council.
28. The developer shall continue to work with Parks and City Planning staff to enhance the pedestrian experience at the northwest corner of the site. Enhancements to the pedestrian experience at this location shall be incorporated as part of the final MPD plan.
29. The developer shall work with Parks and City Planning staff to enhance the retaining wall and railing along Warwick Boulevard as part of the final MPD plan submission.
30. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to any certificate of occupancy. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to any certificate of occupancy.

A copy of said MPD development plan and is on file in the office of the City Clerk with this ordinance and made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.

..end

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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.

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney

# City of Kansas City, Missouri



## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

A request to approve a major amendment to the approved MPD (Master Planned Development District) to allow for the construction of 100 residential units in district MPD on about 2.5 acres generally located at Warwick Boulevard and E. 38th Street. (CD-CPC-2022-00022)

### Discussion

See CPC staff report

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

# City of Kansas City, Missouri



## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

See CPC staff report

### Service Level Impacts

See CPC staff report

### Other Impacts

1. What will be the potential health impacts to any affected groups?

This is a zoning ordinance and has not been evaluated against this subject matter.



# City of Kansas City, Missouri



## Docket Memo

2. How have those groups been engaged and involved in the development of this ordinance?

This is a zoning ordinance and has not been evaluated against this subject matter.

3. How does this legislation contribute to a sustainable Kansas City?

This is a zoning ordinance and has not been evaluated against this subject matter.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

This is a zoning ordinance and has not been evaluated against this subject matter.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

This is a zoning ordinance and has not been evaluated against this subject matter.



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**File #: 230261**

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RESOLUTION NO. 230261

Sponsor: Director of City Planning and Development Department

RESOLUTION - Approving an amendment to the Briarcliff/Winnwood Area Plan on about 19.79 acres generally located at 3350 North Homes Street by changing the recommended land use from residential medium density to residential high density for the Ascent Apartments (CD-CPC-2022-00203)

WHEREAS, on June 18, 2009, the City Council by Resolution No. 090442 adopted the Briarcliff/Winnwood Area Plan; and

WHEREAS, after further review it has been deemed appropriate to amend the Briarcliff/Winnwood Area Plan as it affects that area of approximately 19.79 acres generally located at 3350 North Holmes Street by changing the recommended land use from Residential Medium Density to Residential High Density and

WHEREAS, the City Plan Commission considered such amendment to the Proposed Land Use Map on March 7, 2023 and

WHEREAS, after all interested persons were given an opportunity to present testimony, the City Plan Commission did on March 7, 2023, recommend Approval of the proposed amendment to the Briarcliff/Winnwood Area Plan; NOW, THEREFORE,

**BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:**

Section A. That the Briarcliff/Winnwood Area Plan is hereby amended as to the Proposed Land Use Plan and Map for that area of approximately 19.79 acres generally located at the 3350 North Holmes Street by changing the recommended land use from residential medium density to residential high density.

Section B. That the amendment to the Briarcliff/Winnwood Area Plan is consistent and complies with the FOCUS Kansas City Plan, adopted on October 30, 1997, by Committee Substitute for Resolution No. 971268, and is adopted as a supplement to the FOCUS Kansas City Plan.

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

..end

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# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

A request to approve an Area Plan Amendment to the Briarcliff/Winnwood Area Plan from Residential Medium Density to Residential High Density for an area approximately 19.79 acres generally located at 3350 North Holmes Street

### Discussion

The development is proposing four building containing 340 residential units, amenity deck, 558 parking stalls, and a proposed trail connection to North Oak Trafficway. The development is located north of the City of Kansas City and north of the Hillside Drainage Ditch and Levee managed by the North Kansas City District. The developer is working with the North Kansas City Levee District to ensure the calculations, methods of detention, and proposed improvements meet the standards of the Levee District. The developer is preserving a majority of the trees along North Cherry Street as shown on their tree preservation plan, the developer is also requesting a waiver to the half street improvements along North Cherry. Full improvements to North Holmes Street are being proposed in lieu of the half street improvements along North Cherry Street. Staff supports the waiver to the half street improvements due to the concern regarding the impact additional impervious surfaces would have on the runoff to North Cherry. The development will be in compliance with all applicable plans and policies after all conditions have been met.

The City Plan Commission recommended adding three conditions to the application. The first two were recommended by the North Kansas City Levee District to ensure corrections to the Stormwater Drainage Study be completed and receive approval at the time of Project Plan submittal and to ensure all proper permits are applied for and approved prior to the issuance of permits. The City Plan Commission recommended adding a final condition requiring the developer to widen the cul de sac on North Kenwood Road to 50 feet.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

NA

3. How does the legislation affect the current fiscal year?

NA



# City of Kansas City, Missouri

## Docket Memo

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

NA

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

NA

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No

2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods



# City of Kansas City, Missouri

## Docket Memo

### Prior Legislation

NA

### Service Level Impacts

See CPC Staff Report

### Other Impacts

1. What will be the potential health impacts to any affected groups?  
NA
2. How have those groups been engaged and involved in the development of this ordinance?  
NA
3. How does this legislation contribute to a sustainable Kansas City?  
NA
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
NA
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
NA



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**File #: 230262**

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ORDINANCE NO. 230262

Sponsor: Councilmember Lee Barnes, Jr.

Directing the City Manager to execute a First Amendment to Intergovernmental Cooperative Agreement with Port KC related to a development project in the River Market.

WHEREAS, on August 13, 2020, via Committee Substitute for Ordinance No. 200227, Council authorized the City staff to execute and implement an Intergovernmental Cooperative Agreement with the Port Authority of Kansas City, Missouri, (“Port KC”) for property located in the River Market and generally bounded by 4th Street on the north, 5th Street on the south, Main Street on the east, and an access alley on the west; and

WHEREAS, on August 26, 2020, the City and Port KC executed the authorized Intergovernmental Cooperative Agreement; and

WHEREAS, the City and Port KC now wish to clarify the obligations and requirements provided in the Intergovernmental Cooperative Agreement; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That the City Manager is directed to execute the First Amendment to Intergovernmental Cooperative Agreement with Port KC related to a development project in the River Market (the “First Amendment”). A copy of the First Amendment in substantial form is attached hereto.

..end

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Approved as to form:

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Emalea Black  
Associate City Attorney

**No Fact Sheet  
Provided for  
Ordinance No.**

**230262**





# Kansas City

414 E. 12th Street  
Kansas City, MO  
64106

## Legislation Text

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**File #:** 230267

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### ORDINANCE NO. 230267

Sponsor: Councilmember Eric Bunch

Amending Chapter 88, Code of Ordinances, by repealing Section 88-321, Short Term Rental Regulations, and enacting in lieu thereof a new section of like number and subject matter; repealing Sections 88-110-03, 88-120-03, 88-130-04 and 88-140-03, Uses, and enacting in lieu thereof new sections of like number and subject matter; and repealing Section 88-810-1582, Short Term Rental Intermediary; in order to effectuate the transfer of the regulation of Short Term Rentals from Chapter 88 to Chapter 56 of the Code of Ordinances. **\*\*Item will be held until April 5, 2023\*\***

#### BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-110-03, Uses; Section 88-120-03, Uses; Section 88-130-04, Uses; and Section 88-140-03, Uses; and enacting in lieu thereof new sections of like number and subject matter, in order to identify the zoning districts where short term rentals are permitted and to transfer the regulation of such uses to Chapter 56 of the Code of Ordinances, said sections to read as follows:

#### **88-110-03 USES**

##### **88-110-03-A. USE TABLE**

Uses are allowed in R zoning districts in accordance with Table 110-1, below.

##### **88-110-03-B. USE CLASSIFICATION SYSTEM**

For the purpose of this zoning and development code, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in 88-805. The first column of Table 110-1 lists the groups, categories, and types allowed in one or more R districts.

##### **88-110-03-C. PERMITTED USES**

Uses identified with a "P" in Table 110-1 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

##### **88-110-03-D. SPECIAL USES**

Uses identified with an "S" in Table 110-1 may be allowed if reviewed and approved in accordance with the special use permit procedures of 88-525. Special uses are subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

##### **88-110-03-E. PROHIBITED USES**

Uses not listed in the table and those identified with a "-" are expressly prohibited.

**88-110-03-F. USE STANDARDS**

The "use standards" column of Table 110-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

**88-110-03-G. SPECIAL STANDARDS ADJACENT TO AND WITHIN 150 FEET OF PARKS, BOULEVARDS, AND PARKWAYS**

Additional regulations and restrictions on uses adjacent to parks, boulevards and parkways are imposed in Table 110-1, as follows:

1. Uses identified with a bracketed numeral one "[1]" are prohibited adjacent to and within 150 feet of any park, boulevard, or parkway.
2. Uses identified with a bracketed numeral two "[2]" require special use permit approval if adjacent to and within 150 feet of any park, boulevard, or parkway. (Refer to special use permit procedures in 88-525).
3. Uses identified with a bracketed numeral three "[3]":
  - a. are prohibited adjacent to and within 150 feet of any park or boulevard or within a development node, and
  - b. require special use permit approval if adjacent to and within 150 feet of any parkway.



*Land use restrictions apply to property adjacent to and within 150 feet of parks, boulevards, and parkways. The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway or the property boundary of the park to the nearest property line of the lot occupied by, or proposed to be occupied by, the restricted use type. These restrictions apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the park, boulevard, or parkway.*

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**File #:** 230267

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Further, all uses or development adjacent to and within 150 feet of any boulevard or parkway (not including a park) and within ¼ mile of a development node shall comply with Boulevard and Parkway Standards per 88-323.

**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	
<b>RESIDENTIAL</b>											
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
<b>PUBLIC/CIVIC</b>											
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
<b>Day Care</b>											
» 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	
» Basic, minor	P	P	P	P	P	P	P	P	P	P	88-425-08-B
<b>COMMERCIAL</b>											
<b>Animal Service</b>											
» Shelter or boarding	P	-	-	-	-	-	-	-	-	-	88-315
» Stable	P	-	-	-	-	-	-	-	-	-	88-315

» Veterinary Office	P	-	-	-	-	-	-	-	-	-	-	
<b>Entertainment Venues and Spectator Sports</b>	S	-	-	-	-	-	-	-	-	-	-	
<b>Funeral and Interment Service</b>												
» Cemetery/columbarium/mausoleum	S	S	S	S	S	S	S	S	S	S	S	88-345
» Crematory	S	S	S	S	S	S	S	S	S	S	S	88-345
» Undertaking	-	-	-	-	-	-	-	-	-	S	S	
<b>Lodging</b>												
» Bed and breakfast	S	-	-	S	S	S	S	S	S	S	S	88-320
» Recreational vehicle park	S[1]	-	-	-	-	-	-	-	-	-	-	
» Short term rental	<a href="#">Permitted in all R Districts in accordance with Chapter 56 and 88-321. Refer to 88-324</a>											
<b>Neighborhood-serving retail</b>	S	S	S	S	S	S	S	S	S	S	S	88-360
<b>Office, Administrative, Professional or General</b>	-	-	-	-	-	-	S	S	S	S		
<b>Reuse of officially designated historic landmark (local or national) if proposed use is not permitted</b>	S	S	S	S	S	S	S	S	S	S		
<b>Sports and Recreation, Participant</b>	S	-	-	-	-	-	-	-	-	-		
<b>INDUSTRIAL</b>												
<b>Mining and Quarrying</b>	S[2]	-	-	-	-	-	-	-	-	-		
<b>Waste-Related Use (except as noted below)</b>	-	-	-	-	-	-	-	-	-	-		
» Composting facility	S[1]	-	-	-	-	-	-	-	-	-	-	88-328
» Demolition debris landfill	S[1]	-	-	-	-	-	-	-	-	-	-	88-380
<b>OTHER</b>												
<b>Agriculture, Animal</b>	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	* Chapter 14
<b>Agriculture, Crop</b>	P	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-312-01
<b>Agricultural, Urban</b>												
» Home Garden	P	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	P	88-312-02-B
» Community Supported Agriculture (CSA)	P	S	S	S	S	S	S	S	S	S	S	88-312-02-C
<b>ACCESSORY SERVICES</b>												
<b>Wireless Communication Facility</b>												
» Freestanding	P	-	-	-	-	-	-	-	-	-	-	88-385
» Co-located antenna	P	P	P	P	P	P	P	P	P	P	P	88-385



*Boulevard and Parkway Standards (88-323) apply to property adjacent to and within 150 feet of, boulevards and parkways (not parks). The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway to the nearest property line of the lot occupied by, or proposed to be occupied by, the regulated land use. The standards apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the boulevard or parkway.*

**88-120-03 USES**

**88-120-03-A. USE TABLE**

Uses are allowed in O and B zoning districts in accordance with Table 120-1, below.

**88-120-03-B. USE CLASSIFICATION SYSTEM**

For the purpose of this zoning and development code, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in 88-805. The first column of Table 120-1 lists the groups, categories, and types allowed in one or more O or B districts.

**88-120-03-C. PERMITTED USES**

Uses identified with a "P" in Table 120-1 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-120-03-D. SPECIAL USES**

Uses identified with an "S" in Table 120-1 may be allowed if reviewed and approved in accordance with any special use permit procedures of 88-525. Special uses are subject to compliance with the use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-120-03-E. PROHIBITED USES**

Uses not listed in the table and those identified with a "-" are expressly prohibited.

**88-120-03-F. USE STANDARDS**

The "use standards" column of Table 120-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

**88-120-03-G. SPECIAL STANDARDS ADJACENT TO AND WITHIN 150 FEET OF PARKS, BOULEVARDS, AND PARKWAYS**

Additional regulations and restrictions on uses adjacent to parks, boulevards and parkways are imposed in Table 120-1, as follows:

1. Uses identified with a bracketed numeral one "[1]" are prohibited adjacent to and within 150 feet of any park, boulevard, or parkway.
2. Uses identified with a bracketed numeral two "[2]" require special use permit approval if adjacent to and within 150 feet of any park, boulevard, or parkway. (Refer to special use permit procedures in 88-525).
3. Uses identified with a bracketed numeral three "[3]":
  - a. are prohibited adjacent to and within 150 feet of any park or boulevard or within a development node, and
  - b. require special use permit approval if adjacent to and within 150 feet of any parkway.



*Land use restrictions apply to property adjacent to and within 150 feet of parks, boulevards, and parkways. The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway or the property boundary of the park to the nearest property line of the lot occupied by, or proposed to be occupied by, the restricted use type. These restrictions apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the park, boulevard, or parkway.*

Further, all uses or development adjacent to and within 150 feet of any boulevard or parkway (not including a park) and within ¼ mile of a development node shall comply with Boulevard and Parkway Standards per 88-323.



*Boulevard and Parkway Standards (88-323) apply to property adjacent to and within 150 feet of, boulevards and parkways (not parks). The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway to the nearest property line of the lot occupied by, or proposed to be occupied by, the regulated land use. The standards apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the boulevard or parkway.*

**88-120-03-H. SPECIAL STANDARDS FOR PROPERTIES LOCATED WITHIN THE AREA KNOWN AS THE COUNTRY CLUB PLAZA**

Additional restrictions on uses located within the area known as the Country Club Plaza, which is the area bounded by Summit Street, Jefferson Street, and Pennsylvania Avenue on the west; W 47th Street, W 46th Street, and W 46th Terrace on the north; Broadway, Wyandotte Street, and JC Nichols Parkway on the east; and Ward Parkway on the south ("Country Club Plaza") are imposed in Table 120-1, as follows:

1. Uses identified with a bracketed numeral four "[4]" are prohibited within the Country Club Plaza.
2. Uses identified with a bracketed numeral five "[5]" require special use permit approval if located within the Country Club Plaza. (Refer to special use permit procedures in 88-525.)
3. Detached houses are prohibited within the Country Club Plaza.

