

ORDINANCE NO. 190501

Amending Chapter 88, the Zoning & Development Code, through revisions, clarifications, and other administrative changes throughout the chapter in accordance with the Zoning & Development Code periodic review. (CD-CPC-2018-00218)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Sections 88-205-07, Documentation of Overlays, 88-420-06, Parking Ratios, 88-445-07, Signs in Non-Residential Districts (Office, Commercial and Manufacturing), and 88-820-13-B., Exceptions, are hereby repealed and new sections of like number and title are hereby enacted, with said new sections to read as follows:

**88-205-07 - DOCUMENTATION OF OVERLAYS**

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

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

**88-205-07-C.**

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

**88-420-06 PARKING RATIOS**

Except as otherwise expressly stated, off-street parking must be provided in accordance with the following minimum ratios. In lieu of complying with these minimum standards,

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applicants may apply for approval of an alternative compliance parking plan, in accordance with 88-420-15. See also the exemptions reductions and special area standards of 88-420-04. Bicycle parking must be provided in accordance with 88-420-09.

**Table 420-1.**

<b>Parking Ratios</b>	
<b>USE GROUP</b>	
<b>Use</b> » specific use type	<b>Category</b> <b>Minimum Vehicle Parking Ratio</b>
<b>RESIDENTIAL</b>	
<b>Household Living</b>	
» <u>Elderly Housing</u>	1 per 3 dwelling units
» All other	1 per dwelling unit (unless exempted by 88-420-04-M)
<b>Group Living</b>	1 per 4 dwelling units or 1 per 4 beds/sleeping rooms
<b>PUBLIC/CIVIC</b>	
<b>College/University</b>	1 per 4 employees, plus 1 per 10 students
<b>Day Care</b>	
» Home-based (1-5)	None
» All other	1 per 4 employees
<b>Hospital</b>	1 per 3 beds, plus 1 per 4 employees
<b>Library/Cultural Exhibit</b>	2.5 per 1,000 square feet
<b>Park/Recreation</b>	
» Community center	2.5 per 1,000 square feet
» All other park/recreation	per 88-420-08
<b>Religious Assembly</b>	1 per 7 seats in main assembly area
<b>Safety Service</b>	
» Fire station	1 per 4 employees
» Police station	1 per 4 employees
» Ambulance service	1 per 4 employees
<b>School</b>	
» Elementary/Junior High	1 per 4 employees
» Senior High	1 per 4 employees, plus 1 per 15 students
<b>Utilities and Services</b>	
» Basic, minor	None
» All other <u>utilities</u> and services	Per 88-420-08
<b>COMERCIAL</b>	
<b>Adult Business</b>	

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<b>Parking Ratios</b>		
<b>USE GROUP</b>		
<b>Use</b> » specific use type	<b>Category</b>	<b>Minimum Vehicle Parking Ratio</b>
» <u>Adult media store</u>		2.5 per 1,000 square feet
» Adult motion picture theater		1 per 4 seats or person capacity
» Sex shop		2.5 per 1,000 square feet
<b>Animal Service</b>		
» Sales and grooming		2.5 per 1,000 square feet
» Shelter or boarding		2.5 per 1,000 square feet, not including animal pen areas
» Veterinary		2.5 per 1,000 square feet, not including animal pen areas
» Stable		1 per 10 stalls
<b>Artist Work or Sales Space</b>		2.5 per 1,000 square feet of sales space
<b>Building Maintenance Service</b>		1 per 4 employees
<b>Business Equipment Sales and Service</b>		2.5 per 1,000 square feet
<b>Business Support Service</b>		
» Day labor employment agency		per 88-420-08
» Employment agency		2.5 per 1,000 square feet
» All other business support service		2.5 per 1,000 square feet
<b>Communication Service</b>		2.5 per 1,000 square feet
<b>Eating and Drinking Establishments</b>		
» Tavern or nightclub		20 per 1,000 square feet
» uncovered patios or decks		20 per 1,000 square feet
» All other eating/drinking establishments		10 per 1,000 square feet
» uncovered patios or decks		5 per 1,000 square feet
<b>Entertainment and Spectator Sports</b>		1 per 4 seats or person capacity
<b>Financial Services</b>		
» Pawn shop		2.5 per 1,000 square feet
» All other financial services		2.5 per 1,000 square feet
<b>Food and Beverage Retail Sales</b>		2.5 per 1,000 square feet
<b>Funeral and Interment Service</b>		
Cemetery/columbarium/mausoleum	»	per 88-420-08
» Cremating		1 per 4 employees

