



CITY PLAN COMMISSION STAFF REPORT

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

October 2, 2024

Project Name

Chapter 88 Code Amendment

Docket #7**Request**

CD-CPC-2024-00122
Chapter 88 Code Amendment

Applicant

Mario Vasquez, AICP
Director, CPD

Owner

N/A

Location City Wide
Area

Zoning

Council District

County

School District

Surrounding Land Uses

N/A

KC Spirit Playbook Alignment

N/A

Land Use Plan

N/A

Major Street Plan

N/A

APPROVAL PROCESS**SUMMARY OF REQUEST + KEY POINTS**

This is a request to amend Chapter 88-335-01-B, Detention and Correctional Facilities, for the purpose of amending required separation distances.

KEY POINTS

- The amendment provides a reduced separation distance when a detention facility is located adjacent to a river.

PROJECT TIMELINE

N/A

NEIGHBORHOOD AND CIVIC ORGANIZATIONS NOTIFIED

Development Code Amendments do not require Neighborhood and Civic Organization notification.

REQUIRED PUBLIC ENGAGEMENT

N/A

CONTROLLING + RELATED CASES

None

PROFESSIONAL STAFF RECOMMENDATION

Docket # Recommendation

APPROVAL

October 2, 2024

CODE REVIEW/ ANALYSIS

This is a request to amend Chapter 88-335-01-B for the purpose of adjusting the required separation distance. Zoning and Development Code Text Amendments make changes to Chapter 88 of the Kansas City, MO Municipal Code. These amendments can be periodic to "clean up" components of the Zoning and Development Code or address policy and urban planning best practices.

Detention and Correction facilities are permitted in the R-80 (Residential) and Manufacturing districts subject to obtaining a Special Use Permit (SUP) from the Board of Zoning Adjustment (BZA), and subject to the standards of Chapter 88-335-01. The SUP process requires two public hearings, one before the City Plan Commission the other before the BZA who is the final decision-making body. Notice is sent to all adjacent property owners and owners within 300' of the parcel.

This amendment seeks to amend the locational requirements outlined in Chapter 88-335-01-B to provide for a reduced separation distance under special circumstances. The amendment will reduce the separation distance from any residential dwelling unit; school; library, museum, or cultural exhibit; community center; park, boulevard, or parkway; religious assembly; or day care use to 400 feet if the facility is located next to the Missouri, Kansas, or Blue river. Creek, streams, tributaries and other waterways will not qualify for this reduction. The proposed section will read,

88-335-01-B. *No such facility may be on property located within 1,000 feet of R zoning district or within 1,000 feet of any residential dwelling unit; school; library, museum, or cultural exhibit; community center; park, boulevard, or parkway; religious assembly; or day care use, with separation measured in accordance with 88-820-15, unless separated by the Missouri, Kansas, or Blue river, which would require 400 feet separation.*

There is current language in the code that allows the BZA to waive the separation distance for Halfway House.

88-352-01-B. *At the time of original approval, no facility shall be located within 1,500 feet of another such facility, group living, day care; and no facility shall be located within 500 feet of a school, with separation measured in accordance with. The Board of Zoning Adjustment may waive this requirement if the facilities are separated by a major thoroughfare, railroad track, major waterway, or other comparable manmade or natural barrier.*

SPECIFIC REVIEW CRITERIA**Zoning and Development Code Text Amendments (88-510-07)**

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

- A. Whether the proposed zoning and development Code text amendment corrects an error or inconsistency in the Zoning and Development Code or meets the challenge of a changing condition;**
The amendment meets the challenge of a changing condition and seeks to allow the location of these facilities while respecting the intent of the separation distance. (OA)
- B. Whether the proposed zoning and development code text amendment is consistent with adopted plans and the stated purpose of this Zoning and Development Code; and**
The amendment will maintain the intent of providing significant distance for these facilities. (OA)
- C. Whether the proposed zoning and development code text amendment is in the best interests of the City as a whole.**
The amendment allows for additional appropriately zoned parcels to be considered for future detention facilities while maintaining the necessary separation distance. (OA)

October 2, 2024

PROFESSIONAL STAFF RECOMMENDATION

City staff recommends **APPROVAL** of the code amendment as drafted.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read "Olofu Agbaji". The signature is fluid and cursive, with the first name "Olofu" and last name "Agbaji" clearly distinguishable.

Olofu Agbaji
Planner