**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	
Use Category » specific use type						
<b>RESIDENTIAL</b>						
<b>Household Living</b>						



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» Detached houses	P	P	P	P	P	88-120-03-H.3
» In any other residential building type	-	P	P	P	P	88-323
» In mixed-use building	P	P	P	P	P	
<b>Group Living</b>	P	P	P	P	P[5]	
<b>PUBLIC/CIVIC</b>						
<b>Bicycle Sharing Facilities</b>	P	P	P	P	P	88-322
<b>Club, Lodge, or Fraternal Organization</b>	P	P	P	P	P[5 for Ground Floor Uses]	
<b>College/University</b>	P	P	P	P	P[5 for Ground Floor Uses]	
<b>Day Care</b>						
» 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 Floor Uses]	
<b>Hospital</b>	S	P	P	P	P[5 for Ground Floor Uses]	
<b>Library/Museum/Cultural Exhibit</b>	P	P	P	P	P	
<b>Park/Recreation</b>	P	P	P	P	P	
<b>Religious Assembly</b>	P	P	P	P	P	
<b>Safety Service</b>						
» Fire station	P	P	P	P	P[4]	
» Police station	P	P	P	P	P	
» Ambulance service	S	S	S	P	P[4]	
<b>School</b>	P	P	P	P	P[5 for Ground	

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					Floor Uses]	
<b>Utilities and Services (except as noted below)</b>	S[1]	S[1]	S[1]	S[1]	S[1][5]	
» Basic, minor	P	P	P	P	P	88-425-08-B
<b>COMMERCIAL</b>						
<b>Adult Business</b>						
» Adult media store	-	-	P[1]	P[1]	P[1][4]	88-310-03
» Adult motion picture theater	-	-	-	P[1]	P[1][4]	88-310-02
» Sex shop	-	-	-	P[1]	P[1][4]	88-310-02
<b>Animal Service</b>						
» 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
<b>Artist Work or Sales Space</b>	-	P	P	P	P	
<b>Building Maintenance Service</b>	-	-	-	P	P[5]	
<b>Business Equipment Sales and Service</b>	-	-	P	P	P	
<b>Business Support Service (except as noted below)</b>	-	-	P	P	P[5]	
» Day labor employment agency	-	-	-	-	S[1][4]	88-331
<b>Communications Service Establishments</b>	P	-	P	P	P[5]	
<b>Drive-Through Facility</b>	-	-	P[2]	P[2]	P[2]	88-338 and 88-340
<b>Eating and Drinking Establishments (except as noted below)</b>	P	P	P	P	P	
» Tavern or nightclub	-	-	P	P	P	
<b>Entertainment Venues and Spectator Sports</b>						
» 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]	

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» Outdoor (all sizes)	-	-	-	S	P[5]	
<b>Financial Services (except as noted below)</b>	S	P	P	P	P	
» Pawn shop	-	P	P	P	P	
» Short-term loan establishment	-	-	P[1]	P[1]	P[1][4]	88-325
<b>Food and Beverage Retail Sales</b>	-	P	P	P	P	
<b>Funeral and Interment Service</b>						
» 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
<b>Gasoline and Fuel Sales</b>	-	S[3]	S[3]	S[3]	P[3][5]	88-323
<b>Lodging</b>						
» 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	-	P	P	P	P	<a href="#">Chapter 5688-324</a>
<b>Mobile Vendor Park</b>	-	-	-	P	P	88-358
<b>Office, Administrative, Professional or General</b>	P	P	P	P	P[5 for Ground Floor Uses]	
<b>Office, Medical</b>	P	P	P	P	P[5 for Ground Floor Uses]	
» Blood/plasma center	-	-	-	S	S	
<b>Parking, Accessory</b>	P	P	P	P	P	88-323
<b>Parking, Non-accessory</b>	-	-	S[1]	P[1]	P[1]	
<b>Personal Improvement Service</b>	P	P	P	P	P	
<b>Repair or Laundry Service, Consumer</b>	-	P	P	P	P	
<b>Research Service</b>	P	P	P	P	P[5 for Ground Floor Uses]	
<b>Retail Sales</b>	-	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
<b>Reuse of officially designated historic landmark (local or national) if proposed use is not permitted</b>	S	S	S	S	S	
<b>Sports and Recreation, Participant</b>						

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» Indoor	-	P	P	P	P[5 for Ground Floor Uses]	
» Outdoor	-	-	-	P	P[5 for Ground Floor Uses]	
<b>Vehicle Sales and Service</b>						
» 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
<b>INDUSTRIAL</b>						
<b>Manufacturing, Production and Industrial Service</b>						
» Artisan	-	P/S	P	P	P	88-318
» Limited	-	-	-	-	S[4]	
» General	-	-	-	-	S[2][4]	88-323
» Intensive	-	-	-	-	-	
<b>Recycling Service</b>						
» Limited	-	-	-	-	S[1][4]	
<b>Self-Storage Warehouse</b>	-	-	-	-	P[2][4]	88-323, 88-369
<b>Warehousing, Wholesaling, Storage, Freight Movement</b>						
» Indoor	-	-	-	-	P[2][4]	88-323, 88-378
» Outdoor	-	-	-	-	-	88-378
<b>AGRICULTURAL</b>						
<b>Agriculture, Animal</b>	P/*	P/*	P/*	P/*	P/*[4]	*Chapter 14
<b>Agriculture, Crop</b>	P	P	P	P	P[4]	88-312-01
<b>Agriculture, Urban</b>						
» Home Garden	P	P	P	P	P	88-312-02-

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						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
<b>ACCESSORY SERVICES</b>						
<b>Wireless Communication Facility</b>						
» Freestanding	-	-	P[1]	P[1]	P[1][4]	88-385
» Co-located antenna	P	P	P	P	P[5]	88-385

#### 88-130-04 USES

##### 88-130-04-A. USE TABLE

Uses are allowed in the D zoning districts in accordance with Table 130-1, below.

##### 88-130-04-B. USE CLASSIFICATION SYSTEM

For the purpose of this zoning and development code, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in 88-805. The first column of Table 130-1 lists the groups, categories, and types allowed in one or more D districts.

##### 88-130-04-C. PERMITTED USES

Uses identified with a "P" in Table 130-1 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

##### 88-130-04-D. SPECIAL USES

Uses identified with an "S" in Table 130-1 may be allowed if reviewed and approved in accordance with the special use permit procedures of 88-525. Special uses are subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

##### 88-130-04-E. PROHIBITED USES

Uses not listed in the use table and those identified with a "-" are expressly prohibited.

##### 88-130-04-F. USE STANDARDS

The "use standards" column of Table 130-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

##### 88-130-04-G. SPECIAL STANDARDS ADJACENT TO AND WITHIN 150 FEET OF PARKS, BOULEVARDS, AND PARKWAYS

Additional regulations and restrictions on uses adjacent to parks, boulevards and parkways are imposed in table 130-1, as follows:

1. Uses identified with a bracketed numeral one "[1]" are prohibited adjacent to and within 150 feet of any park, boulevard, or parkway.

2. Uses identified with a bracketed numeral two "[2]" require special use permit approval if adjacent to and within 150 feet of any park, boulevard, or parkway. (Refer to special use permit procedures in 88-525).
3. Uses identified with a bracketed numeral three "[3]":
  - a. are prohibited adjacent to and within 150 feet of any park or boulevard or within a development node, and
  - b. require special use permit approval if adjacent to and within 150 feet of any parkway.



*Land use restrictions apply to property adjacent to and within 150 feet of parks, boulevards, and parkways. The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway or the property boundary of the park to the nearest property line of the lot occupied by, or proposed to be occupied by, the restricted use type. These restrictions apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the park, boulevard, or parkway.*

Further, all uses or development adjacent to and within 150 feet of any boulevard or parkway (not including a park) and within ¼ mile of a development node shall comply with Boulevard and Parkway Standards per 88-323.



*Boulevard and Parkway Standards (88-323) apply to property adjacent to and within 150 feet of boulevards and parkways (not parks). The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway to the nearest property line of the lot occupied by, or proposed to be occupied by, the regulated land use. The standards apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the boulevard or parkway.*

<u>USE</u> (refer to 88-805 Use Groups and Categories)	<u>GROUP</u>	<u>Zoning District</u>			<u>Use Standards</u>
<u>Use</u> » specific use type	<u>Category</u>	<u>DC</u>	<u>DX</u>	<u>DR</u>	
<b><u>RESIDENTIAL</u></b>					
<b><u>Household Living</u></b>					
» <u>Single-family home</u>		<u>P</u>	<u>P</u>	<u>P</u>	
» <u>In single-purpose residential building</u>		<u>P</u>	<u>P</u>	<u>P</u>	88-323
» <u>In mixed-use building</u>		<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Group Living</u></b>		<u>S</u>	<u>S</u>	<u>S</u>	
<b><u>PUBLIC/CIVIC</u></b>					
<b><u>Bicycle Sharing Facilities</u></b>		<u>P</u>	<u>P</u>	<u>P</u>	88-322
<b><u>Club, Lodge, or Fraternal Organization</u></b>		<u>P</u>	<u>P</u>	<u>P</u>	
		<u>P</u>	<u>P</u>	<u>P</u>	
<b><u>Day Care</u></b>					
» <u>Home-based (1—5)</u>		<u>P</u>	<u>P</u>	<u>P</u>	
» <u>Family (up to 10)</u>		<u>P</u>	<u>P</u>	<u>P</u>	
» <u>Group (up to 20)</u>		<u>P</u>	<u>P</u>	<u>S</u>	

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<u>» Center (21+)</u>	P	P	S	
<b><u>Hospital</u></b>	S	S	S	
<b><u>Library/Museum/Cultural Exhibit</u></b>	P	P	P	
<b><u>Park/Recreation (except as noted below)</u></b>	P	P	P	
<u>» Community center</u>	P	P	P/S	88-365
<b><u>Religious Assembly</u></b>	P	P	P	
<b><u>Safety Service</u></b>				
<u>» Fire Station</u>	P	P	P	88-365
<u>» Police Station</u>	P	P	P	88-365
<u>» Ambulance service</u>	P	P	P	88-365
<b><u>School</u></b>	P	P	P/S	88-365
<b><u>Utilities and Services (except as noted below)</u></b>	S[1]	S[1]	S[1]	
<u>» Basic, minor</u>	P	P	P	88-425-08-B
<b><u>COMMERCIAL</u></b>				
<b><u>Adult Business</u></b>				
<u>» Adult media store</u>	P[1]	P[1]	-	88-310-03
<u>» Adult motion picture theater</u>	P[1]	P[1]	-	88-310-02
<u>» Sex shop</u>	P[1]	P[1]	-	88-310-02
<b><u>Animal Service</u></b>				
<u>» Sales and grooming</u>	P	P	S	88-315
<u>» Shelter or boarding</u>	P	P	-	88-315
<u>» Stable</u>	-	S	-	88-315
<u>» Veterinary</u>	P	P	S	88-315
<b><u>Artist Work or Sales Space</u></b>	P	P	P	
<b><u>Building Maintenance Service</u></b>	P	P	-	
<b><u>Business Equipment Sales and Service</u></b>	P	P	-	
<b><u>Business Support Service (except as noted below)</u></b>	P	P	-	
<u>» Day labor employment agency</u>	-	S[1]	-	
<b><u>Communications Service Establishments</u></b>	P	P	-	
<b><u>Drive-Through Facility</u></b>	S[2]	S[2]	-	88-338 & 88-340
<b><u>Eating and Drinking Establishments (except as noted below)</u></b>	P	P	P	



<a href="#">» Tavern or nightclub</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">S</a>	
<b><a href="#">Entertainment Venues and Spectator Sports</a></b>				
<a href="#">» Indoor small venue (1—149 capacity)</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">S</a>	
<a href="#">» Indoor medium venue (150—499 capacity)</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">S</a>	
<a href="#">» Indoor large venue (500+ capacity)</a>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">S</a>	
<a href="#">» Outdoor (all sizes)</a>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">S</a>	
<b><a href="#">Financial Services (except as noted below)</a></b>				
<a href="#">» Pawn shop</a>	-	<a href="#">S[1]</a>	-	
<a href="#">» Short-term loan establishment</a>	-	<a href="#">P[1]</a>	-	<a href="#">88-325</a>
<b><a href="#">Food and Beverage Retail Sales</a></b>				
<b><a href="#">Funeral and Interment Service</a></b>				
<a href="#">» Cemetery/columbarium/mausoleum</a>	-	-	-	
<a href="#">» Cremating</a>	-	-	-	
<a href="#">» Undertaking</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	-	<a href="#">88-345</a>
<b><a href="#">Gasoline and Fuel Sales</a></b>				
	<a href="#">S[3]</a>	<a href="#">S[3]</a>	-	<a href="#">88-323</a>
<b><a href="#">Lodging</a></b>				
<a href="#">» Bed and Breakfast</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<a href="#">» Hotel/motel</a>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">S[2]</a>	<a href="#">88-323</a>
<a href="#">» Short term rental</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">Chapter 5688-324</a>
<b><a href="#">Mobile Vendor Park</a></b>				
	<a href="#">P</a>	<a href="#">P</a>	-	<a href="#">88-358</a>
<b><a href="#">Office, Administrative, Professional or General</a></b>				
	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><a href="#">Office, Medical</a></b>				
<a href="#">» Blood/plasma center</a>	<a href="#">S</a>	<a href="#">S</a>	-	
<b><a href="#">Parking, Accessory</a></b>				
	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-323</a>
<b><a href="#">Parking, Non-accessory</a></b>				
	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	
<b><a href="#">Personal Improvement Service</a></b>				
	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><a href="#">Repair or Laundry Service, Consumer</a></b>				
	<a href="#">P</a>	<a href="#">P</a>	<a href="#">S</a>	
<b><a href="#">Research Service</a></b>				
	<a href="#">P</a>	<a href="#">P</a>	<a href="#">S</a>	
<b><a href="#">Retail Sales</a></b>				
<a href="#">» Outdoor Retail Sales - Class A</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-366-01</a>
<b><a href="#">Reuse of officially designated historic landmark (local or national) if proposed use is not permitted</a></b>				
	<a href="#">S</a>	<a href="#">S</a>	<a href="#">S</a>	

<b><u>Sports and Recreation, Participant</u></b>				
» Indoor	P	P	S	
» Outdoor	S	S	S	
<b><u>Vehicle Sales and Service</u></b>				
» 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
<b><u>INDUSTRIAL</u></b>				
<b><u>Manufacturing, Production and Industrial Service</u></b>				
» Artisan	P	P	P/S	88-318
» Limited	S	S	S	
» General	S	S[2]	=	88-323
<b><u>Recycling Service</u></b>				
» Limited	=	S[1]	=	
<b><u>Self-Storage Warehouse</u></b>	=	S[2]	=	88-323 88-369
<b><u>Warehousing, Wholesaling, Storage, and Freight Movement</u></b>				
» Indoor	S[2]	S[2]	=	88-323 88-378
» Outdoor		S[2]	=	88-323 88-378
<b><u>AGRICULTURAL</u></b>				
<b><u>Agriculture, Animal</u></b>	=	P/*	=	Chapter 14
<b><u>Agriculture, Crop</u></b>	P	P	P	88-312-01
<b><u>Agriculture, Urban</u></b>				
» 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
<b><u>ACCESSORY</u></b>				

<u>Wireless Communication Facility</u>				
<u>» Freestanding</u>	=	=	=	
<u>» Co-located antenna</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>88-385</u>

**88-140-03 USES**

**88-140-03-A. USE TABLE**

Uses are allowed in M zoning districts in accordance with Table 140-1, below.

