ORDINANCE NO. 170771
For PZ&Ed January 31, 2018

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Version:

ALLOWED in R-10 and R-7.5, with consent OR (Not "AND") special use permit.
Text that is further revised from staff's last version is shown in purple.

Amending Chapter 88, Zoning and Development Code, to regulate provision of short term rental. (254-S-316)

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Tables 110-1 (in Section 88-110-03), 120-1 (in Section 88-120-03), 130-1 (in Section 88-130-04) and 140-1 (in Section 88-140-03) and Sections 88-260-03 (UR, Urban Redevelopment District, Use Regulations and Lot and Building Standards); 88-270-02-B. (Uses Permitted without Development or Project Plan Approval); 88-305-05 (Accessory Uses and Structures, Carriage Houses); 88-320 (Bed and Breakfast); 88-620 (Subdivision Regulation Fees); 88-805-02-A. (Residential Living Group, Household Living) of Chapter 88, Zoning and Development Code, are hereby repealed and new sections of like number and title are hereby enacted, and that Sections 88-321 (Short Term Rental Regulations); 88-810-698 (Host); 88-810-728 (Lodger); 88-810-1445 (Revocation); 88-810-1580 (Short Term Rental); 88-810-1581 (Short Term Rental Intermediary); and 88-810-2160 (Suspension) are hereby enacted, all to regulate provision of bed and breakfast and short term rental, said new sections to read as follows:

Table 110-1 RESIDENTIAL DISTRICTS USE TABLE

	Table 110-1 Residential Districts Use Table										
USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT										Use Standards
Use Category » specific use type	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	
RESIDENTIAL											
Household Living	P	P	P	P	P	P	P	P	P	P	88-110-06-C

	Table 110-1 Residential Districts Use Table										
USE GROUP (refer to 88-805 Use Groups and Categories)	**ZONING DISTRICT**										**Use Standards**
Use Category » specific use type	**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**	
											& 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
PUBLIC/CIVIC											
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
	Day Care										
» 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
COMMERCIAL											
Animal Service											
» Shelter or boarding	P	–	–	–	–	–	–	–	–	–	88-315
» Stable	P	–	–	–	–	–	–	–	–	–	88-315
» Veterinary Office	P	–	–	–	–	–	–	–	–	–	
Entertainment and Spectator Sports	S	–	–	–	–	–	–	–	–	–	
Funeral and Interment Service											
» Cemetery/columbarium/mausoleum	S	S	S	S	S	S	S	S	S	S	88-345
» Crematory	S	S	S	S	S	S	S	S	S	S	88-345

Table 110-1 Residential Districts Use Table											
USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT										Use Standards
Use Category » specific use type	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	
» Undertaking	–	–	–	–	–	–	–	–	S	S	
Lodging											
» Bed and breakfast	S	–	–	~~–~~ S	S	S	S	S	S	S	88-320
» Recreational vehicle park	S[1]	–	–	–	–	–	–	–	–	–	
» Short term rental											Refer to 88-321
Neighborhood-serving retail	S	S	S	S	S	S	S	S	S	S	88-360
Office, Administrative, Professional or General	–	–	–	–	–	–	S	S	S	S	
Reuse of officially designated historic landmark (local or national) if proposed use is not permitted	S	S	S	S	S	S	S	S	S	S	
Sports and Recreation, Participant	S	–	–	–	–	–	–	–	–	–	
INDUSTRIAL											
Mining and Quarrying	S[2]	–	–	–	–	–	–	–	–	–	
Waste-Related Use (except as noted below)	–	–	–	–	–	–	–	–	–	–	
» Composting facility	S[1]	–	–	–	–	–	–	–	–	–	88-328
» Demolition debris landfill	S[1]	–	–	–	–	–	–	–	–	–	88-380
OTHER											
Agriculture, Animal	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	P/*	*Chapter 14
Agriculture, Crop	P	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	P/S	88-312-01
Agricultural, Urban											
» Home Garden	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	88-312-02-B
» Community Supported Agriculture (CSA)	P	S	S	S	S	S	S	P	S	S	88-312-02-C
ACCESSORY SERVICES											
Wireless Communication Facility											
» Freestanding	P[1]	–	–	–	–	–	–	–	–	–	88-385
» Co-located antenna	P	P	P	P	P	P	P	P	P	P	88-385