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

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Parking Ratios		
USE GROUP		
Use » specific use type	Category	Minimum Vehicle Parking Ratio
Warehousing, Freight Movement	Wholesaling,	1 per 4 employees
O T H E R		
Agriculture, Crop		None
Wireless Communication Facility		None

**88-445-07 SIGNS IN NON-RESIDENTIAL DISTRICTS (OFFICE, COMMERCIAL AND MANUFACTURING)**

Signs to identify parking areas allowed by special use permit shall be approved in conjunction with such special use permit, although no sign may exceed 12 square feet in area or 6 feet in height. Such signs may show only the hours in which the parking lot is open and the persons authorized to use the parking area.

The following business advertising signs are permitted in non-residential districts. Signs within the P/O, pedestrian-oriented overlay district must comply with the requirements of 88-445-09.

Sign Type (specific use or location)	Max. Number	Max. Area (sq. feet)	Setback (feet)	Max. Height (feet)	Illumina- tion	Additional Require- ments
<b>Monument Signs</b>						
Development district	2 per entrance; 1 per frontage without entrance	75	10	8	internal or external	88-445-08-A
Individual buildings on parcels of min. 100 feet frontage	1 per street frontage	30	10	6	internal or external	88-445-08-A
Individual buildings on parcels of min. 200 feet	1 per street frontage	50	10	6	internal or external	88-445-08-A

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frontage						
Menu boards for a drive-through or drive-in use	2 per drive-through lane and 1 per drive-in stall	30	10	8	internal or external	88-445-08-A
<b>Oversized Monument Signs</b>						
Properties zoned B3, B4, UR, D, M, SC, and KCIA of minimum 15 acres in area	1 per major street frontage	200	20	24	internal or external	88-445-08-B
Properties zoned B3 and higher of minimum 15 acres in area and adjacent to a limited access highway	1 per major street frontage	300	20	35	internal or external	88-445-08-B
<b>Wall Signs</b>						
Individual buildings with interior tenants (such as Wal-Mart, Target)	3 per building elevation to identify major tenant plus 3 (total) per building elevation to identify subtenants (includes all wall, awning, canopy, projecting, and marquee	subtenant sign may not exceed 12 sq. feet; cumulative total may not exceed 10% of wall area (includes all wall, awning, canopy, projecting			internal or external	88-445-08-C

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	signs)	and marquee signs)				
Tenant(s) in multi-tenant building with exterior entrance (such as strip mall)	3 per tenant per building elevation (includes all wall, awning, canopy, projecting, and marquee signs); end wall may identify max. of 3 tenants within building;	Cumulative total may not exceed 10% of wall area (includes all wall, awning, canopy, projecting and marquee signs)			internal or external	88-445-08-C
Single purpose building (such as car dealership, pad building, gasoline station, office)	3 per elevation (includes all wall, awning, canopy, projecting, and marquee signs)	Cumulative total may not exceed 10% of wall area (includes all wall, awning, canopy, projecting and marquee signs)			internal or external	88-445-08-C

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<b>Projecting Signs</b>						
Individual buildings and tenant in multi-tenant building	1 per building wall (in lieu of 1 wall sign)	12 if perpendicular to building; 40 if installed radially on building corner			internal or external	88-445-08-E
<b>Other Signs</b>						
Roof Signs	1 per building			26 (from top of the highest parapet to the top of the sign)	internal or external	88-445-08-F
Incidental Signs	as required to direct pedestrian and vehicular traffic	6 for commercial; 2 for residential development	10	3 (free-standing); 8 (wall-mounted)	internal or external	88-445-08-G
Sidewalk Signs	1 per business and not closer than 15 feet to another sidewalk sign	10	Must be within 2 ft. of building wall	4 maximum; 2.5 minimum	not allowed	88-445-08-M
Interim Signs to identify a developer or development	1 per 1,000 ft. frontage on interstate highway	300	20	15	external	88-445-08-H
Interim Signs (real estate/	1 per street frontage	32	10	8; 15 if abutting	external	88-445-08-H