**88-140-03-B. USE CLASSIFICATION SYSTEM**

For the purpose of this zoning and development code, uses are classified into "use groups," "use categories," and "specific use types." These are described and defined in 88-805. The first column of Table 140-1 lists the groups, categories, and types allowed in M districts.

**88-140-03-C. PERMITTED USES**

Uses identified with a "P" in Table 140-1 are permitted as-of-right in the subject zoning district, subject to compliance with any use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-140-03-D. SPECIAL USES**

Uses identified with an "S" in Table 140-1 may be allowed if reviewed and approved in accordance with the special use permit procedures of 88-525. Special uses are subject to compliance with the use standards identified in the final column of the table and all other applicable standards of this zoning and development code.

**88-140-03-E. PROHIBITED USES**

Uses not listed and those identified with a "-" are expressly prohibited.

**88-140-03-F. USE STANDARDS**

The "use standards" column of Table 140-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required regardless of whether the use is permitted as-of-right or requires special use approval.

**88-140-03-G. SPECIAL STANDARDS ADJACENT TO AND WITHIN 150 FEET OF PARKS, BOULEVARDS, AND PARKWAYS**

Additional regulations and restrictions on uses adjacent to parks, boulevards and parkways are imposed in table 140-1, as follows:

1. Uses identified with a bracketed numeral one "[1]" are prohibited adjacent to and within 150 feet of any park, boulevard, or parkway.
2. Uses identified with a bracketed numeral two "[2]" require special use permit approval if adjacent to and within 150 feet of any park, boulevard, or parkway. (Refer to special use permit procedures in 88-525).
3. Uses identified with a bracketed numeral three "[3]":

- a. are prohibited adjacent to and within 150 feet of any park or boulevard or within a development node, and
- b. require special use permit approval if adjacent to and within 150 feet of any parkway.



*Land use restrictions apply to property adjacent to and within 150 feet of parks, boulevards, and parkways. The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway or the property boundary of the park to the nearest property line of the lot occupied by, or proposed to be occupied by, the restricted use type. These restrictions apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the park, boulevard, or parkway.*

Further, all uses or development adjacent to and within 150 feet of any boulevard or parkway (not including a park) and within ¼ mile of a development node shall comply with Boulevard and Parkway Standards per 88-323.



*Boulevard and Parkway Standards (88-323) apply to property adjacent to and within 150 feet of boulevards and parkways (not parks). The 150-foot distance is measured from the nearest edge of the right-of-way of the boulevard or parkway to the nearest property line of the lot occupied*

by, or proposed to be occupied by, the regulated land use. The standards apply only to that portion of the adjacent property (parcel or lot) located within 150 feet of the boulevard or parkway.

<b>Table 140-1</b>						
<b>Manufacturing Districts Use Table</b>						
<u>USE</u> (refer to 88-805 Use Groups and Categories)	<u>GROUP</u> Category	<u>Zoning District</u>				<u>Use Standards</u>
<u>Use</u> » specific use type		<u>M1</u>	<u>M2</u>	<u>M3</u>	<u>M4</u>	
<b><u>RESIDENTIAL</u></b>						
<b><u>Household Living</u></b>						
» Single-family home		S	=	=	=	
» In single-purpose residential building		P	S	=	=	
» In mixed-use building		P	S	=	=	
<b><u>Group living</u></b>		S	=	=	=	
<b><u>PUBLIC/CIVIC</u></b>						
<b><u>Bicycle Sharing Facility</u></b>		P	P	P	P	88-322
<b><u>Club, Lodge, or Fraternal Organization</u></b>		P	P	=	=	
<b><u>College/University</u></b>		P	P	=	=	
<b><u>Day Care</u></b>		P	P	S	S	
<b><u>Detention and Correctional Facilities</u></b>		S[1]	S[1]	S[1]	S[1]	88-335
<b><u>Halfway House</u></b>		S	S	S	S	88-352
<b><u>Hospital</u></b>		P	=	=	=	
<b><u>Park/Recreation</u></b>		P	P	P	P	
<b><u>Religious Assembly</u></b>		P	P	P	P	
<b><u>Safety Service</u></b>		P	P	P	P	
<b><u>Schools</u></b>		P	P	P	P	
<b><u>Utilities and Services (except as noted below)</u></b>		S[1]	S[1]	S[1]	S[1]	
» Basic, minor		P	P	P	P	88-425-08-B
<b><u>COMMERCIAL</u></b>						
<b><u>Adult Business</u></b>						
» Adult media store		P[1]	P[1]	P[1]	P[1]	88-310
» Adult motion picture theater		P[1]	P[1]	P[1]	P[1]	88-310

<u>» Sex shop</u>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">88-310</a>
<b><u>Animal Service</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-315</a>
<b><u>Artist Work or Sales Space</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Building Maintenance Service</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Business Equipment Sales and Service</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Business Support Service (except as noted below)</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<u>» Day labor employment agency</u>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	
<b><u>Communications Service Establishments</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Drive-through Facility</u></b>	<a href="#">P[2]</a>	<a href="#">P[2]</a>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">88-340</a>
<b><u>Eating and Drinking Establishments</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Entertainment Venues and Spectator Sports</u></b>	<a href="#">P</a>	<a href="#">S</a>	<a href="#">S</a>	<a href="#">-</a>	
<b><u>Financial Services (except as noted below)</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<u>» Pawn shop</u>	<a href="#">P[1]</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">S[1]</a>	
<u>» Short-term loan establishment</u>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">88-325</a>
<b><u>Food and Beverage Retail Sales</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Funeral and Interment Service</u></b>					
<u>» Cemetery/columbarium/mausoleum</u>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">-</a>	
<u>» Cremating</u>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<u>» Undertaking</u>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Gasoline and Fuel Sales</u></b>	<a href="#">P[3]</a>	<a href="#">P[3]</a>	<a href="#">P[3]</a>	<a href="#">P[3]</a>	<a href="#">88-323</a>
<b><u>Lodging (except as noted below)</u></b>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">-</a>	
<u>» Hotel/motel</u>	<a href="#">S[1]</a>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">-</a>	
<u>» Short term rental</u>	<a href="#">P</a>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">-</a>	<a href="#">Chapter 5688-324</a>
<b><u>Mobile Vendor Park</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">-</a>	<a href="#">88-358</a>
<b><u>Office, Administrative, Professional or General</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Office, Medical</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">-</a>	<a href="#">-</a>	
<b><u>Parking, Accessory</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Parking, Non-accessory</u></b>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	
<b><u>Personal Improvement Service</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	
<b><u>Repair or Laundry Service, Consumer</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">-</a>	
<b><u>Research Service</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	

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<b><u>Retail Sales</u></b>	P	P	P	P	
» <u>Outdoor Retail Sales - Class A</u>	P	P	P	P	88-366-01
» <u>Outdoor Retail Sales - Class B</u>	P	P	P	P	88-366-02
<b><u>Reuse of officially designated historic landmark (local or national) if proposed use is not permitted</u></b>	S	S	S	S	
<b><u>Sports and Recreation, Participant</u></b>	P	S	S	-	
<b><u>Vehicle Sales and Service</u></b>					
» <u>Car wash/cleaning service</u>	P[1]	P[1]	P[1]	P[1]	
» <u>Heavy equipment sales/rental</u>	P[1]	P[1]	P[1]	P[1]	
» <u>Light equipment sales/rental (indoor)</u>	P[2]	P[2]	-	-	88-323
» <u>Light equipment sales/rental (outdoor)</u>	P[1]	P[1]	-	-	
» <u>Motor vehicle repair, limited</u>	P[2]	P[2]	P[2]	P[2]	88-323
» <u>Motor vehicle repair, general</u>	P[2]	P[2]	P[2]	P[2]	88-323
» <u>Vehicle storage/towing</u>	P[1]	P[1]	P[1]	P[1]	88-375
<b><u>INDUSTRIAL</u></b>					
<b><u>Junk/Salvage Yard</u></b>	-	-	S[1]	P[1]	88-425-09
<b><u>Manufacturing, Production and Industrial Service</u></b>					
» <u>Artisan</u>	P	P	P	P	88-318
» <u>Limited</u>	P	P	P	P	
» <u>General</u>	S[2]	P[2]	P[2]	P[2]	88-323
» <u>Intensive</u>	-	-	P[1]	P[1]	
<b><u>Mining/Quarrying</u></b>	S	S	S	S	88-355
<b><u>Recycling Service</u></b>					
» <u>Limited</u>	P[1]	P[1]	P[1]	P[1]	
» <u>General</u>	S	S	S	P	
<b><u>Self-Storage Warehouse</u></b>	P[2]	P[2]	P[2]	-	88-323 & 88-369
<b><u>Warehousing, Wholesaling, Storage, and Freight Movement</u></b>					
» <u>Indoor</u>	P[2]	P[2]	P[2]	P[2]	88-378
» <u>Outdoor</u>	S[1]	P[1]	P[2]	P[2]	88-378
<b><u>Waste-Related Use</u></b>					
» <u>Composting facility</u>	S[1]	S[1]	S[1]	S[1]	88-328
» <u>Demolition debris landfill</u>	S[1]	S[1]	S[1]	S[1]	88-380

» <a href="#">Solid waste separation facility</a>	=	=	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">88-380</a>
» <a href="#">Transfer station</a>	=	=	<a href="#">S[1]</a>	<a href="#">S[1]</a>	<a href="#">88-380</a>
<b><u>AGRICULTURAL</u></b>					
<b><u>Agriculture, Animal</u></b>	<a href="#">P/*</a>	<a href="#">P/*</a>	<a href="#">P/*</a>	<a href="#">P/*</a>	<a href="#">Chapter 14</a>
<b><u>Agriculture, Crop</u></b>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-312-01</a>
<b><u>Agriculture, Urban</u></b>					
» <a href="#">Home garden</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-312-02-A</a>
» <a href="#">Community garden</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-312-02-B</a>
» <a href="#">Community supported agriculture (CSA)</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-312-02-C</a>
<b><u>ACCESSORY SERVICES</u></b>					
<b><u>Wireless Communication Facility</u></b>					
» <a href="#">Freestanding</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">P[1]</a>	<a href="#">88-385</a>
» <a href="#">Co-located antenna</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">P</a>	<a href="#">88-385</a>

Section 2. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-321, Short Term Rental Regulations, and enacting in lieu thereof a new section of like number and subject matter, with said new section to read as follows:

**88-321 SHORT TERM RENTALS REGULATIONS**

**88-321-01 WHERE PERMITTED APPLICABILITY**

Except lodging otherwise permitted by 88-305-12 (and Bed and Breakfast as permitted by 88-320), Short Term Rentals are permitted in accordance with Chapter 56 of the code of ordinances in the following zoning districts: regulations are applicable to properties zoned AG-R, R, B, D, UR, MPD, and M1 that are rented for periods of less than 30 consecutive days, defined and further regulated as follows: (Ord. No. 170771, § 1, 2-22-2018)

**88-321-02 SHORT TERM RENTAL OWNER OCCUPIED REGULATIONS (TYPE 1)**

A short term rental owner occupied is a principal residential dwelling unit that is occupied by the resident (who may be either the owner or the tenant/lessee of the owner authorized by the owner to offer the unit for short term rental) for a cumulative minimum of 270 days per calendar year.

**88-321-02-A. STANDARDS AND CONDITIONS FOR OWNER OCCUPIED PROPERTIES AS PERMITTED IN ALL APPLICABLE ZONING DISTRICTS**

1. Short term rental owner occupied regulations are applicable to all properties in zoning districts which allow short term rental and may be further regulated by provisions of any approved development or project plan.
2. The dwelling unit to be rented may be within a detached house, semi-attached house, multi-unit building, or certain carriage houses.

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3. A carriage house, as defined in 88-810-280 and permitted in accordance with 88-305-05, may be approved as short term rental owner occupied if the principal building for such property is owner occupied.
4. During the possible 95 days the resident is not present, the property or unit may continue to be used as a short term rental.
5. While not present, the resident may not enter into a contract with more than one party during any given period. While present, the resident may enter into a contract with two parties, provided there shall be at least one bedroom in the dwelling for the resident.
6. No more than 2 persons per each bedroom being rented plus one additional person per dwelling unit, not to exceed 8 guests per dwelling unit, may occupy the dwelling unit.
7. Except for units within a carriage house or semi attached house structure, guests shall live in common with the household, sharing a common entrance, kitchen facilities, and living areas.
8. The unit must be located within the principal building on the property and may not be located within an accessory building.
9. The unit may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to non resident guests.
10. No food service may be provided by the resident.
11. The city issued short term rental permit for such dwelling unit shall be on display in the interior of the unit.
12. No exterior evidence that the property is being used as a short term rental shall be allowed, including signs.

**88-321-02-B. APPROVAL REQUIRED FOR OWNER OCCUPIED PROPERTIES AS PERMITTED IN R DISTRICTS**

1. In R-10 and R-7.5 districts, short term rental is allowed only as follows:
  - a. Property that is designated as a historic landmark or located in a historic district may qualify for an owner occupied permit, upon issuance of a special use permit in accordance with 88-525.
  - b. If the resident host has been operating a short term rental at the property prior to the passage date of this ordinance and can provide documentary evidence to the satisfaction of the director of the city planning and development department of such use, the resident host may continue to operate a short term rental upon issuance of a special use permit in accordance with 88-525.
2. In other R districts, prior to accommodating any guest on the property, the resident host of an owner occupied short term rental must submit, initially, an administrative approval application for and obtain the approval of the city planning and development director. If the host residing in the short term rental unit is not the owner of such unit, the application must include a notarized affidavit from the owner allowing the unit to be used by the host for short term rentals.
3. The resident host shall submit a notarized affidavit stating that notification of short term rental use was provided by certified or registered mail and by regular mail to:
  - a. All adjacent property owners (including those adjoining and immediately across the street).
  - b. In the case of a short term rental unit within a multi-unit building (condominium or otherwise), the affidavit must also state that such notification was provided to any

condominium association and to all condominium unit owners and tenants of units adjoining and immediately across a hallway and those immediately adjacent on floors above or below the short term rental unit.

- c. Any applicable homeowner's association and neighborhood and civic organizations registered with the city.
4. Upon approval, the resident host will receive a permit number, indicating that the property is eligible for short term rental use and listing on a short term rental intermediary platform.
5. Thereafter, annual registry is required (but not a new administrative approval application or affidavit).

**88-321-02 C. APPROVAL REQUIRED FOR OWNER OCCUPIED PROPERTIES IN AG-R, B, D, UR, MPD AND M1 DISTRICTS**

There are no approval requirements, but registration of the short term rental unit with the city planning and development director and issuance of a short term rental permit with annual renewal is required.