Table 120-1 OFFICE, BUSINESS, AND COMMERCIAL DISTRICTS USE TABLE

Table 120-1 Office, Business and Commercial Districts Use Table		
USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT	Use Standards

Use Category » specific use type	O	B1	B2	B3	B4	
R E S I D E N T I A L						
Household Living						
» Single family home	P	P	P	P	P	88-120-03-H.3.
» In single-purpose residential building	–	P	P	P	P	88-323
» In mixed-use building	P	P	P	P	P	
Group Living	P	P	P	P	P[5]	
P U B L I C / C I V I C						
Bicycle Sharing Facilities	P	P	P	P	P	88-322
Club, Lodge, or Fraternal Organization	P	P	P	P	P[5 for Ground Floor Uses]	
College/University	P	P	P	P	P[5 for Ground Floor Uses]	
Day Care						
» 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]	
Hospital	S	P	P	P	P[5 for Ground Floor Uses]	
Library/Museum/Cultural Exhibit	P	P	P	P	P	
Park/Recreation	P	P	P	P	P	
Religious Assembly	P	P	P	P	P	
Safety Service						
» Fire station	P	P	P	P	P[4]	
» Police station	P	P	P	P	P	
» Ambulance service	S	S	S	P	P[4]	
School	P	P	P	P	P[5 for Ground Floor Uses]	
Utilities and Services (except as noted below)	S[1]	S[1]	S[1]	S[1]	S[1][5]	
» Basic, minor	P	P	P	P	P	88-425-08-B

Table 120-1 Office, Business and Commercial Districts Use Table						
USE GROUP **(refer to 88-805 Use Groups and Categories)**	**ZONING DISTRICT**					**Use Standards**
Use Category **» specific use type**	**O**	**B1**	**B2**	**B3**	**B4**	
COMMERCIAL						
Adult Business						
» 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
Animal Service						
» 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
Artist Work or Sales Space	–	P	P	P	P	
Building Maintenance Service	–	–	–	P	P[5]	
Business Equipment Sales and Service	–	–	P	P	P	
Business Support Service (except as noted below)	–	–	P	P	P[5]	
» Day labor employment agency	–	–	–	–	S[1][4]	88-331
Communications Service Establishments	P	–	P	P	P[5]	
Drive-Through Facility	–	–	P[2]	P[2]	P[2]	88-338 & 88-340
Eating and Drinking Establishments (except as noted below)	P	P	P	P	P	
» Tavern or nightclub	–	–	P	P	P	
Entertainment and Spectator Sports						
» 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]	
» Outdoor (all sizes)	–	–	–	S	P[5]	
Financial Services (except as noted below)	S	P	P	P	P	
» Pawn shop	–	P	P	P	P	
» Short-term loan establishment	–	–	P[1]	P[1]	P[1][4]	88-325
Food and Beverage Retail Sales	–	P	P	P	P	
Funeral and Interment Service						

