

CITY OF FOUNTAINS  
HEART OF THE NATION



KANSAS CITY  
MISSOURI

## Office of the City Clerk

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### CERTIFICATE OF THE CITY CLERK

I, Millie M. Crossland, City Clerk of Kansas City, Missouri, certify the attached is a true and correct copy of:

Chapter(s): 80-Zoning, 80-175- Site plan for development in URD district

Charter Section(s):

Ordinance(s):

Resolution(s):

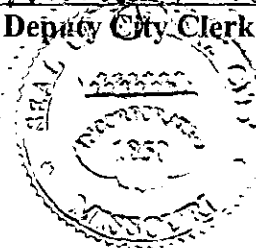
Other(s):

The above appears in records and is on file in the Office of the City Clerk, 25<sup>th</sup> Floor, City Hall, Kansas City, Missouri.

IN TESTAMONY WHEREOF, I have set my hand and affixed the seal of the City on this 3<sup>rd</sup> day of March, 2006.

Millie M. Crossland  
City Clerk

By Misty Phipps  
Deputy City Clerk



**FILED<sup>2</sup>**

MAR 14 2006

Missouri Public  
Service Commission

Exhibit No. 12  
Case No(s) EC-2006-0332  
Date 3-06-06 Rptr xf

trial. No use shall be permitted which is deemed to be obnoxious or heavy industrial in the opinion of the city council after recommendation by the city plan commission.

- (2) The height of any building or structure within the proposed district shall be compatible with the land area and overall development, but in no event shall the height exceed the height limits set forth in the airport zoning maps as provided in chapter 6, unless a variance is granted by the board of zoning adjustment pursuant to section 6-80 prior to issuance of a permit.

- (3) The floor area ratio shall in no event exceed ten times the total lot area, excluding streets and alleys.

(b) *Parking and loading facilities.*

- (1) Parking and loading facilities must be provided at a ratio in accordance with sections 80-444 and 80-445 unless, in the opinion of the city council, after recommendation by the city plan commission, it is determined:

- a. That a mixed use as proposed would demand less than the required parking as otherwise provided; or

- b. That an agency or corporation which provides to its employees incentives to rideshare and use public transit would demand less than the required parking as otherwise provided. Said agency or corporation shall provide an annual report on the ridesharing/public transit program to the director of the department of city development on a yearly basis. The report shall contain information on total number of employees, number of employees using public transit, number of employees ridesharing, number of parking spaces provided for the building, and number of spaces reserved for fleet vehicles. Any other information on parking, leased or otherwise, provided for use by customers and em-

ployees, as well as data on employees who may not be located within the building on a full-time basis, shall be provided.

- (2) Parking and loading facilities shall be located within the development area and at a site reasonably related to the intended use which the parking and loading is to serve.

- (3) Parking facilities need not be in the same ownership as the intended uses which they are intended to serve; provided, however, that adequate provisions are made for the availability of the parking for the intended uses in a recorded document.

- (4) All parking and loading areas shall be surfaced and screened in accordance with the provisions in section 80-444.

(c) *Lighting.* All parking and loading facilities and areas of general usage shall be appropriately lighted to provide for safe and orderly usage thereof. Where such public areas are located adjacent to residential uses, all light fixtures shall be so arranged as to avoid glare on adjoining premises.

(d) *Outdoor storage.* No outdoor storage of any materials or any items shall be permitted unless the storage is delineated on the development plan and appropriate screening is provided.

(Code of Gen. Ords. 1967, § 39.173; Ord. No. 56959, 10-11-84; Ord. No. 961644, § A, 1-23-97)

**Sec. 80-175. Site plan for development in URD district.**

(a) No building permit shall be issued for development in the URD district unless and until a site plan has been approved by the director of city development.

(b) The site plan shall include the information required on the development plan, and additionally include specific information regarding the location of the use on the subject property defined by legal description, precise setback distances, specific method of lighting and landscaping, and, if included in the development plan, the details regarding architectural character. The director of

city development is authorized to require any further information necessary to effectuate the purpose of the development plan.

(c) If the director of city development determines that the site plan conforms to the requirements of the development plan as approved by the city council, the director shall so notify the director of codes administration. If the director of city development determines that the site plan does not conform to the requirements of the approved development plan, the director shall notify the developer in writing of the points which do not conform to the approved development plan. Upon receipt of the notice, the developer shall have the following options:

- (1) Correct the site plan to conform to the approved development plan;
- (2) File an amendment pursuant to section 80-176; or
- (3) File an appeal for a hearing with the city plan commission. The hearing shall not require a public notice as provided in this chapter and shall be limited to a determination of the conformance of the site plan with the development plan. The decision of the city plan commission may be appealed as provided for district CP final plans, in section 80-110(d).

(d) Failure to comply with any of the specifics detailed on the site plan and the actual construction and further use of the property shall be considered a violation of this chapter and subject to action thereunder.

(e) Certain exemptions exist for the issuance of a building permit without a site plan, as follows:

- (1) A building permit may be issued for any structure or use within the district provided a certificate of legal nonconformance has been issued, pursuant to section 80-230.
- (2) The owner of any property which is the subject of eminent domain within the district but which has not been acquired by the condemning authority shall have the right to continue to use the property for

any use permitted within the district classification existing immediately preceding the adoption of the URD district. At the time of request for a permit, the property owner, or his agent or tenant, shall file an affidavit with the director of codes administration stating that the property owner is not in any way affiliated with the condemning authority and further has no intention of securing any of the benefits provided under the redevelopment plan approved pursuant to the declaration of blight.

(Code of Gen. Ords. 1967, § 39.175; Ord. No. 56959, 10-11-84)

#### **Sec. 80-176. Amendments to development plan for URD district.**

(a) In the course of carrying out any part of the development plan for a URD district, the developer may submit a revised development plan which, for purposes of section 80-355, shall be considered a zoning change.

(b) If any development plan covering all or a portion of the land so rezoned to district URD shall be abandoned, or if any stage thereof shall not be completed within the time therein provided and is no longer feasible for the proposed development, or if the declaration of blight area, a conservation area, or an economic development area required by section 80-171 is declared null and void by any court of competent jurisdiction, the director of city development may recommend that the area be rezoned to its former or other appropriate classification. No such amendment, however, shall be effective until approved by the city council after recommendation by the city plan commission.

(Code of Gen. Ords. 1967, § 39.176; Ord. No. 56959, 10-11-84; Ord. No. 60150, 10-30-86; Ord. No. 961596, § A, 6-26-97)

#### **Sec. 80-180. District M-1 (light industry).**

(a) *Use regulations.* In district M-1, no building or land shall be used and no building shall be