(Ord. No. 170771, § 1, 2-22-2018; Ord. No. 220398, § 1, 5-19-2022)

**88-321-03 SHORT TERM RENTAL NON-OWNER OCCUPIED REGULATIONS (TYPE 2)**

A short term rental non-owner occupied is a unit not used as a principal residential unit by the host. Application for non-owner occupied short term rental shall be for either a "seasonal" permit (for properties rented 95 days or less per year) or "year around" permit (for properties rented more than 95 days per year).

**88-321-03 A. STANDARDS AND CONDITIONS FOR NON-OWNER OCCUPIED PROPERTIES AS PERMITTED IN ALL APPLICABLE ZONING DISTRICTS**

1. Short term rental non-owner occupied regulations are applicable to all properties in zoning districts which allow short term rental under 88-321.
2. The dwelling unit to be rented may be within a detached house, semi-attached house, or multi-unit building.
3. A carriage house, as defined in 88-810-280 and permitted in accordance with 88-305-05, may be approved as short term rental non-owner occupied.
4. The unit must be located within the principal building on the property and may not be located within an accessory structure, except for carriage houses that are located on a property designated as a historic landmark or located in a historic district.
5. In a multi-unit building, only 1 unit or 25% of all units, whichever is greater, may be used for short term rental.
6. In a multi-unit building, the same host may not have more than 4 short term rental units in the same structure.
7. No more than 2 persons per each bedroom being rented plus one additional person per dwelling unit, not to exceed 8 guests, may occupy the dwelling unit.
8. The host may not enter into a contract with more than one party during any given period.
9. The unit may not be rented or offered for use as reception space, party space, meeting space, or for other similar events open to non-resident guests.
10. No food service may be provided by the host.
11. The city-issued short term rental permit for such dwelling unit shall be on display in the interior of the unit.

~~12. No exterior evidence that the property is being used as a short term rental shall be allowed, including signs.~~

**88-321-03-B. APPROVAL REQUIRED FOR NON-OWNER OCCUPIED PROPERTIES AS PERMITTED IN CERTAIN R DISTRICTS**

- ~~1. In R 10 and R 7.5 districts, short term rental is allowed only as follows:
  - a. Property that is designated as a historic landmark or located in a historic district may qualify for a non-owner occupied permit, upon issuance of a special use permit in accordance with 88-525.
  - b. If a non-owner occupied property has been used as a short term rental prior to the passage date of this ordinance and the owner can provide documentary evidence to the satisfaction of the director of the city planning and development department of such use, the use may continue upon issuance of a special use permit in accordance with 88-525.~~
- ~~2. In other R districts, prior to accommodating any guests on the property, the host of a non-owner occupied short term rental must submit, initially, an administrative approval application for and obtain the approval of the city planning and development director prior to accommodating any guests.~~
- ~~3. The host of a non-owner occupied short term rental shall submit a notarized affidavit stating that notification of short term rental use was provided by certified or registered mail and by regular mail to:
  - a. All adjacent property owners (including those adjoining and immediately across the street).
  - b. In the case of a short term rental unit within a multi-unit building (condominium or otherwise), the affidavit must also state that such notification was provided to any condominium association and to all condominium unit owners and tenants of units adjoining and immediately across a hallway and those immediately adjacent on floors above or below the short term rental unit.
  - c. Any applicable homeowner's association and neighborhood and civic organizations registered with the city.~~
- ~~4. The host of a non-owner occupied "year around" short term rental shall be further required to satisfy one of the following:
  - a. Obtain administrative approval of the city planning and development director, upon submittal of a notarized affidavit containing signatures of at least 55 percent of adjacent residential property owners (including those adjoining and immediately across the street).
  - b. Or, when signatures of at least 55 percent of neighboring property owners or tenants cannot be secured, obtain a special use permit in accordance with 88-525 for each property to be used as a non-owner occupied short term rental.~~
- ~~5. Upon approval, the host will receive a permit number indicating that the property is eligible for listing on a short term rental intermediary platform.~~
- ~~6. Thereafter, annual registry is required (but not a new administrative approval application, affidavit, or special use permit, unless an applicable special use permit requires otherwise).~~

**88-321-03 C. APPROVAL REQUIRED FOR NON-OWNER OCCUPIED PROPERTIES IN AG-R, B, D, UR, MPD AND M1 DISTRICTS**

There are no approval requirements, but registration of the short term rental unit with the city planning and development director and issuance of a short term rental permit with annual renewal is required.

(Ord. No. 170771, § 1, 2-22-2018; Ord. No. 220398, § 1, 5-19-2022)

**88-321-04 GENERAL REQUIREMENTS**

**88-321-04 A. ELIGIBILITY FOR PLATFORM**

1. The city planning and development director shall prepare and maintain a list of all short term rentals that are eligible to be listed on a short term rental intermediary's platform. The list shall be made available to all short term rental intermediaries, the public, and all regulatory authorities in a form and manner prescribed by the director.
2. The city planning and development director shall notify the short term rental intermediaries in the case of a suspension or revocation of a short term rental unit on the city's registry of short term rentals.

**88-321-04 B. RECORD KEEPING AND MONITORING OF COMPLAINTS**

1. The short term rental host and/or the applicable short term rental intermediary's platforms shall maintain records of each short term rental as required by the city and permitted by law.
2. The short term rental host shall monitor, and the host and the applicable short term rental intermediaries' platforms (as permitted by law) shall record, any complaints each may receive from guests, local residents, or others regarding any nuisance activity or sanitary, health, or life safety conditions observed on the property.
3. Pursuant to valid legal process, all records and information regarding each short term rental and any information on complaints received shall be made available by the short term rental host or short term rental intermediaries' platforms, as each has such records or information, to the city planning and development director.

**88-321-04 C. PERMIT DENIAL, SUSPENSION, OR REVOCATION**

1. A short term rental permit may be denied, or once issued, suspended or revoked when, in the determination of the city planning and development director, the rental of the short term rental property is ineligible under, or fails to comply with, this chapter or other provisions of the Code of Ordinances.
2. Upon determining that a short term rental is ineligible to be listed under this section, the director shall notify the short term rental host or proposed host, in writing, of such fact and of the basis for the determination of ineligibility. Such notice shall include a statement of information advising the short term host or proposed host that the host is entitled to a hearing to contest the determination of ineligibility for listing, suspension, or revocation by filing an appeal of administrative decision in accordance with 88.575.
3. If a short term rental host or proposed host fails to request a hearing within the prescribed time, the short term rental shall be deemed to be ineligible to be listed on any short term rental intermediary platform for 12 months.

**88-321-04 D. OTHER REQUIREMENTS AND LEGAL DUTIES**

Each short term rental host shall:

1. Provide to the city planning and development director a notarized affidavit from the owner of record of the property or unit (unless the host is the owner of record) consenting to the short term rental of the property.
2. Comply with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits.
3. Comply with the Code of Ordinances, unless specified in this section, and provide certification that the property is in compliance with all property maintenance, building, electrical, mechanical, and plumbing codes.
4. Post, within each unit, contact information for the owner, host, and/or other local emergency contact information.
5. For a short term rental within a multi-unit building, post a map depicting all (minimum of two) evacuation routes by doors in the event of an emergency. The map shall be posted on or immediately adjacent to every required egress door from each unit, but is not required when a door leads directly to the outside of the building at grade level.
6. Install and maintain smoke and carbon monoxide detectors in locations as specified for dwelling units by the Building Code.
7. Place in each short term rental dwelling unit a working fire extinguisher and a working battery powered portable flashlight or lantern or other emergency lighting device that is workable during an electrical power outage.
8. For purposes of sending notices to and obtaining consents from adjacent property owners under this section, utilize owners' names and addresses as provided in current county tax assessors' records.
9. Agree, as part of the short term rental application approval process, to allow inspection of the short term rental dwelling unit by the city for compliance with 88-221 and for fire, public safety, health/sanitation and other city code compliance purposes upon reasonable prior notice (which may be oral or electronic) at times that such unit is not occupied by a short term rental guest; and further agree that if the host for any reason does not allow requested city inspection of such unit, the short term rental permit for such unit may be suspended by the director until such inspection is allowed by the host.
10. Provide evidence to the city planning and development director that there is at least \$300,000 of liability insurance for the proposed short term rental dwelling unit in question, which insurance may be provided by a short term rental intermediary; provided that no short term rental intermediary shall have any obligation or liability to the city with respect to whether such insurance is so provided. Said \$300,000 minimum amount of liability insurance shall be subject to adjustment by the city planning and development director for changes in the consumer price index as described in 88-620 B.6 for adjustments to fees by the city manager. Proof of insurance shall be provided at the time of application and with annual registration.

**88-321-04 E. PENALTIES**

Any penalty for violation of this section shall be as stated in 88-615.

(Ord. No. 170771, § 1, 2-22-2018; Ord. No. 220398, § 1, 5-19-2022)

**Section 3. Repealing Section 88-810-1581, Short Term Rental Intermediary.**

**88-810-1582 SHORT TERM RENTAL INTERMEDIARY**

A marketplace or network that facilitates the listing, marketing, or rental of a short term rental on a site, also referred to as a platform.

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**File #:** 230267

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Section 4. That Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by law have been given and had.  
..end

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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:

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Sarah Baxter  
Senior Associate City Attorney

**No Fact Sheet  
Provided for  
Ordinance No.**

**230267**



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**File #: 230268**

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ORDINANCE NO. 230268

Sponsor(s): Councilmember Eric Bunch and Mayor Quinton Lucas

Amending Chapter 56, Code of Ordinances, by enacting new Article VIII, entitled “Short-Term Rental Registration,” which would become effective May 15, 2023, and requires short-term rentals operating in the City to register with the City on an annual basis, pay an annual registration fee, certify various safety information and the identity of the natural person who will reside on the property as a long-term resident or such person who has management control and responsibility for the short-term rental, and provides density restrictions for non-resident short-term rentals, penalty provisions for both short-term rentals and their booking service providers for non-compliance with such registration requirements, and places recordkeeping requirements on both short-term rentals and their booking service providers. **\*\*Item will be held until April 5, 2023\*\***

WHEREAS, a recent City Audit highlighted the proliferation of short-term rentals in the City and potential limitations in City’s capacity to regulate short-term rentals through its existing regulations in Chapter 88 of the City Code, Sections 88-321-01 through 88-321-04, administered and enforced through the City’s Planning and Development Department; and

WHEREAS, on December 15, 2022, the City Council passed Resolution No. 221069, directing the City Manager to begin transition of regulatory duties concerning short-term rentals from the City Planning and Development Department to the Neighborhood Services Department, which included a directive to make any necessary personnel changes, secure any necessary funding, and to propose any appropriate, corresponding amendments to the City’s Code in order to effectuate this transition, and to complete such tasks within 90 days; and

WHEREAS, City seeks to identify short-term rentals operating in the City, better ensure they operate in a manner consistent with public health and safety and promote accountability and preserve the established character of existing neighborhoods, gain contact information for code enforcement and compliance, and encourage the cooperation of short-term rental booking service providers in accomplishing these purposes.

WHEREAS, in connection with the enactment of this new article within Chapter 56, City intends, via separate ordinance, to appropriately revise the existing short-term rental regulations in Chapter 88 of its Code to clarify the overall regulatory approach toward short-term rentals; NOW, THEREFORE,



BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 56, Code of Ordinances, is hereby amended by enacting a new Article VIII, entitled “Short-Term Rental Registration,” to read as follows:

**CHAPTER 56, ARTICLE VIII.  
SHORT-TERM RENTAL REGISTRATION**

**Sec. 56-801. Effective date and purpose.**

The provisions of this article shall become effective May 15, 2023. The purpose of this article is:

- (a) To identify those properties in the City that operate as short-term rentals, to better ensure they operate in a manner consistent with public health and safety, and to gain contact information for code enforcement and compliance;
- (b) To allow non-resident short-term rentals to operate in the City in a manner that promotes accountability and preserves the established character of existing neighborhoods; and
- (c) To encourage the cooperation of short-term rental booking service providers in accomplishing these purposes.

**Sec. 56-802. Definitions.**

- (a) *Advertising* means the act of drawing the public's attention to a short-term rental.
- (b) *Booking service provider* means any person or entity who facilitates a transaction between a prospective guest and a person or entity offering a short-term rental.
- (c) *City* means the City of Kansas City, Missouri.
- (d) *Director* means the Director of the City's Neighborhood Services Department or their authorized representative.
- (e) *Dwelling unit* means one or more rooms designed, occupied, or intended for occupancy as separate living quarters. A dwelling unit includes a single-family residence, and each unit of an apartment, duplex, or multiple dwelling structure designed as a separate habitation for one or more persons.
- (f) *Long-term resident* means any natural person who, as of the date the registration is submitted pursuant to Section 56-803: (1) maintains their primary residence on the parcel where the dwelling unit that is the subject of the short-term rental registration is located; and (2) certifies that they will maintain their primary residence on such parcel for a period of twelve months or more after the date the short-term rental registration is submitted.
- (g) *Owner* means any person who, alone or with others, has legal or equitable title to a dwelling unit. A person whose interest in a dwelling unit is solely that of a tenant, subtenant, lessee, or sublessee under an oral or written rental housing agreement shall not be considered an owner.

- (h) *Primary residence* means the place in which a person's habitation is fixed for the term of the registration and is the person's usual place of return. A person can have only one (1) primary residence.
- (i) *Registrant* means the natural person who has (1) identified themselves as the registrant in the registration information and documentation submitted to the director pursuant to section 56-803 either (a) for a resident short-term rental; or (b) a non-resident short-term rental; (2) either owns the dwelling unit, or has a documented right to possess and conduct a short-term rental within the dwelling unit; and (3) has complied with all registration requirements for such dwelling unit in this article.
- (j) *Registration period* means the period from the date a registration is issued by the City in Section 56-803 through its expiration twelve months later.
- (k) *Non-resident short-term rental* means any short-term rental whose registrant or proposed registrant has not demonstrated that they are a long-term resident of such dwelling unit, as defined in this article.
- (l) *Resident short-term rental* means any short-term rental whose registrant or proposed registrant demonstrates that they are a long-term resident of such dwelling unit, as required in this article.
- (m) *Short-term rental* means any dwelling unit offered, provided, or operated as lodging accommodations to guests in exchange for remuneration for a period of less than thirty (30) consecutive days.

**Sec. 56-803. Annual short-term rental registration.**

The requirements stated in this section shall not apply to a properly registered short-term rental pursuant to Chapter 88 of this Code. For purposes of this subsection, a properly registered short-term rental pursuant to Chapter 88 of this Code is any short-term rental that was registered with the City as short-term rental, and whose annual registration has not expired, pursuant to Ordinance No. 170771, as amended by Ordinance No. 220398. Unless exempted from this section, beginning May 15, 2023, each dwelling unit, before being offered, provided or operated as a short-term rental in the city, shall have its registrant submit the following to the director:

- (a) *Fee*. A yearly registration fee of \$200.00; and
- (b) *Registration*. The following registration information and documentation, upon forms provided by the director:
  - (1) *Dwelling unit*. The exact street address of each dwelling unit that may be offered, provided or operated as a short-term rental during the registration period, the primary intended use of the property on which the dwelling unit is situated, and, for a short-term rental within a multi-unit building, the number of dwelling units in each building on the property.
  - (2) *Registrant*. Identification of the registrant by full name, Social Security Number or Federal Tax Identification Number, telephone number, mailing address, email address and date of birth.