Table 120-1 Office, Business and Commercial Districts Use Table						
USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT					Use Standards
Use Category » specific use type	**O**	**B1**	**B2**	**B3**	**B4**	
» 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
Gasoline and Fuel Sales	–	S[3]	S[3]	S[3]	P[3][5]	88-323
Lodging						
» Bed and Breakfast	–	P	P	P	P[5 for Ground Floor Uses]	
» Hotel/motel	–	–	–	P[2]	P[2]	88-323
» Recreational vehicle park	–	–	–	S[1]	S[1][4]	
» Short term rental	-	P	P	P	P	88-321
Mobile Vendor Park	–	–	–	P	P	88-358
Office, Administrative, Professional or General	P	P	P	P	P[5 for Ground Floor Uses]	
Office, Medical	P	P	P	P	P[5 for Ground Floor Uses]	
» Blood/plasma center	–	–	–	S	S	
Parking, Accessory	P	P	P	P	P	88-323
Parking, Non-accessory	–	–	S[1]	P[1]	P[1]	
Personal Improvement Service	P	P	P	P	P	
Repair or Laundry Service, Consumer	–	P	P	P	P	
Research Service	P	P	P	P	P[5 for Ground Floor Uses]	
Retail Sales	–	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
Reuse of officially designated historic landmark (local or national) if proposed use is not permitted	S	S	S	S	S	
Sports and Recreation, Participant						
» Indoor	–	P	P	P	P[5 for Ground Floor Uses]	
» Outdoor	–	–	–	P	P[5 for Ground Floor Uses]	
Vehicle Sales and Service						
» Car wash/cleaning service	–	–	S[1]	P[1]	P[1][5, if	

Table 120-1 Office, Business and Commercial Districts Use Table						
USE GROUP **(refer to 88-805 Use Groups and Categories)**	**ZONING DISTRICT**					**Use Standards**
Use Category **» specific use type**	**O**	**B1**	**B2**	**B3**	**B4**	
					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
INDUSTRIAL						
Manufacturing, Production and Industrial Service						
» Artisan (except as noted below)	–	–	–	–	P	
» Artisanal Food and Beverage Manufacturing	–	–	–	S	P	88-318
» Catering Establishments	–	–	–	S	P	88-318
» Limited	–	–	–	–	S[4]	
» General	–	–	–	–	S[2][4]	88-323
» Intensive	–	–	–	–	–	
Recycling Service						
» Limited	–	–	–	–	S[1][4]	
Self-Storage Warehouse	–	–	–	-	P[2][4]	88-323 & 88-369
Warehousing, Wholesaling, Storage, and Freight Movement						
» Indoor	–	–	–	–	P[2][4]	88-323 & 88-378
» Outdoor	–	–	–	–	–	88-378
AGRICULTURAL						
Agriculture, Animal	P/*	P/*	P/*	P/*	P/*[4]	*Chapter 14
Agriculture, Crop	P	P	P	P	P[4]	88-312-01
Agriculture, Urban						
» Home Garden	P	P	P	P	P	88-312-02-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-

Table 120-1 Office, Business and Commercial Districts Use Table						
USE GROUP (refer to 88-805 Use Groups and Categories)	ZONING DISTRICT					Use Standards
Use Category » specific use type	O	B1	B2	B3	B4	
						C
ACCESSORY SERVICES						
Wireless Communication Facility						
» Freestanding	–	–	P[1]	P[1]	P[1][4]	88-385
» Co-located antenna	P	P	P	P	P[5]	88-385

Table 130-1 DOWNTOWN DISTRICTS USE TABLE

Table 130-1 Downtown Districts Use Table				
USE GROUP (refer to 88-805 Use Groups and Categories)	Zoning District			Use Standards
Use Category » specific use type	DC	DX	DR	
RESIDENTIAL				
Household Living				
» Single family home	P	P	P	
» In single-purpose residential building	P	P	P	88-323
» In mixed-use building	P	P	P	
Group Living	S	S	S	
PUBLIC/CIVIC				
Bicycle Sharing Facilities	P	P	P	88-322
Club, Lodge, or Fraternal Organization	P	P	P	
College/University	P	P	P	
Day Care				
» Home-based (1–5)	P	P	P	
» Family (up to 10)	P	P	P	
» Group (up to 20)	P	P	S	
» Center (21+)	P	P	S	
Hospital	S	S	S	
Library/Museum/Cultural Exhibit	P	P	P	
Park/Recreation (except as noted below)	P	P	P	
» Community center	P	P	P/S	88-365
Religious Assembly	P	P	P	
Safety Service				
» Fire Station	P	P	P	88-365