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other)				interstate highway		
Special Event Temporary Signs, including Banners	Freestanding: 1 per street frontage Wall: 1 per elevation	Freestanding: 40 Wall: All signage not to exceed 10% of wall area	10	6	not allowed	88-445-08-I
Ornamental Tower Signs	2 per tower; max. 3 towers or structures	10% of wall area (includes awning, canopy, marquee signage)		none	internal or external	88-445-08-J

**88-820-13 BUILDING HEIGHT**

**88-820-13-B. EXCEPTIONS**

**1. PARAPET WALLS AND FALSE MANSARDS**

Parapet walls and false mansards may extend no more than 8½ feet above the height limit.

**2. APPURTENANCES**

Exceptions shall apply to flagpoles, chimneys, cooling towers, electric display signs, elevator bulkheads, belfries, penthouses, finials, gas tanks, grain elevators, stacks, silos, storage towers, observation towers, radio or television antennas and towers, windmills, ornamental towers, monuments, cupolas, domes, spires, standpipes and necessary mechanical appurtenances; which, where permitted, shall be erected to a height in accordance with existing or hereafter adopted ordinances of the city. In R districts, radio or television structures accessory to a residential use, including antenna supports and antennas, may exceed the maximum height permitted by lot and building standards, but shall not exceed 60 feet in height. Height of accessory solar and wind energy systems shall comply with 88-305-09.

**3. AMUSEMENT PARK RIDES, AMUSEMENT ATTRACTIONS OR ROLLER COASTERS**

Height restrictions in any zoning district do not apply to amusement park rides, amusement attractions or roller coasters of any type that are erected in any

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zoning district in which they are allowed, either temporary or permanent, provided that each is set back a distance equal to its height from all property lines.

**4. LIMITATIONS ON ROOFTOP FEATURES IN R DISTRICTS**

- a. Stairway enclosures and elevator penthouses in R districts are allowed to exceed the maximum building height, provided:
  - 1. they are set back at least 20 feet from the front building line, and
  - 2. do not exceed 9 feet in overall height or extend more than 5 feet above the building parapet, whichever results in a lesser height.
- b. Stairway enclosures in R districts may not contain habitable space and may not exceed 170 square feet in area.
- c. Elevator penthouses in R districts may not contain habitable space and may not exceed 465 square feet in area.
- d. Building-mounted solar energy systems may extend up to 3 feet above the applicable maximum height limit for the subject building type, provided they do not extend more than 5 feet above the roof line.

Section B. That new Sections 88-215-02-E, Special Character Districts, PBO and 88-420- 04-M, Single Family or Duplex Structure, are hereby enacted, with said new sections to read as follows:

88-215-02-E. The PBO, Plaza Bowl Overlay, ensures that future expansion with the area generally located on the south and north sides of 47th Street (extending northerly to the north side of 46th Terrace), between Madison Avenue on the west and J.C. Nichols Parkway on the east will continue in a quality manner, respectful of the current design of the Plaza. The overlay codifies height and use recommendations of the Midtown Plaza Area Plan.

**88-420-04-M. SINGLE FAMILY OR DUPLEX STRUCTURE.**

For any single family or duplex structure on a lot platted prior to September 10, 1951, no off-street parking shall be required.


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

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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:

  
\_\_\_\_\_  
Sarah Baxter  
Assistant City Attorney



Authenticated as Passed

  
\_\_\_\_\_  
Sh. James, Mayor

\_\_\_\_\_  
Marilyn Sanders, City Clerk

JUL 1 P 2019

\_\_\_\_\_  
Date Passed

COMPARED VERSION  
NEW ORDINANCE TO CODE BOOKS

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**88-205-07 - DOCUMENTATION OF OVERLAYS**

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

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

**88-205-07-C.**

Zoning Map Symbol	District Name
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