- (3) *Owner.* If registrant is not the owner of the dwelling unit, identification of each owner of the dwelling unit by full name, telephone number, Social Security Number or Federal Tax Identification Number, mailing address, email address and date of birth. If the dwelling unit is owned by a corporation, limited liability company, partnership, limited partnership, trust or real estate investment trust, the name and address of any of the following shall be provided:
- a. for a corporation, a corporate officer and the chief operating officer;
  - b. for a partnership, the managing partner;
  - c. for a limited liability company, the managing or administrative member;
  - d. for a limited partnership, a general partner;
  - e. for a trust, a trustee; or
  - f. for a real estate investment trust, a general partner or an officer.
- (4) *Resident short-term rental.* If the proposed registrant claims to be a long-term resident on the parcel where the dwelling unit to be offered, provided or operated as a short-term rental is located, documentation demonstrating that the resident is a long-term resident, by certifying that they will maintain primary residence on such parcel for the next twelve months, and providing at least two (2) of the following documents demonstrating that such parcel is their primary residence:
- a. Proof of valid motor vehicle registration;
  - b. Federal or state tax returns or other financial documentation;
  - c. Proof of voter registration;
  - d. A utility bill; and/or
  - e. Any other legal documentation deemed sufficient by the director that is pertinent to establishing primary residence.
- (5) *Non-resident short-term rental.* If the proposed registrant does not claim to be a long-term resident on the parcel where the dwelling unit to be offered, provided or operated as a short-term rental is located:
- a. A notarized affidavit executed by the registrant stating their full name, telephone number, mailing address, email address, and that they are the natural person who has management control and responsibility for the dwelling unit, and will personally inspect the interior and exterior of such dwelling unit at least once per month during the registration period; and
  - b. Possession of a business license to operate a short-term rental in the dwelling unit, pursuant to Chapter 40 of this Code.
- (6) *Registrant's proof of possession.* Proof of possession of the short-term rental, either by valid warranty deed, valid lease, or other verification of the tenant's right to possession of the dwelling unit. If the proposed registrant does not own the dwelling unit, they must also provide a notarized affidavit from the property owner allowing the proposed registrant to conduct a short-term rental within the dwelling unit.
- (7) *Tax clearance.* Tax clearance letter, issued by the City's Revenue Division of the Finance Department, for registrant and owner.
- (8) *Safety requirements.* Certification by the registrant, and, if registrant is not the owner of the dwelling unit, by the owner, to the following safety requirements:

- a. The dwelling unit complies with all applicable federal, state, and local laws, including but not limited to collection and certification of payment of taxes and procurement of any required licenses and permits, and all property maintenance, building, electrical, mechanical, and plumbing codes.
  - b. Posted within each dwelling unit offered, provided and/or operated as a short-term rental is the contact information for the registrant, owner, and other local emergency contact information.
  - c. For a short-term rental within a multi-unit building, a map is posted depicting all evacuation routes by doors in the event of an emergency. The map shall be posted on or immediately adjacent to every required egress door from each unit, but is not required when a door leads directly to the outside of the building at grade level.
  - d. Installed and maintained within the dwelling unit are smoke and carbon monoxide detectors in locations as specified for dwelling units by the Building Code.
  - e. The dwelling unit contains a working fire extinguisher and a working battery powered portable flashlight or lantern or other emergency lighting device that is workable during an electrical power outage.
  - f. Registrant and owner will allow inspection of the short-term rental dwelling unit by the city for fire, public safety, health/sanitation and other city code compliance purposes upon reasonable prior notice (which may be oral or electronic) at times that such unit is not occupied by a short term-rental guest.
- (9) *Non-resident short-term rental must remedy violations after deregistration.* For any proposed non-resident short-term rental that was previously deregistered with the City pursuant to section 56-804 for violation(s) of this Code, the proposed registrant for such short-term rental must provide documentation to the director demonstrating that such Code violation(s) that were the basis for such deregistration have been remedied.
- (10) *Certification.* The registrant, and, if registrant is not the owner of the dwelling unit, the owner(s), shall certify via notarized affidavit that the information required in this section is accurate and truthful.
- (c) *Density requirement for non-resident short-term rentals.* To be eligible for registration under this article, a proposed non-resident short-term rental must satisfy the following density requirements:
- (1) If the proposed non-resident short-term rental is in a structure where there are fewer than three dwelling units, the dwelling unit proposed for registration cannot be less than 1,000 feet from the nearest dwelling unit that is either currently registered as a non-resident short-term rental under this article or is a properly permitted Type 2 short-term rental pursuant to Chapter 88 of this Code. In determining whether any such short-term rentals fall within such distance of the proposed dwelling unit seeking registration, the director shall consider any dwelling unit within or intersected by a radius of 1000 linear feet of ground from the dwelling unit, and including any dwelling unit above or below such radius.
  - (2) If the proposed non-resident short-term rental is in a structure where there are three or more dwelling units, no registration shall issue for such dwelling unit if 25% or more of the dwelling units within such structure are currently registered as short-term

rentals under this article or are properly permitted Type 2 short-term rentals pursuant to Chapter 88 of this Code.

The density requirements stated in this subsection shall not apply to the proposed registration of either a resident short-term rental as defined in this article, or a properly permitted Type 2 short-term rental pursuant to Chapter 88 of this Code. For purposes of this subsection, a properly permitted Type 2 short-term rental pursuant to Chapter 88 of this Code is any short-term rental that obtained an administrative approval or a special use permit as a Type 2 or non-owner occupied short-term rental, which has neither lapsed nor been revoked, pursuant to Ordinance No. 170771, as amended by Ordinance No. 220398.

- (d) *Determination to issue or renew registration.* Upon the director's determination that the requirements of this section have been satisfied, the director shall issue to the registrant a unique registration number for the dwelling unit. Each registration issued under this article shall expire at the end of its registration period and shall be subject to renewal annually. Any renewal registration must comply with all requirements of this section, and will be accepted beginning thirty days before end of the previous registration period and may be made without penalty before the end of the previous registration period.

**Sec. 56-804. Deregistration.**

- (a) *Non-resident short-term rental Code violation.* A non-resident short-term rental registered under this article may be deregistered under this article when, in the determination of the director, such non-resident short-term rental fails to comply with the requirements of this article or any other provision of this Code.
- (b) *Resident short-term rental failure to maintain primary residence.* Any resident-short-term rental registered under this article may be deregistered under this article when, in the determination of the director, the registrant for such short-term rental fails to maintain their primary residence on the parcel where such dwelling unit is located.
- (c) *Notice and appeal of deregistration decision.* Upon determining that any short-term rental is deregistered pursuant to subsections (a) or (b) of this section, the director shall notify in writing the registrant and owner of such short-term rental of such fact and of the basis for deregistration. Such notice shall advise the registrant and owner that they are entitled to appeal the director's decision to deregister the short-term rental, as provided in section 56-805.

**Sec. 56-805. Appeal.**

Any determination made by the City pursuant to this article either not to register or renew a short-term rental, or to deregister a non-resident short-term rental, may be administratively appealed as provided for in this chapter or chapter 48.

**Sec. 56-806. Change in registration information.**

If, during any registration period, there is a change in either ownership, or the identity of the person with authority to serve as the registrant, of a dwelling unit registered pursuant to this article, such registration shall no longer be valid, and before again being offered, provided or operated as a short-term rental in the city, such dwelling unit must be issued a new registration by the director pursuant to section 56-03, only after submitting a new fee and all information required by section 56-803. If, during any registration period, there is a change in the registration information previously submitted on behalf of the dwelling unit pursuant to section

56-803, other than a change in either ownership or the identity of person with authority to serve as the registrant, the registrant, and, if the registrant is not the owner of the dwelling unit, the owner, must within 30 days provide the director written notice of such change upon forms provided by the director, and certify such change pursuant to section 56-803(b)(10). There shall be no penalty for any such registration update if done within 30 days.

**Sec. 56-807. Unlawful acts.**

A properly registered short-term rental pursuant to Chapter 88 of this Code is exempt from, and cannot serve as the basis for, any violation under this section. For purposes of this section, a properly registered short-term rental pursuant to Chapter 88 of this Code is any short-term rental that was registered with the City as short-term rental, and whose annual registration has not expired, pursuant to Ordinance No. 170771, as amended by Ordinance No. 220398.

- (a) *Registration violation.* It shall be a violation of this article to fail to timely register, to provide inaccurate registration information required in this article, or to offer, provide or operate as a short-term rental any dwelling unit at any period of time during which such unit is unregistered, deregistered or not in compliance with this article's registration requirements.
- (b) *Failure to maintain primary residence.* For any dwelling unit registered as a resident short-term rental pursuant to Section 56-803(b)(4), it shall be unlawful to offer, provide or operate a short-term rental within such dwelling unit without the registrant maintaining their primary residence on the parcel where such dwelling unit is located.
- (c) *Advertising violation.* It shall be a violation of this article to advertise any dwelling unit for short-term rental that either (1) is not in compliance with this article's registration requirements or (2) does not display on the face of such advertisement the registration number issued by the City pursuant to Section 56-803.
- (d) *Unlawful transactions.* It shall be a violation of this article for any booking service provider to receive payment, directly or indirectly, for a short-term rental located in the city that is not registered pursuant to this article. The provisions of this subsection (d) are entirely strict liability in nature.
- (e) *Records.* It shall be a violation of this article for any person or entity to fail to comply with section 56-808.

**56-808. Records of registrant and booking service provider**

- (a) Each short-term rental registrant shall maintain, and provide to city upon request, the following records for the past year:
  - (1) Total number of nights the short-term rental was rented to a guest; and
  - (2) The dates in which the short-term rental was rented by a guest.
- (b) Each booking service provider shall maintain, and provide to city upon request, the following information for short-term rental transactions facilitated in the city within the past five years:
  - (1) The name of the person who offered the short-term rental;
  - (2) The address of the short-term rental;

- (3) The dates for which the short-term rental was booked by a guest;
  - (4) The price paid by the guest for each short-term rental transaction; and
  - (5) The short-term rental registration number issued by the city pursuant to Section 56-803.
- (c) The department shall maintain and make publicly available a list of all registered short-term rentals within the city.

**56-809. Violations.**

Any person or entity who fails to comply, or causes or permits any condition that fails to comply, with the requirements of this article shall be guilty of an ordinance violation and, upon conviction thereof, shall be punishable as set forth in Section 56-810.

**56-810. Penalties.**

Any person or entity convicted of a violation of this article shall be punished for that violation by a fine of not less than \$200.00, but not more than \$1,000.00, or by imprisonment of not more than 180 days or by both such fine and imprisonment.

**56-811. Subpoenas**

For purposes of enforcement of this article, the city shall have the authority to issue subpoenas to compel the attendance and testimony of witnesses, with or without documentary evidence, and the production of books and documents. It shall be unlawful to refuse to obey a subpoena issued pursuant to this section.

Section 2. That the City Manager is directed, one year after the passage of this ordinance, to analyze the effectiveness of this registration program and report to the City Council on the same.

..end

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Approved as to form:

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Bret Kassen  
Associate City Attorney

**No Fact Sheet  
Provided for  
Ordinance No.**

**230268**





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**File #: 221085**

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RESOLUTION NO. 221085

Sponsors: Councilmembers Katheryn Shields and Eric Bunch

RESOLUTION - Determining the compliance of the Union Hill “353” Redevelopment Project located south of Union Cemetery, and north of E. 31st Street, between Main Street on the west and Gillham Road on the east, and authorizing issuance of a Certificate of Completion to the Phoenix Redevelopment Corporation for the Union Hill Redevelopment Project.

WHEREAS, the City Council passed Ordinance No. 52129 on November 20, 1980, which approved the development plan submitted by Union Hill Redevelopment Corporation (“UHRC”) for the redevelopment of that area generally located south of Union Cemetery, and north of E. 31st Street, between Main Street on the west and Gillham Road on the east; and

WHEREAS, on December 16, 1980 the UHRC was designated as the Developer of the Union Hill Redevelopment Plan (the “Plan”); and

WHEREAS, UHRC amended the Plan three times, October 20, 1983 by Ordinance No. 55680, November 21, 1985 by Ordinance No. 58712, and May 1, 1987 by Ordinance No. 60879; and

WHEREAS, UHRC assigned that portion of the Plan known as “The Residence Inn Tract,” which was approved by Ordinance No. 61307, passed August 6, 1987; and

WHEREAS, UHRC assigned the remaining interest in rights under the Plan to the Phoenix Redevelopment Corporation (“Phoenix”), which was approved by Ordinance No. 61877, as amended, passed December 17, 1987; and

WHEREAS, Phoenix’s Amended and Restated Plan was approved by Ordinance No. 63243, passed November 3, 1988; and

WHEREAS, on January 6, 1989 Phoenix and the City entered into the Fourth Supplemental Contract designating Phoenix as the manager of the Amended and Restated Plan; and

WHEREAS, Phoenix submitted its First Amendment to the Amended and Restated Plan September 27, 1999, which was approved March 27, 2003 by Ordinance No. 030254; and

WHEREAS, on March 27, 2003 the City also approved a District URD Plan for approximately 52 acres that included the Union Hill Redevelopment Plan area; and

WHEREAS, on April 24, 2013 the City Planning and Development Department administratively approved an amendment to the URD Plan and the Amended 353 Plan for “The Founders Phase II” including 2980 Gillham (McGee Bldg.), 3000 Gillham (Campbell Bldg.), 3020 Gillham (McCoy Bldg.), 230 E. 30th Street (Taylor Bldg.), 300 E. 30th Street (Ragan Bldg.), 109 E. 30th Street, 111 E. 30th Street, 114 E. 30th Street., 3010 McGee Street, 3012 McGee Street, 3014 McGee Street, 3005 McGee Street, 3015 McGee Street, 3017 McGee Street, 3019 McGee Street, 3021 McGee Street, 3008 DeGroff Way, 3012 DeGroff Way; and

WHEREAS, Phoenix has requested a Certificate of Completion for Phoenix’s Amended and Restated Plan for the project area, pursuant to Section 36.11(d) of the Code of Ordinances in effect at all times the Plan was adopted and amended; and

WHEREAS, the project proposed the redevelopment of real property within the Union Hill Amended and Restated Redevelopment Plan (“Amended Plan”) in three phases, each with a separate time for completion of construction, as set forth in the Amended Plan; and

WHEREAS, Phoenix’s Robert Frye, who has planned, designed and managed Phoenix’s project since 1988, has certified that the improvements have been completed in compliance with the approved Amended Plan; and

WHEREAS, on \_\_\_\_\_, the City Plan Commission reviewed the Amended Plan and determined that the construction proposed by the Amended Plan for the Union Hill Redevelopment Project has been substantially accomplished and has recommended the City Council authorize the issuance of a Certificate of Full Completion to Phoenix Redevelopment Corporation for the project; NOW, THEREFORE,

**BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:**

Section A. That the Council finds and determines that the projects proposed by the Amended Union Hill Redevelopment Plan have been completed and that the construction follows the Amended Plan.

Section B. That the Council hereby authorizes the Director of the Department of City Development to issue a Certificate of Full Completion to Phoenix Redevelopment Corporation pursuant to the terms and conditions of the development plan and redevelopment contract and pursuant to Section 36.11(d), Code of Ordinances of the City of Kansas City, Missouri, for the project known as the Union Hill Redevelopment Project.

..end



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Planning

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Determining the compliance of the Union Hill “353” Redevelopment Project and authorizing issuance of a Certificate of Completion to the Phoenix Redevelopment Corporation for the Union Hill Redevelopment Project..