Table 130-1 Downtown Districts Use Table				
USE GROUP **(refer to 88-805 Use Groups and Categories)**	**Zoning District**			**Use Standards**
Use Category **» specific use type**	**DC**	**DX**	**DR**	
» Police Station	P	P	P	88-365
» Ambulance service	P	P	P	88-365
School	P	P	P/S	88-365
Utilities and Services (except as noted below)	S[1]	S[1]	S[1]	
» Basic, minor	P	P	P	88-425-08-B
COMMERCIAL				
Adult Business				
» Adult media store	P[1]	P[1]	–	88-310-03
» Adult motion picture theater	P[1]	P[1]	–	88-310-02
» Sex shop	P[1]	P[1]	–	88-310-02
Animal Service				
» Sales and grooming	P	P	S	88-315
» Shelter or boarding	P	P	–	88-315
» Stable	–	S	–	88-315
» Veterinary	P	P	S	88-315
Artist Work or Sales Space	P	P	P	
Building Maintenance Service	P	P	–	
Business Equipment Sales and Service	P	P	–	
Business Support Service (except as noted below)	P	P	–	
» Day labor employment agency	–	S[1]	–	
Communications Service Establishments	P	P	–	
Drive-Through Facility	S[2]	S[2]	–	88-338 & 88-340
Eating and Drinking Establishments (except as noted below)	P	P	P	
» Tavern or nightclub	P	P	S	
Entertainment and Spectator Sports				
» Indoor small venue (1–149 capacity)	P	P	S	
» Indoor medium venue (150–499 capacity)	P	P	S	
» Indoor large venue (500+ capacity)	S	S	S	
» Outdoor (all sizes)	S	S	S	
Financial Services (except as noted below)	P	P	P	
» Short-term loan establishment	–	P[1]	–	88-325
» Pawn shop	–	S[1]	–	
Food and Beverage Retail Sales	P	P	P	
Funeral and Interment Service				
» Cemetery/columbarium/mausoleum	–	–	–	

Table 130-1 Downtown Districts Use Table				
USE GROUP **(refer to 88-805 Use Groups and Categories)**	**Zoning District**			**Use Standards**
Use Category **» specific use type**	**DC**	**DX**	**DR**	
» Cremating	–	–	–	
» Undertaking	P[2]	P[2]	–	88-345
Gasoline and Fuel Sales	S[3]	S[3]	–	88-323
Lodging				
» Bed and breakfast	P	P	P	
» Hotel/motel	P[2]	P[2]	S[2]	88-323
» Short term rental	P	P	P	88-321
Mobile Vendor Park	P	P	–	88-358
Office, Administrative, Professional or General	P	P	P	
Office, Medical	P	P	P	
» Blood/plasma center	S	S	–	
Parking, Accessory	P	P	P	88-323
Parking, Non-accessory	S[1]	S[1]	S[1]	
Personal Improvement Service	P	P	P	
Repair or Laundry Service, Consumer	P	P	S	
Research Service	P	P	S	
Retail Sales	P	P	P	
» Outdoor Retail Sales - Class A	P	P	P	88-366-01
Reuse of Officially Designated Historic Landmark (local or national) if proposed use is not permitted	S	S	S	
Sports and Recreation, Participant				
» Indoor	P	P	S	
» Outdoor	S	S	S	
Vehicle Sales and Service				
» 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
INDUSTRIAL				
Manufacturing, Production and Industrial Service				
» Artisan	P	P	P	
» Limited	S	S	S	
» General	S	S[2]	–	88-323
Recycling Service				

