



City of Kansas City, Missouri

Docket Memo

Ordinance/Resolution #: 231047

Submitted Department/Preparer: City Planning

Revised 11/01/23

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 ordinance amends Chapter 88 of the Code of Ordinances, commonly referred to as the Zoning and Development Code. The amendments were identified by staff as part of a work program known as periodic review, where staff discuss issues or questions raised during the prior quarter while applying the code in their daily work. Topics discussed are either determined to require an amendment to the code or not. Those issues requiring an amendment are then researched for best practices in the field of urban planning and development policy and draft language is prepared. Once prepared, it is posted to the department's webpage for approximately 30 days preceding a public hearing before the City Plan Commission. After the Commission holds its hearing it makes a recommendation to City Council.

Discussion

The amendments proposed in this periodic review cycle are:

1. Home Occupations

This amendment would bring the zoning and development code into alignment with state law, which recently changed, greatly restricting cities' ability to regulate home-based businesses.

2. Documentation of Overlays

This amendment is correcting an error where reference to the Westport Overlay District in a table of overlay districts was left out when the WOD was adopted last summer.

3. Communication Services Establishments

This amendment is responding to changing conditions where it is becoming more common for these uses to have a smaller building footprint, and therefore possibly making them more appropriate in other areas of the city (currently they are allowed primarily in industrial zoning districts). The amendment proposes use standards to ensure that the use is compatible in the districts it will now be permitted in.

4. Major Amendments to Approved Plans

This amendment is responding to the high volume of major amendments to approved plans that come before City Plan Commission and City Council. The code provides criteria for staff, developers, and design professionals to use to determine when an amendment to an approved plan warrants City Plan Commission and Council Council approval (as opposed to staff-level approval). The criteria state that any increase in impervious area or building floor area by more than 10% or 2,000 square feet WHICHEVER IS LESS triggers such an amendment. The square foot area cap is low and unfairly targets large users (say a 50,000 square foot building, already approved, adding 2,200 square feet). Staff proposes retaining the percentages as triggers, but omitting the caps.

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?
Not applicable.
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.
The state law regarding home based businesses prohibits cities from requiring any license, including a business license. The modification to the major amendment criteria may reduce administrative costs for the city.
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
3. Account string has been verified/confirmed. Yes No

Additional Discussion (if needed)

There is no account string to verify as this ordinance has no fiscal impact.

Citywide Business Plan (CWBP) Impact

1. View the [FY23 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?
Inclusive Growth and Development (Press tab after selecting.)
3. Which objectives are impacted by this legislation (select all that apply):
 - Align the City's economic development strategies with the objectives of the City Council to ensure attention on areas traditionally underserved by economic development and redevelopment efforts.
 - Ensure quality, lasting development of new growth.
 - Increase and support local workforce development and minority, women, and locally owned businesses.
 - Create a solutions-oriented culture to foster a more welcoming business environment.
 - Leverage existing institutional assets to maintain and grow Kansas City's position as an economic hub in the Central United States.
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Prior Legislation

None.

Service Level Impacts

None expected.

Other Impacts

1. What will be the potential health impacts to any affected groups?
Health impacts have not been analyzed.
2. How have those groups been engaged and involved in the development of this ordinance?
The proposed amendment was posted to the city's website for a month and two public hearings will be held. Since regulatory amendments have citywide application, the stakeholder group includes the entire city and thus it is not feasible to meet with individual stakeholders.
3. How does this legislation contribute to a sustainable Kansas City?
It responds to changed conditions.

4. Does this legislation create or preserve new housing units?
No (Press tab after selecting)

Click or tap here to enter text.

Click or tap here to enter text.

5. Department staff certifies the submission of any application Affirmative Action Plans or Certificates of Compliance, Contractor Utilization Plans (CUPs), and Letters of Intent to Subcontract (LOIs) to CREO prior to, or simultaneously with, the legislation entry request in Legistar.

No - CREO's review is not applicable (Press tab after selecting)

Please provide reasoning why not:

This is an amendment to the zoning and development code and applies to development of private property.

6. Does this legislation seek to approve a contract resulting from an Invitation for Bid?

No(Press tab after selecting)

Click or tap here to enter text.

7. Does this legislation seek to approve a contract resulting from a Request for Proposal/Qualification (RFP/Q)?
No(Press tab after selecting)