### Discussion

Determining the compliance of the Union Hill “353” Redevelopment Project located south of Union Cemetery, and north of E. 31st Street, between Main Street on the west and Gillham Road on the east, and authorizing issuance of a Certificate of Completion to the Phoenix Redevelopment Corporation for the Union Hill Redevelopment Project. There is no fiscal impact associated with this resolution.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

NO



# City of Kansas City, Missouri

## Docket Memo

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Infrastructure and Accessibility (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Enhance the City's connectivity, resiliency, and equity through a safe, efficient, convenient, inclusive, accessible, sustainable and better connected multi-modal transportation system
- Develop environmentally sound and sustainable infrastructure strategies that improve quality of life and foster economic growth
- Increase and support local workforce development and minority, women, and locally-owned businesses
- Engage in efforts to strategically invest in the City's infrastructure and explore emerging technologies
- 
- 

### Prior Legislation

Ordinance No. 52129 (1980); Ordinance No. 55680 (1983); Ordinance No. 58712 (1985); Ordinance No. 60879 (1987); Ordinance No. 61307 (1987); Ordinance No. 61877 (1987); Ordinance No. 63243 (1988); Ordinance No. 030254 (2003)

### Service Level Impacts



# City of Kansas City, Missouri

## Docket Memo

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts

1. What will be the potential health impacts to any affected groups?  
N/A
2. How have those groups been engaged and involved in the development of this ordinance?  
N/A
3. How does this legislation contribute to a sustainable Kansas City?  
N/A
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
N/A
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
N/A



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**File #: 230189**

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ORDINANCE NO. 230189

Sponsor: Councilmember Melissa Robinson

Amending the Code of Ordinances by creating a new Chapter 37 entitled “Health in All Policies,” consisting of Sections 37-1 through 37-5, to create a Health in All Policies Interdepartmental Task Force that will be a collaborative approach to improving the health of all people by incorporating health, sustainability, and equity considerations into decision-making across various sectors and policy areas. **\*\*Item will be held until April 5, 2023\*\***

WHEREAS, the health and well-being of the residents of City of Kansas City is critical for a prosperous and sustainable City.

WHEREAS, the social determinants of health affect chronic disease rates, mental illness, injuries caused by accidents and violence, and also influence the adoption of healthy lifestyles by making it more or less difficult for individuals to choose behaviors that either promote or diminish health; and

WHEREAS, policies implemented by City departments outside of the traditional health sector significantly affect the social determinants of health, including policies related to food access, housing, transportation, public safety, education, sustainability, climate change, parks, air and water quality, criminal justice, and economic development; and

WHEREAS, interagency collaboration can lead to improved decision-making and outcomes and greater efficiencies in service delivery; and

WHEREAS, addressing the social determinants of health can lead to reduced health care costs; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. Amending the Code of Ordinances by creating a new Chapter 37 entitled “Health in All Policies,” consisting of Sections 37-1 through 37-5, that recognizes that all departments have a role to play in improving health outcomes and reducing health inequities, said sections to read as follows:

**Sec. 37-1. Title.**

This Chapter shall be known as the “Health in All Policies,” and will be referred to herein as “this chapter.”

**Sec. 37-2. Definitions.**

The following words and phrases, whenever used in this chapter, shall have the meanings defined in this section:

(a) “*Health equity*” means the attainment of the highest level of health for all people. Achieving health equity requires valuing everyone equally with focused and ongoing societal efforts to address avoidable inequalities, historical and contemporary injustices, and the elimination of health and healthcare disparities.

(b) “*Health in All Policies*” means a collaborative approach to improving the health of all people by incorporating health, sustainability, and equity considerations into decision-making across sectors and policy areas.

(c) “*Health inequities*” means differences in health associated with individual or group specific attributes (e.g. income, education, or race/ethnicity) that are connected to social disadvantage, historical, and contemporary injustices, and which can be minimized through changes to policy, programs, and practices.

(d) “*Social determinants of health*” means those conditions in the environments in which people are born, live, learn, work, play, worship, and age.

**Sec. 37-3. Purpose.**

In order to eliminate health inequities and attain health equity, it shall be the policy of the City to apply a Health in All Policies approach and health equity practices to the City’s decision-making, including policy development and implementation, budgeting, and delivery of services.

**Sec. 37-4. Health Framework.**

The City shall use the following framework to measure health equity and improve the health of our community:

(a) The City of Kansas City meets the basic health needs of residents as measured by the availability of the following:

- (1) Affordable, accessible, and nutritious foods;
- (2) Safe, drinkable water;
- (3) Affordable, safe, and healthy housing;
- (4) Access to affordable and safe opportunities for physical activity; and

- (5) Affordable, accessible, and high-quality health care, including mental health and substance abuse prevention and treatment.

(b) The City of Kansas City residents live in a healthy, sustainable and equitable environment as measured by the availability of the following:

- (1) Clean air, soil, and water;
- (2) Parks and open spaces, including agricultural lands;
- (3) Affordable and sustainable energy sources;
- (4) Accessible-built environments that promote health and safety through a mix of land uses;
- (5) Active transportation enabling safe travel for people walking, biking, driving, and taking transit;
- (6) Safe and socially cohesive neighborhoods;
- (7) Job opportunities for all residents;
- (8) A thriving economy; and
- (9) Opportunities for high-quality and accessible early childhood education, primary and secondary education, and higher education.

**Sec. 37-5. Health in All Policies Interdepartmental Task Force.**

(a) There is hereby established a Health in All Policies Interdepartmental Task Force for the implementation of this chapter.

(b) The Kansas City Health Department shall lead the Task Force. All City department offices and officials shall fully cooperate with the Health Department and members of the Task Force in meeting the provisions and purposes of this chapter.

(c) *Task Force Composition.* The Task Force shall be composed of the directors or their designees of the following departments: City Manager's Office, Civil Rights and Equal Opportunity, Finance, Housing and Community Development, General Services, Parks and Recreation, Planning, Public Works, Human Resources, Neighborhoods, Aviation, Water Services, Auditor's Office, Convention and Entertainment Facilities, Law, Municipal Court and Fire. The City shall encourage and welcome the Kansas City, Missouri Police Department to participate on the Task Force.



(d) The Task Force is authorized to establish subcommittees of stakeholders as needed to assist in developing the Strategic Plan.

(e) *Task Force Duties.*

- (1) The Task Force shall engage the community in carrying out its duties by systematically gathering broad input from stakeholders, including community members, the Health Commission, policy experts, the health care community, the school districts, community-based organizations, members of the private sector, and philanthropists to identify and assist the City in addressing areas of health inequities, support the Community Health Improvement Plan and ensure that multiple perspectives are understood, considered, and reflected in decisions to achieve health equity.
- (2) *Strategic Plan.* The Task Force shall Develop a Strategic Plan to integrate a Health in All Policies approach into City decisions and operations and provide the Strategic Plan to the City Council by December 1, 2023. Once the Task Force has developed the Strategic Plan, they shall lead the City's implementation of the Strategic Plan. The Strategic Plan shall do the following:
  - (a) incorporate Community Health Improvement Plan baseline data, demographic, and environmental data relevant to the City's health framework, and identify existing health inequities;
  - (b) identify health equity indicators and targets for each department to measure progress;
  - (c) identify the analytical tools needed to assist departments in identifying the health impacts of policies;
  - (d) identify barriers to and opportunities for interdepartmental cooperation;
  - (e) identify the need for and sources of funding to implement the Health in All Policies approach;
  - (f) recommend changes to laws, regulations, policies, or procedures to eliminate barriers to interdepartmental cooperation and implement a Health in All Policies approach; and
  - (g) recommend changes to training for City officials and employees to integrate a Health in All Policies approach into City's decision-making, operations, financial allocations, and delivery of services.
- (3) The Task Force shall oversee the development of analytical tools needed to collect data and analyze the health impacts of policies.

- (4) The Task Force shall oversee training for City officials and employees.
- (f) *Bi-Annual Report.*
  - (1) The Task Force shall prepare and provide to the City Council a bi-annual report on: 1) the status of health and health equity in City; 2) progress in implementing the Strategic Plan; 3) any changes to the Strategic Plan; and 4) any new recommendations for changes to laws, regulations, policies, or procedures, to ensure that this chapter is fully implemented and that departments consider short-term and long-term economic, social, economic, or other consequences when making decisions.
  - (2) Each department or office identified in the Strategic Plan shall report to the Task Force on a bi-annual basis the status of health equity indicators and its progress in meeting its health equity benchmarks.
  - (3) The Task Force shall ensure ongoing community engagement in developing the bi-annual report

..end

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Approved as to form:

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Joseph A. Guarino  
Senior Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Amending the Code of Ordinances by creating a new Chapter 37 entitled “Health in All Policies,” consisting of Sections 37-1 through 37-5, to create a Health in All Policies Interdepartmental Task Force that will be a collaborative approach to improving the health of all people by incorporating health, sustainability, and equity considerations into decision-making across various sectors and policy areas.

### Discussion

Click or tap here to provide [more detailed information and analysis](#) on this topic.

### Fiscal Impact

- 1. Is this legislation included in the adopted budget?  Yes  No
- 2. What is the funding source?  
N/A
- 3. How does the legislation affect the current fiscal year?  
N/A
- 4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
N/A
- 5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

# City of Kansas City, Missouri



## Docket Memo

1. This legislation is supported by the general fund.  Yes  No
2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

Click or tap here to list prior related ordinances/resolutions.

### Service Level Impacts

Click or tap here to provide a description of how this ordinance will impact service levels. List any related key performance indicators and impact.

### Other Impacts

1. What will be the potential health impacts to any affected groups?

# City of Kansas City, Missouri



## Docket Memo

Click or tap here to enter text.

2. How have those groups been engaged and involved in the development of this ordinance?

Click or tap here to enter text.

3. How does this legislation contribute to a sustainable Kansas City?

Click or tap here to enter text.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Click or tap here to enter text.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Click or tap here to enter text.



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**File #: 230198**

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ORDINANCE NO. 230198

Sponsor: Director of City Planning and Development Department

Rezoning an area of about 0.98 acres generally located at 400 Main street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), and approving a development plan that also serves as a preliminary plat. (CD-CPC-2022-00174)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY;

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 80-20A-1373 rezoning an area of about 0.98 acres located at 400 Main Street from District UR (Urban Redevelopment) to District UR (Urban Redevelopment) said section to read as follows:

Section 80-20A-1373, That an area legally described as:

All of Lots 165 through 169, Block 17, Old Town, a subdivision in Kansas City, Jackson County, Missouri.

is hereby rezoned from District UR (Urban Redevelopment) to District UR (Urban Redevelopment), all as shown outlined on a map marked Section 80-20A-1373, which is attached hereto and made a part hereof, and which is hereby adopted as part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. That a development plan is hereby approved subject to the following conditions:

1. The proposed development is located in an area where the Charles B. Wheeler Downtown Airport (MKC) height zoning restrictions apply. No structure in this area should be constructed which exceeds these restrictions. Given the potential height and proximity of this plan to MKC, the proposed development will exceed FAR Part 77, Objects Affecting Navigable Airspace, standards. The proponent/developer has filed an on-line Form 7460-1, Notice of Proposed Construction or Alteration, for permanent vertical improvements or new structures and shall receive a Determination of No Hazard to Air Navigation from the FAA. Temporary cranes used for construction activities extending higher than the proposed top elevation of the building will need to be evaluated for

compliance with FAR Part 77 standards as well. The FAA's Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) website can be accessed at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>. Aviation recommends the proponent/developer provide the FAA with a 1A survey accuracy statement assuming the highest horizontal and vertical tolerance was used for this design. This information certifies the ground elevations the developer has portrayed within the plans are to higher level of accuracy. Per OEAAA, if this accuracy statement is not provided, an adjustment commensurate with a 50 foot vertical buffer is applied to the development. This information can be referenced at: <https://oeaaa.faa.gov/oeaaa/external/content/surveyAccuracy.jsp> The proponent/developer is recommended to comply with Chapters 3, 4, and 5 of FAA Advisory Circular (AC) 70/7460-1, Obstruction Marking and Lighting, as amended. KCAD is actively working with the FAA to address airspace restrictions in the River Market that will allow vertical development while at the same time ensuring airspace surfaces are maintained according to FAA criteria.

2. The developer shall continue to work with staff to find opportunities to activate 5th Street and provide alternatives that will allow for the construction materials to better match the character of the neighborhood prior to submittal of the final UR plan.
3. That the developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
4. The developer shall provide a lighting plan in compliance with Section 88-430 of the Code at the time of UR final plan.
5. The developer shall continue to work with the Public Works Department and the Kansas City Streetcar Authority regarding the redesign of inlets serving Main Street and 5th Street to ensure adequate drainage is provided to maintain streetcar operations.
6. The developer shall submit a detailed list of landscaping materials with the submittal of the UR final plan. Staff is strongly encouraging the developer provide native vegetation throughout the site.
7. The developer shall meet the requirements in Section 88-420-17-B-4 regarding no idle or idle free zone signage in all off-street loading zones.
8. The developer shall include an alternative compliance plan sheet providing alternatives for the required screening of the mechanical equipment located in the alley (on the west side of the building) at the time of UR final plan.

9. The developer shall secure approval of a UR final plan from the Development Management Division staff prior to a building permit.
10. That all signage shall conform to 88-445 and shall require a sign permit prior to installation.
11. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
12. The plan is revised to show short-term bicycle parking as required of 88-420-09. The developer is missing two short term bicycle parking spaces on the site plan, the missing spaces shall be included on the final UR plan.
13. The developer shall submit plans showing compliance with the lighting requirements listed in Section 88-420-15-D at the time of final UR plan.
14. The developer shall continue to work with the Public Works Department and the Kansas City Streetcar Authority regarding the KC Streetcar Overhead Contact System (OCS) for the streetcar.
15. The developer shall continue to work with staff to provide alternatives to the vast areas of blank concrete proposed for the first couple floors of the building. Alternatives shall be submitted at the time of UR final plan submittal.
16. The developer shall submit verification of vertical and horizontal sight distance for the drive connection to public right-of-way to the Land Development Division and make improvements to ensure local jurisdiction and/or minimum AASHTO adequate sight distance standards are met, prior to issuance of any certificate of occupancy.
17. The developer shall submit plans to the Land Development Division and obtain permits to construct sidewalks along the platted frontage, as shown on the approved street plans and to a tie-in point with the existing sidewalks and construct associated ADA ramps at the proposed entrance drives as necessary for the type of drive approach.
18. The developer shall integrate into the existing streetlight system any relocated streetlights within the street right-of-way impacted by the new drive or approach entrances as required by the Land Development Division, and the relocated lights must comply with all adopted lighting standards.
19. The developer shall submit an analysis to verify adequate capacity of the existing sewer system as required by the Land Development Division prior to issuance of a building permit to connect the private system to the public sewer main and



depending on adequacy of the receiving system, make other improvements as may be required.