Table 130-1 Downtown Districts Use Table				
USE GROUP (refer to 88-805 Use Groups and Categories)	Zoning District			Use Standards
Use Category » specific use type	DC	DX	DR	
» Limited	–	S[1]	–	
Self-Storage Warehouse	–	S[2]	–	88-323 & 88-369
Warehousing, Wholesaling, Storage, and Freight Movement				
» Indoor	S[2]	S[2]	–	88-323 & 88-378
» Outdoor	–	S[2]	–	88-323 & 88-378
AGRICULTURAL				
Agriculture, Animal	–	P/*	–	Chapter 14
Agriculture, Crop	P	P	P	88-312-01
Agriculture, Urban				
» 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
ACCESSORY				
Wireless Communication Facility				
» Freestanding	–	–	–	
» Co-located antenna	P	P	P	88-385

Table 140-1 MANUFACTURING DISTRICTS USE TABLE

Table 140-1 Manufacturing Districts Use Table					
USE GROUP (refer to 88-805 Use Groups and Categories)	Zoning District				Use Standards
Use Category » specific use type	M1	M2	M3	M4	
RESIDENTIAL					
Household Living					
» Single-family home	S	–	–	–	
» In single-purpose residential building	P	S	–	–	
» In mixed-use building	P	S	–	–	
Group living	S	–	–	–	
PUBLIC/CIVIC					

Table 140-1 Manufacturing Districts Use Table					
USE GROUP **(refer to 88-805 Use Groups and Categories)**	**Zoning District**				**Use Standards**
Use Category **» specific use type**	**M1**	**M2**	**M3**	**M4**	
Bicycle Sharing Facility	P	P	P	P	88-322
Club, Lodge, or Fraternal Organization	P	P	–	–	
College/University	P	P	–	–	
Day Care	P	P	S	S	
Detention and Correctional Facilities	S[1]	S[1]	S[1]	S[1]	88-335
Halfway House	S	S	S	S	88-352
Hospital	P	–	–	–	
Park/Recreation	P	P	P	P	
Religious Assembly	P	P	P	P	
Safety Service	P	P	P	P	
Schools	P	P	P	P	
Utilities and Services (except as noted below)	S[1]	S[1]	S[1]	S[1]	
» Basic, minor	P	P	P	P	88-425-08-B
COMMERCIAL					
Adult Business					
» 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
» Sex shop	P[1]	P[1]	P[1]	P[1]	88-310
Animal Service	P	P	P	P	88-315
Artist Work or Sales Space	P	P	P	P	
Building Maintenance Service	P	P	P	P	
Business Equipment Sales and Service	P	P	P	P	
Business Support Service(except as noted below)	P	P	P	P	
» Day labor employment agency	S[1]	S[1]	P[1]	P[1]	
Communications Service Establishments	P	P	P	P	
Drive-through Facility	P[2]	P[2]	–	–	88-340
Eating and Drinking Establishments	P	P	P	P	
Entertainment and Spectator Sports	P	S	S	–	
Financial Services (except as noted below)	P	P	P	P	
» Pawn shop	P[1]	S[1]	S[1]	S[1]	
» Short-term loan establishment	P[1]	P[1]	P[1]	P[1]	88-325
Food and Beverage Retail Sales	P	P	P	P	
Funeral and Interment Service					
» Cemetery/columbarium/mausoleum	–	–	–	–	
» Cremating	P	P	P	P	
» Undertaking	P	P	P	P	
Gasoline and Fuel Sales	P[3]	P[3]	P[3]	P[3]	88-323

Table 140-1 Manufacturing Districts Use Table					
USE GROUP **(refer to 88-805 Use Groups and Categories)**	**Zoning District**				**Use Standards**
Use Category **» specific use type**	**M1**	**M2**	**M3**	**M4**	
Lodging (except as noted below)	–	–	–	–	
» Hotel/motel	S[1]	–	–	–	
» Short term rental	P	–	–	–	88-321
Mobile Vendor Park	P	P	P	–	88-358
Office, Administrative, Professional or General	P	P	P	P	
Office, Medical	P	P	–	–	
Parking, Accessory	P	P	P	P	
Parking, Non-accessory	P[1]	P[1]	P[1]	P[1]	
Personal Improvement Service	P	P	P	P	
Repair or Laundry Service, Consumer	P	P	P	–	
Research Service	P	P	P	P	
Retail Sales	P	P	P	P	
» Outdoor Retail Sales - Class A	P	P	P	P	88-366-01
» Outdoor Retail Sales - Class B	P	P	P	P	88-366-02
Reuse of officially designated historic landmark (local or national) if proposed use is not permitted	S	S	S	S	
Sports and Recreation, Participant	P	S	S	–	
Vehicle Sales and Service					
» Car wash/cleaning service	P[1]	P[1]	P[1]	P[1]	
» Heavy equipment sales/rental	P[1]	P[1]	P[1]	P[1]	
» Light equipment sales/rental (indoor)	P[2]	P[2]	–	–	88-323
» Light equipment sales/rental (outdoor)	P[1]	P[1]	–	–	
» Motor vehicle repair, limited	P[2]	P[2]	P[2]	P[2]	88-323
» Motor vehicle repair, general	P[2]	P[2]	P[2]	P[2]	88-323
» Vehicle storage/towing	P[1]	P[1]	P[1]	P[1]	
INDUSTRIAL					
Junk/Salvage Yard	–	–	S[1]	P[1]	88-425-09
Manufacturing, Production and Industrial Service					
» Artisan	P	P	P	P	
» Limited	P	P	P	P	

Table 140-1 Manufacturing Districts Use Table					
USE GROUP **(refer to 88-805 Use Groups and Categories)**	**Zoning District**				**Use Standards**
Use Category **» specific use type**	**M1**	**M2**	**M3**	**M4**	
» General	S[2]	P[2]	P[2]	P[2]	88-323
» Intensive	–	–	P[1]	P[1]	
Mining/Quarrying	S	S	S	S	88-355
Recycling Service					
» Limited	P[1]	P[1]	P[1]	P[1]	
» General	S	S	S	P	
Self-Storage Warehouse	P[2]	P[2]	P[2]	–	88-323 & 88-369
Warehousing, Wholesaling, Storage, and Freight Movement					
» Indoor	P[2]	P[2]	P[2]	P[2]	88-378
» Outdoor	S[1]	P[1]	P[2]	P[2]	88-378
Waste-Related Use					
» Composting Facility	S[1]	S[1]	S[1]	S[1]	88-328
» Demolition debris landfill	S[1]	S[1]	S[1]	S[1]	88-380
» Solid waste separation facility	–	–	S[1]	S[1]	88-380
» Transfer station	–	–	S[1]	S[1]	88-380
AGRICULTURAL					
Agriculture, Animal	P/*	P/*	P/*	P/*	Chapter 14
Agriculture, Crop	P	P	P	P	88-312-01
Agriculture, Urban					
» Home garden	P	P	P	P	88-312-02-A
» Community garden	P	P	P	P	88-312-02-B
» Community supported agriculture (CSA)	P	P	P	P	88-312-02-C
ACCESSORY SERVICES					
Wireless Communication Facility					
» Freestanding	P[1]	P[1]	P[1]	P[1]	88-385
» Co-located antenna	P	P	P	P	88-385

Revise 88-260-03:

88-260-03 USE REGULATIONS AND LOT AND BUILDING STANDARDS

Properties within the UR district are subject to the use regulations and lot and building standards established at the time of development plan approval by the city council. The use and development standards established for the subject UR district must be in general conformance with the approved area plan and be compatible with desirable land use and development patterns in the surrounding area.