20. The developer shall submit plans for grading, siltation, and erosion control to the Land Development Division for review and acceptance, and secure a site disturbance permit for any proposed disturbance area equal to one acre or more prior to beginning any construction activities.
21. The developer shall request the Land Development Division to initiate an ordinance to establish or re-establish the grade on existing streets that are being improved where existing grades change by more than 6 inches and the grades have been previously established.
22. The developer shall cause the area to be platted and processed in accordance with Chapter 88, Code of Ordinances of the City of Kansas City, Missouri.
23. The developer shall design and construct all interior public streets to City standards, as required by Chapter 88 and the Land Development Division, including curb, gutter, storm sewers, streetlights, and sidewalks.
24. The developer shall submit a storm drainage analysis from a Missouri-licensed civil engineer to the Land Development Division evaluating proposed improvements and impact to drainage conditions. Since this project is within a "Combined Sewer Overflow" (CSO) district, the project shall be designed to retain rainfall of 1.5 inch depth over the entire site to simulate natural runoff conditions and reduce small storm discharge to the combined sewer system and manage the 10-year storm and 100-year storm per currently adopted APWA standards. The analysis shall be submitted, and the developer shall secure permits to construct any improvements required by the Land Development Division prior to recording the plat.
25. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
26. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
27. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
28. Required Fire Department access roads shall be an all-weather surface (IFC-2012: § 503.2.3) and all Fire Department access roads shall be provided prior to construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 §7.5.5) Required Fire Department access roads shall be designed to

- support a fire apparatus with gross axle weight of 85,000 pounds (IFC-2018: § 503.2.3) and shall provide fire lane signage on fire access drives.
29. The fire access lane from 3rd Street is allowed to be 18' 8", the fire access lane shall be marked with signage and striping.
  30. The proposed building shall have a Fire Department access road within 150 feet of any exterior portion of the structure. (IFC-2018: § 503.1.1)
  31. New buildings shall have approved radio coverage for emergency responders within the building based on the existing coverage levels of the public safety communication systems utilized by the jurisdiction, measured at the exterior of the building. This section shall not require improvement of the existing public safety communication systems. (IFC 2018 510.1) and (NFPA1221)
  32. Buildings which have an occupiable floor greater than 75 feet above grade shall meet high-rise requirements.
  33. In buildings required to have standpipes by Section 905.3.1, not less than one standpipe shall be provided for use during construction. Such standpipes shall be installed prior to construction exceeding 40 feet (12 192mm) in height above the lowest level of Fire Department vehicle access. Such standpipes shall be provided with Fire Department hose connections at locations adjacent to stairways complying with Section 3311.1. As construction progresses, such standpipes shall be extended to within one floor of the highest point of construction having secured decking or flooring. (IFC-2018 3313.1)
  34. The developer has indicated a payment of cash-in-lieu to satisfy the parkland dedication requirements of 88-408. The amount due shall be based upon the (2022) acquisition rate of (\$64,220.18) per acre. This requirement shall be satisfied prior to a certificate of occupancy.
  35. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
  36. The developer shall ensure that water and fire service lines should meet current Water Services Department rules and regulations prior to a certificate of occupancy.
  37. The developer shall submit water main extension drawings for a new fire hydrant prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations. [Limiting planters near water mains to 6" x 4' curbs and short fences.]

A copy of said development plan is on file in the office of the City Clerk with this ordinance and is made a part hereof.

Section C. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning and Development Code have been given and had.

..end

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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.

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney

# City of Kansas City, Missouri



Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

## Executive Summary

The applicant is seeking approval of a rezoning from district Urban Redevelopment (UR) to district Urban Redevelopment (UR) to approve a development plan acting as a preliminary plat.

## Discussion

The proposed development will have 300 residential units, amenities, ground level retail/office space, and 307 parking spaces including street parking and public parking. The developer is proposing 15% of the units will be affordable. Currently, the project does not have FAA approval regarding the height. There will be pedestrian connections to neighboring developments that ensure pedestrian safety. The development ensures safe and efficient vehicular access. During the City Plan Commission meeting, public testimony and the Commissioner's expressed concern regarding the lack of parking that is being provided by the developer. The motion to recommend denial was passed 4:3.

## Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

NA

3. How does the legislation affect the current fiscal year?

NA

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

NA

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

NA



# City of Kansas City, Missouri

## Docket Memo

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

NA

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

See CPC Staff Report

### Service Level Impacts

See CPC Staff Report.

### Other Impacts

# City of Kansas City, Missouri

## Docket Memo



1. What will be the potential health impacts to any affected groups?  
NA
2. How have those groups been engaged and involved in the development of this ordinance?  
NA
3. How does this legislation contribute to a sustainable Kansas City?  
The development proposes dense residential units with a focus on varying modes of transportation.
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
NA
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
NA

**Civil Rights & Equal Opportunity Department  
Economic Equity & Inclusion  
Small Local Business Enterprise (SLBE) Contract Review Request**

**Date:** 1/25/2023  
**Form Prepared By:** Karen Wang

Contract/Project Number: EV3065	Project Name: Community Land Trust (CLT) Services RFP
Estimated Cost <sup>1</sup> : 155,000	Project Manager: Kyle Elliot

Funding:  City  State  Federal  CO-OP  Grant:  Other:

Prevailing Wage:  Yes  No

Davis-Bacon:  Yes  No

Presenting to Council<sup>1</sup>:  Yes  No

Public Works Sidewalk Project:  Yes  No

Water Services Department Engineering Professional Services (SLBE-WSDEPS) Project:  Yes  No

Estimated Number of Project Days: 4 year	Anticipated Solicitation Date: as soon as possible
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Contract Type:

Construction  Design-Build  Design Professional  Professional Services

General Service  Concession  Other Goods & Services  Non-Municipal Agency

Co-Operative  Revenue Sharing  Facilities Maintenance/Repair/Renovation

Other:

**Description of Contract (Provide Details):**

The consultant selected for this RFP will be performing tasks on behalf of the City of Kansas City, MO, by analyzing Community Land Trust (CLT) models that best meet the City's requirements. The consultant will research CLT's from other cities and from neighborhoods within Kansas City and recommend which CLT model will work for the City of Kansas City. The consultant's report will include the type of governance structure for a City of Kansas City CLT and a 12-month startup strategy, a three-year business plan and an action specific implementation plan with details on time, cost and responsible actors defined. The selected supplier will not be eligible to provide any services for the selected CLT model.

Pursuant to RSMo. Section 610.021(11) & (12) documents related to bids will not be made available until bids are completed.

**This document is submitted with all available facts. Intentionally falsifying this document or omitting pertinent facts is grounds for disciplinary action pursuant to KCMO Human Resources Rules & Policy Manual (eff. August 4, 2014).**

**FOR CIVIL RIGHTS & EQUAL OPPORTUNITY DEPARTMENT (CREO) USE ONLY:**

SLBE Limited Solicitation

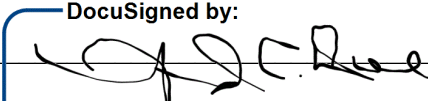
10% Pre-Payment<sup>2</sup>

5% Bid Incentive<sup>3</sup>

Exempt  Waiver Approved  Waiver Denied  N/A

Reason for Waiver:

**Electronic Record?**  Yes  No

CREO Signature:  Date: 2/17/2023

**FOR DEPARTMENT USE ONLY - CONTRACOR INFORMATION**  
Enter selected firm below and return a copy of this page to CREO KC.

Company:	Contact:
Address:	Phone Number:
Contract Value:	Vendor No.

Department Signature: \_\_\_\_\_ Date: \_\_\_\_\_

1 Construction or construction supply contract estimated less than \$300,000 or non-construction contract less than \$160,000.  
2 Pre-Payment of up to 10% of the contract amount to be paid by City upon NTP as set out in the contract documents.  
3 Bid Incentive not to exceed 5% and not applicable to any contract requiring the payment of prevailing wages.









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**File #: 230200**

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RESOLUTION NO. 230200

Sponsor: Councilmember Melissa Robinson

RESOLUTION - Directing the City Manager to develop a Citywide Doula Initiative and report back to the Council in 45 days. **\*\*Item will be held until April 5, 2023\*\***

WHEREAS, Doulas provide physical and emotional support during pregnancy and childbirth, which helps lower the risk of complications during childbirth for the parent and the infant; and

WHEREAS, Studies show that doulas can reduce preterm births and low birthweights, which are the leading causes of infant mortality and rates of cesarean birth and medical pain management also improve with doula support; and

WHEREAS, the plan will aim to train doulas and reach a defined number of families annually; and

WHEREAS, families who enroll in the program should receive doula support both at home, in community settings and/or in the clinical setting, with three prenatal visits, support during labor and delivery, and four postpartum visits; and

WHEREAS, clients who give birth at home should receive the same number of visits. The program should include screening and referrals for family needs and stressors, such as food insecurity, transportation barrier, housing insecurity and other social determinates of health; and

WHEREAS, the model of care should be consistent across the city, and uniform data should be collected for a rigorous evaluation of the doula services provided through this initiative.

The Citywide Doula Initiative aims to focus services in three main categories:

- Providing equitable care — Doulas should not be limited to but target eligible residents where the greatest episodes of infant and maternal mortality exist as identified by the Health Commission and the Fetal Infant Mortality Review Board. Priority will be given to people who are income-eligible for Medicaid and/or are giving birth for the first time (or the first time in over 10 years), as well as those who have had a previous traumatic birth experience, have no other labor support, live in a shelter, are in foster care, or have a high-risk medical condition.

- Expanding the doula workforce — To increase capacity, The Kansas City Health Department is aiming to train a defined number of community members as doulas annually and provide additional opportunities for professional development. The Health Department will also help uncertified doulas become certified; the report should identify a target goal for how many uncertified doulas are expected to take advantage of this opportunity.
- Creating partnerships with hospitals and Federally Qualified Health Centers — The initiative will strengthen Health Department’s work with hospitals, to create doula-friendly hospital policies and practices and increases provider referrals to doula services. Staff will also collaborate with community-based, governmental, and health care partners to advocate for system-level change; and

WHEREAS, the initiative will integrate community-based doula organizations that serve clients in at-risk neighborhoods around the city — bringing additional funding to expand their services, build the capacity of their doula workforces, and partner with hospitals; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF KANSAS CITY:

Directing the City Manager to develop a Citywide Doula Initiative and report back to the Council in 45 days.

..end

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# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: City Manager's Office

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

Directing the City Manager to develop a Citywide Doula Initiative and report back to the Council in 45 days.

### Discussion

There is no direct fiscal impact.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

N/A

3. How does the legislation affect the current fiscal year?

N/A

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

N/A

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

N/A

### Office of Management and Budget Review

(OMB Staff will complete this section.)

1. This legislation is supported by the general fund.  Yes  No



# City of Kansas City, Missouri

## Docket Memo

2. This fund has a structural imbalance.

Yes  No

### Additional Discussion (if needed)

N/A

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

N/A

### Service Level Impacts

N/A

### Other Impacts

1. What will be the potential health impacts to any affected groups?

N/A



# City of Kansas City, Missouri

## Docket Memo

2. How have those groups been engaged and involved in the development of this ordinance?

N/A

3. How does this legislation contribute to a sustainable Kansas City?

N/A

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

N/A

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

N/A



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**File #: 230215**

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ORDINANCE NO. 230215

Sponsor: Councilmember Andrea Bough

Amending Chapter 10, Code of Ordinances, by repealing Section 10-106, Extended hours permits, and enacting in lieu thereof a new section of like number and subject matter that redefines the eligible neighbors who are notified and allowed to respond to a sales-by-drink licensee's application for an extended hours permit.

WHEREAS, Section 10-214 requires the City to notify eligible neighbors of various matters concerning licenses for alcoholic beverages, including extended hours permits, and to allow such eligible neighbors to submit a response indicating whether they support or oppose such license or permit; and

WHEREAS, the City reviews responses from eligible neighbors, in accordance with Section 10-214, to determine whether the proposed license or permit cannot be issued because it is likely to interfere with or be detrimental to the rights or interests of the neighboring community; and

WHEREAS, Section 10-106(d) currently states that, for applications for 3:00 a.m. extended hours permits, any property owner is considered to be an eligible neighbor if they are within 1500 feet of the proposed premises; and

WHEREAS, the City's Regulated Industries Division has found that property owners farther away from the site of a proposed extended hours permit express fewer and less serious concerns compared to those property owners in closer proximity to the restaurant or bar seeking such permit; and

WHEREAS, City previously defined eligible neighbors for an extended hours permit at a minimum of 30 eligible voters within 500 feet of the proposed permit site, and increased the radius by segments of 100 feet not to exceed 1,500 feet until a minimum of 30 eligible voters were found; and

WHEREAS, City's Regulated Industries Division believes that a return to the previous definition of eligible neighbors for extended hours permits would be more effective in targeting responses from property owners who would more readily face the potential impacts of such permits; and NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 10, Code of Ordinances of Kansas City, Missouri, is hereby amended by repealing Section 10-106, Extended hours permits, and enacting in lieu thereof a new section of like number and subject matter, to read as follows:

**Sec. 10-106. Extended hours permits.**

(a) *Convention trade area 3:00 a.m. closing permit—Eligibility.*

(1) A convention trade area 3:00 a.m. closing permit, authorized by RSMo § 311.174, authorizes the licensee who holds a section 10-102, 10-103, 10-134 or 10-135 sales-by-drink license to remain open between 1:30 a.m. and 3:00 a.m., if they meet the location requirement outlined in section 10-212, and:

- a. The applicant's business is located within the convention trade area. Pursuant to RSMo § 311.174, the city's convention trade area is hereby designated as all that territory within the corporate limits of the city; and
- b. The director determines that the extended hours permit is not likely to interfere with or be detrimental to the rights or interests of the neighboring community, pursuant to section 10-212; and either
- c. The applicant's business is a convention hotel or motel, defined as any structure, or building, under one management, which contains rooms furnished for the accommodation or lodging of guests, with or without meals being so provided, and kept, used, maintained, advertised or held out to the public as a place where sleeping accommodations are sought for pay or compensation by transient guests or permanent guests, and having more than 100 bedrooms furnished for the accommodation of such guests, provided that a hotel or motel with less than 100 bedrooms furnished for accommodation that has a current convention trade area 3:00 a.m. closing permit which is located more than 1.5 drivable miles from a convention hotel or motel will be allowed to maintain its convention trade area 3:00 a.m. closing permit as long as all other requirements of this chapter have been met; or
- d. The applicant's annual gross sales at said business for the year immediately preceding the application for a 3:00 a.m. closing permit equals \$125,000.00 or more; provided, however, that the director may waive the foregoing gross sales requirement for a business located in the downtown economic entertainment district if requested by the applicant and the request is supported by documentation that the business should produce annual gross sales equal to \$125,000.00 or more.

(2) Package sales. No retail licensee holding a convention trade area 3:00 a.m. closing permit pursuant to this section, nor employee of the licensee, shall sell, give away, otherwise dispose of or allow the removal from the licensed premises any alcoholic beverages in the original package or suffer the same to be done on or about the licensed premises between the hours of 1:30 a.m. and 6:00 a.m.

- (3) Notwithstanding the limitations contained in this section, the director may waive the gross sales requirement for an establishment that held a convention trade area 3:00 a.m. closing permit in the year immediately prior, if the applicant provides documentation that the licensed establishment was closed or had reduced sales in the year immediately prior because of an event or occurrence outside of the control of the applicant that resulted in a state of emergency lasting more than two weeks, as declared by the Mayor or governor of Missouri.