For a UR district created on or before the enactment of 88-321 Short Term Rental Regulations on ***(Insert date of passage of this ordinance, 2017)*** and which allows residential use, short term rental use shall be allowed in accordance with the registration and issuance by the city planning and development director of a short term rental permit and annual renewal provisions of 88-321 unless the use and development standards established by the city council for such UR district, or any persons or entities in control of uses in such UR district, prohibit short term rental use. Other provisions of 88-321 shall not apply to UR districts established prior to enactment of 88-321, except for those of 88-321-05 General Requirements, as applicable.

Revise 88-270-02-B.

88-270 – AG-R, AGRICULTURAL-RESIDENTIAL DISTRICT

88-270-02-B. USES PERMITTED WITHOUT DEVELOPMENT OR PROJECT PLAN APPROVAL

The following uses are permitted as of right in the AG-R district.

1. Detached houses (including short term rental in accordance with 88-321)
2. Orchards
3. Agriculture, Crop or Animal
4. Agricultural services, such as grist milling, corn shelling, hay baling and threshing services
5. Sorting, grading, and packaging of fruits and vegetables and retail fruit and vegetable stands for products grown on the premises
6. Animal Services, Stables

Revise 88-305-05:

88-305-05 CARRIAGE HOUSES

88-305-05-A. WHERE PERMITTED

Carriage houses are allowed only when:

1. they were constructed before March 1, 2005;

2. they are located on property designated as a~~n~~ historic landmark or located in a~~n~~ historic district; and

3. they are located in an R-10, R-7.5, R-6, R-5, or R-2.5 district.

88-305-05-B. MINIMUM LOT AREA

1. In R-10, R-7.5, R-6 and R-5 districts, a carriage house may be maintained or altered only on a lot that contains a minimum area of 12,000 square feet and that contains a principal building used exclusively for the purposes of no more than one dwelling unit.

2. In the R-2.5 district, a carriage house may be maintained or altered only on a lot that contains a minimum area of 22,000 square feet and that contains a principal building used exclusively for the purposes of no more than:

   a. one dwelling unit; or

   b. two dwelling units provided that one of the units is owner-occupied and further provided that ~~one of~~ the non-owner-occupied ~~units is~~ unit is either occupied only by children and/or parents of the owner-occupant, and any spouses of a child or parent.

88-320 BED AND BREAKFAST

88-320-01 APPLICABILITY

Bed and breakfast establishments in R-80, R-6, R-5, R-2.5, R-1.5, R-0.75, R-0.5, and R-0.3 districts are subject to the following standards in addition to any standards imposed as part of the special use approval process.

88-320-02 STANDARDS AND CONDITIONS

88-320-02-A. The establishment must be operated by the owner or manager of the dwelling unit, who must live on the property;

88-320-02-B. At least one off-street parking space must be provided per 2 guest rooms;

88-320-02-C. The building in which the bed and breakfast is located must have a minimum floor area of 3,000 square feet;

88-320-02-D. The bed and breakfast may not contain more than 8 guest rooms;

88-320-02-E. Food service may be provided for resident guests only;

88-320-02-F. Bed and breakfast establishments may not be leased or offered for use as reception space, party space, meeting space, or for other similar events open to non-resident guests; and

88-320-02-G. One non-illuminated wall sign, not exceeding 80 square inches in area, may be displayed. No window or other display or sign may be used to advertise such use.

Add new section 88-321:

88-321 SHORT TERM RENTAL REGULATIONS

88-321-01 APPLICABILITY

Except lodging otherwise permitted by 88-305-12 (and Bed and Breakfast as permitted by 88-320), Short Term Rental 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:

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 single family, two-family, or multi-family structure or certain carriage houses.

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 two-family structure, guests shall live in common with the family, 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. Prior to accommodating any guest on the property, the resident host of an owner occupied short term rental must submit, initially:
    a. If within any R district except for R-10 or R-7.5, an application for administrative approval and obtain the approval of the city planning and development director, or
    b. If within Districts R-10 or R-7.5, consent or special use permit application in accordance with 88-321-02-C.