(b) *Temporary 3:00 a.m. closing permit—Eligibility.*

- (1) A temporary 3:00 a.m. closing permit, authorized by RSMo § 311.088, authorizes the licensee who holds a section 10-102, 10-103, 10-134 or 10-135 sales-by-drink license to remain open between 1:30 am. and 3:00 a.m. within one 24-hour period if they meet the location requirements as outlined in section 10-212.
- (2) *Package sales.* No retail licensee holding a temporary 3:00 a.m. closing permit pursuant to this section, nor employee of the licensee, shall sell, give away, otherwise dispose of or allow the removal from the licensed premises any alcoholic beverages in the original package or suffer the same to be done on or about the licensed premises between the hours of 1:30 a.m. and 6:00 a.m.

(c) *Nonprofit organization 6:00 a.m. closing permit—Eligibility.*

- (1) A nonprofit organization 6:00 a.m. closing permit authorized by RSMo § 311.174 authorizes a licensee who holds a section 10-102, 10-103, 10-134 or 10-135 sales-by-drink license to remain open between 1:30 a.m. and 6:00 a.m., if they meet the location requirements as outlined in section 10-212., and:
- a. The applicant is a nonprofit organization exempt from federal income taxes under section 501(C)(7) of the Internal Revenue Code of 1986 as amended; and
  - b. The applicant is located in a building designated as a National Historic Landmark by the United States Department of Interior; and
  - c. The applicant's business is located within the convention trade area. Pursuant to RSMo § 311.174, the city's convention trade area is hereby designated as all that territory within the corporate limits of the city.

(d) For applications for 3:00 a.m. closing permits, the eligible neighbors under sections 10-212 and 10-214 shall be a minimum of 30 property parcels that are wholly within or intersected by a radius of 500 feet from the proposed premises, and, for any premises that does not either intersect or include the boundaries of a minimum of 30 property parcels within a radius of 500 feet, the radius will be increased by segments of 100 feet not to exceed 1,500 feet until the premises is intersected by or within the boundaries of a minimum of 30 property parcels.  
..end



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Approved as to form:

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Bret Kassen  
Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

This proposed change redefines the eligible neighbors who are notified and allowed to respond to a sales-by-drink licensee’s application for an extended hours permit in order to obtain information from those property owners who would be most greatly impacted by such permits.

### Discussion

The City’s Regulated Industries Division has found that property owners farther away from the site of a proposed extended hours permit express fewer and less serious concerns compared to those property owners in closer proximity to the restaurant or bar seeking such permit.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

Not applicable.

3. How does the legislation affect the current fiscal year?

This proposed legislation will not come at a cost.

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

No.

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

No.

### Office of Management and Budget Review

(OMB Staff will complete this section.)



# City of Kansas City, Missouri

## Docket Memo

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation

The City previously defined eligible neighbors for an extended hours permit at a minimum of 30 eligible voters within 500 feet of the proposed permit site, and increased the radius by segments of 100 feet not to exceed 1,500 feet until a minimum of 30 eligible voters were found.

### Service Level Impacts

None.

### Other Impacts

# City of Kansas City, Missouri

## Docket Memo

1. What will be the potential health impacts to any affected groups?

None when compared to the legislation that is currently in place.

2. How have those groups been engaged and involved in the development of this ordinance?

The Alcoholic Beverage Advisory Group unanimously voted to approve the recommendation that the City Council adopt this proposed ordinance. The Alcoholic Beverage Advisory Group is comprised of five representatives from the liquor industry that hold liquor licenses, three representatives from neighborhoods, one representative from the clergy, one attorney representing Kansas City neighborhoods, one attorney who represents at least 5 liquor license holders and one representative of a school district whose borders overlap KansasCity, Missouri.

3. How does this legislation contribute to a sustainable Kansas City?

By improving the extended hours liquor licensing process.

4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?

Yes.

5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?

Click or tap here to enter text.



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**File #: 230232**

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ORDINANCE NO. 230232

Sponsor: Director of City Planning and Development Department

Approving a residential development plan and preliminary plat in Districts B3-3 and R-1.5 for Kimpton Falls on an area of about 49.43 acres generally located south of N.W. Barry Road and along the future extension of Line Creek Parkway. (CD-CPC-2022-00225)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That a development plan and preliminary plat in District B3-3 (Community Business (Dash 3)) and R-1.5 (Residential 1.5) for Kimpton Falls on an area of about 49.43 acres generally located south of N.W. Barry Road and along the future extension of Line Creek Parkway, and more specifically described as follows:

A portion of the Southeast quarter of Section 8 and the Southwest quarter of Section 9, Township 51 North, Range 33 West, in the City of Kansas City, Platte County, Missouri, described as follows: Commencing for reference at the Northwest corner of the Southeast quarter of said Section 8; thence, along the North line of the Southeast quarter of said Section 8, South 88°41'45" East, 2581.38 feet to the Northwest corner of the Southwest quarter of said Section 9; thence, along the West line of the Southwest quarter of said Section 9, South 00°38'46" West, 40.00 feet to a point on the Southerly right-of-way line of NW Barry Road, said point being the true point of beginning; thence, along the Southerly right-of-way line of NW Barry Road, South 89°28'58" East, 1287.04 feet; thence, South 00°39'59" West, 1134.83 feet; thence, South 90°00'00" West, 514.97 feet; thence, North 34°39'26" West, 170.69 feet; thence, South 49°33'58" West, 83.00 feet; thence, North 51°49'32" West, 65.33 feet to the beginning of a tangent curve to the left; thence, Westerly along the arc of last said curve, having a radius of 50.00 feet, through a central angle of 83°13'52", an arc distance of 72.63 feet; thence, South 44°56'36" West, 17.28 feet; thence, North 50°19'18" West, 93.29 feet; thence, South 35°07'33" West, 96.60 feet; thence, North 89°27'47" West, 739.58 feet; thence, South 00°27'34" West, 411.15 feet; thence, North 89°27'43" West, 242.56 feet to a point on the East line of Wau-Linn Cree Addition, a subdivision in the City of Kansas City; thence, along the East line of Wau-Linn Cree Addition, and along the East line of Stoneridge Square 3rd Plat, a subdivision in the City of Kansas City, and along the east line of the property described in the Missouri Special Warranty Deed filed in Book 1376, Page 823, North 00°32'17" East, 1471.34 feet to a point on the South right-of-way line of

N.W. Barry Road; thence, along the South right-of-way line of NW Barry Road, South 88°42'11" East, 630.41 feet to the true point of beginning, prepared by Anne M. Smoke, Missouri PLS 2016019010, on January 6, 2023.

is hereby approved, subject to the following conditions:

1. The developer shall submit an affidavit, prepared by an engineer licensed in the State of Missouri, verifying that all outdoor lighting has been installed in accordance with approved plans and that lighting levels do not exceed that shown on the approved lighting plan at the property lines prior to a certificate of occupancy.
2. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that street trees have been installed in accordance with the approved street tree planting plan and are healthy prior to a certificate of occupancy.
3. The developer shall submit an affidavit, completed by a landscape architect licensed in the State of Missouri, verifying that all landscaping required of the approved plan has been installed in accordance with the plan and is healthy prior to a certificate of occupancy.
4. All signage shall conform to 88-445 and shall require a sign permit prior to installation.
5. The following language shall be placed on the final plat: PRIVATE OPEN SPACE: Tract B contains 11.19 private open space acres which are hereby reserved at the election of the developer in lieu of the required parkland dedication for 420 multi-family units pursuant to Section 88-408-E of the Zoning and Development Code. A total of 5.04 acres are required to satisfy the parkland request for this final plat.
6. The developer shall be granted a waiver to Section 88-405-10-B-2, requiring streets in new subdivisions to connect with dedicated streets in adjacent subdivisions and provide for future extensions of streets into adjacent areas that are likely to be developed in the future.
7. The developer shall be granted a waiver to Section 88-405-07 requiring that sidewalks be provided in accordance with the Department of Public Works' standards, specifications, and design criteria.
8. The developer shall be granted a waiver to Section 88-405-25 to allow for a maximum grade of 8% on Line Creek Parkway.
9. A required Fire Department access road shall be an all-weather surface. (IFC-2012: § 503.2.3) and Fire Department access roads shall be provided prior to

construction/demolition projects begin. (IFC-2018 § 501.4 and 3310.1; NFPA 241-2013 § 7.5.5) Required Fire Department access roads shall be designed to support a fire apparatus with gross axle weight of 85,000 pounds. (IFC-2018: § 503.2.3)

10. Fire hydrant distribution shall follow IFC-2018 Table C102.1 and fire hydrants shall be installed and operable prior to the arrival of any combustible building materials onto the site. (IFC-2018 § 501.4 and 3312.1; NFPA -2013 § 8.7.2)
11. Buildings equipped with a fire standpipe system shall have an operable fire hydrant within 100 feet of the Fire Department Connection (FDC). (IFC2018 § 507.5.1.1)
12. The turning radius for Fire Department access roads shall be 30 feet inside and 50 feet outside radius. (IFC-2018: § 503.2.4)
13. The project shall meet the fire flow requirements as set forth in Appendix B of the International Fire Code 2018. (IFC-2018 § 507.1)
14. Aerial fire apparatus access roads shall be provided for any building that is 30 feet in height or greater. Aerial fire apparatus roads are a minimum 26 feet wide, at least 15 feet away from the building but not more than 30 feet from the structure. (IFC-2018 § D105).
15. The developer shall submit a streetscape plan with street tree planting plan per 88-425-03 for approval and permitting by the Parks and Recreation Department's Forestry Division prior to beginning work in the public right-of-way.
16. The developer shall submit plans to the Parks and Recreation Department and obtain permits prior to beginning construction of the street and streetscape improvements including but not limited to sidewalks, trails, curbs, gutters, streetscape elements, pedestrian and street lighting on the Parks jurisdictional streets and construct improvements, ADA compliant ramps at all required locations where new private drives are being added, or where existing sidewalks are modified or repaired. Such improvements shall be installed per the Parks and Recreation Department standards.
17. The developer shall be responsible for dedication of parkland, private open space in lieu of parkland, or payment of cash-in-lieu of either form of dedication, or any combination thereof in accordance with 88-408. Should the developer choose to pay cash-in-lieu of dedicating all or a portion of the required area, the amount due shall be based upon the 2023 acquisition rate of \$64,220.18 per acre. This requirement shall be satisfied prior to a certificate of occupancy.

18. As per the recommendation from the TIS, please modify the plans at Barry Road and Line Creek Parkway to construct a westbound left-turn lane with a storage length of 200 plus appropriate taper.
19. The developer shall ensure that water and fire service lines should meet current Water Services Department Rules and Regulations prior to a certificate of occupancy.
20. The developer shall submit water main extension drawings prepared by a registered professional engineer in Missouri to the main extension desk for review, acceptance and contracts per the Kansas City Water rules and regulations for water main extensions and relocations. Plans shall include lowering the water main at Barry road, as needed, to meet the 42" minimum cover. Fire Hydrants will be required at 300' max intervals on perimeter streets.
21. The developer shall submit a preliminary stream buffer plan prior to approval of the plan in accordance with the Section 88-415 requirements.
22. The developer shall submit a final stream buffer plan to the Land Development Division for approval prior to issuance of any building permits and obtain permits for the stream buffer prior to removal of any mature riparian species within the buffer zones due to construction activities on the site, in accordance with the Section 88-415 requirements.
23. The developer shall grant on City approved forms, a stream buffer easement to the City, as required by Chapter 88 and the Land Development Division, prior to issuance of any stream buffer permits.
24. The developer shall show the limits of the 100-year floodplain on the final plat and show the Minimum Low Opening Elevation (MLOE) of any structure on each lot that abuts a 100-year floodplain area, including detention basins and engineered surface drainage conveyances, on any plat and plan, as required by the Land Development Division.
25. The developer shall submit covenants, conditions and restrictions to the Land Development Division for approval by the Law Department and enter into covenant agreements for the maintenance of any private open space tracts with stream buffer zones or stormwater detention area tracts, prior to recording the plat.

A copy of said development plan and preliminary plat is on file in the office of the City Clerk with this ordinance and made a part hereof.

Section B. That the Council finds and declares that before taking any action on the proposed amendment hereinabove, all public notices and hearings required by the Zoning Ordinance have been given and had.



..end

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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.

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Secretary, City Plan Commission

Approved as to form:

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Sarah Baxter  
Senior Associate City Attorney



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #

Submitted Department/Preparer: Please Select

Docket memos are required on all ordinances initiated by a Department Director. More information can be found in [Administrative Regulation \(AR\) 4-1](#).

### Executive Summary

The applicant is seeking approval of a residential development plan and preliminary plat for approximately 420 units and associated amenities in districts B3-3 & R-1.5.

### Discussion

The development is proposing 420 residential units, building type 1 will contain 10 units per building and building type 2 will contain 6 units per building. The proposal provides parking for each unit and additional surface parking, safe and efficient pedestrian connections, and safe and efficient access. The development is along the extension of Line Creek Parkway, the buildings along Line Creek Parkway comply with the Boulevard and Parkway Standards.

At the City Plan Commission meeting, the Commissioners discussed various conditions and proposed to remove construction of a 6' sidewalk on the east side of Line Creek Parkway, update plans showing a future 10' wide trail alignment to Line Creek Parkway, providing a street connection to NW 82<sup>nd</sup> Street, providing a 12' drive lane and a 4' bike line on Line Creek Parkway, and correcting language on a plan sheet that was resolved prior to the meeting. Additionally a condition requiring a preliminary stream buffer plan submittal was removed as that was included in the submittal. The Commissioners recommending adding a condition that the developer, KCATA, and city staff discuss future pedestrian access to the bus stop located North of Barry Road. The motion to approve passed 5:0.

### Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No

2. What is the funding source?

NA

3. How does the legislation affect the current fiscal year?

NA

4. Does the legislation have fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.

NA



# City of Kansas City, Missouri

## Docket Memo

5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?

NA

### Office of Management and Budget Review

(OMB Staff will complete this section.)

- 1. This legislation is supported by the general fund.  Yes  No
- 2. This fund has a structural imbalance.  Yes  No

### Additional Discussion (if needed)

Click or tap here to enter text.

### Citywide Business Plan (CWBP) Impact

View the [FY23 Citywide Business Plan](#)

Which CWBP goal is most impacted by this legislation?

Housing and Healthy Communities (Press tab after selecting.)

Which objectives are impacted by this legislation (select all that apply):

- Maintain and increase affordable housing supply to meet the demands of a diverse population
- Broaden the capacity and innovative use of funding sources for affordable housing
- Invest in neighborhood stabilization and revitalization to reduce blight, ensure sustainable housing, and improve the wellbeing of residents while sustaining their diverse cultures
- Ensure all occupants of residences have quality, efficient, and healthy housing with minimal economic or regulatory barriers
- Address the various needs of the City's most vulnerable population
- Utilize planning approaches to improve the City's neighborhoods

### Prior Legislation



# City of Kansas City, Missouri

## Docket Memo

No

### Service Level Impacts

See CPC Staff Report

### Other Impacts

1. What will be the potential health impacts to any affected groups?  
NA
2. How have those groups been engaged and involved in the development of this ordinance?  
NA
3. How does this legislation contribute to a sustainable Kansas City?  
NA
4. Does the ordinance/resolution include Civil Rights antidiscrimination requirements in compliance with the Code of Ordinances (Chapter 38, titled "Civil Rights")?  
NA
5. Has the ordinance/resolution been submitted for review of economic equity & inclusion requirements in compliance with the Code of Ordinances (Chapter 3, titled "Contracts and Leases")?  
NA