2. 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-family structure (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. CONSENT OR SPECIAL USE PERMIT REQUIRED FOR OWNER OCCUPIED PROPERTIES IN R-10 AND R-7.5 DISTRICTS

1. In Districts R-10 and R-7.5, in addition to approval requirements stated above, consent or special use permit approval is required.

2. The resident host shall submit a notarized affidavit of support, containing signatures of at least 55 percent of adjacent residential property owners, including those adjacent and immediately across the street.

3. Or, when signatures of at least 55 percent of neighboring property owners or tenants cannot be secured, application for special use permit may be made in accordance with 88-525.

88-321-02-~~C~~D. APPROVAL REQUIRED FOR OWNER OCCUPIED PROPERTIES IN AG-R, B, D, UR, 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.

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 single family, two-family, or multi-family structure.

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-family structure, only 1 unit or 25% of all units, whichever is greater, may be used for short term rental.

6. In a multi-family structure, 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 R DISTRICTS

1. In all 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 or submit an application for and obtain a special use permit in accordance with the following.

2. 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-family structure (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.

3. In all residential districts except R-10 and R-7.5 (where provisions of 88-321-03-C. control), 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.

4. Upon approval, the host will receive a permit number indicating that the property is eligible for listing on a short term rental intermediary platform.

5. 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. CONSENT OR SPECIAL USE PERMIT REQUIRED FOR ALL NON OWNER-OCCUPIED PROPERTIES IN R-10 AND R-7.5 DISTRICTS

1. In addition to approval requirements as stated above, in Districts R-10 and R-7.5 consent is required for "seasonal" and "year around". The host shall submit a notarized affidavit containing signatures of at least 55 percent of adjacent residential property owners, including those adjoining and immediately across the street.

2. Or, when signatures of at least 55 percent of neighboring property owners or tenants cannot be secured, application for special use permit may be made in accordance with 88-525.

88-321-03-D. APPROVAL REQUIRED FOR NON-OWNER OCCUPIED PROPERTIES IN AG-R, B, D, UR, 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.

~~88-321-04 ANNUAL REGISTRY FOR OWNER OCCUPIED AND NON-OWNER OCCUPIED PROPERTIES~~

~~After receipt of administrative approval or special use permit, a short term rental unit or property must be registered annually thereafter, as required by the city planning and development director, in accordance with 88-321.~~

88-321-05 GENERAL REQUIREMENTS

88-321-05-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.

88-321-05-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.

88-321-05-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 88.4575.

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.

88-321-05-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-family structure, 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 88-321 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.

~~11. Not knowingly rent to any individual on a sex offender registry.~~

88-321-05-E. PENALTIES

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

Revise 88-620:

88-620-A. SUBDIVISION REGULATION FEES

1. *Preliminary plat.* The fee for filing the preliminary plat shall be:

   a. ~~For residential, a base charge of~~ Residential: $389.00 plus $4.00 per residential unit, not to exceed $1,295.00

   b. ~~For applications revising~~ Revising an area of an approved residential preliminary plat~~, a base charge of~~: $389.00 plus $4.00 per unit of the area to be amended, not to exceed $1,295.00

   c. ~~For nonresidential,~~Non-residential: $389.00 plus $62.00 per acre or fraction thereof, not to exceed $1,295.00

   d. Revising an area of an approved non-residential preliminary plat: $389.00 plus $62.00 acre of the area to be amended, not to exceed $1,295.00

2. *Final plat.* The fee for filing the final plat shall be:

   a. ~~For residential,~~ Residential: $389.00 plus $4.00 per residential unit, not to exceed $1,813.00

   b. ~~For nonresidential,~~ Non-residential: $389.00 plus $31.00 per acre or fraction thereof, not to exceed $1,813.00

3. *Minor Subdivision:*

   a. Lot Split:

      1. ~~For residential,~~Residential: $207.00 plus $3.00 per lot/unit

      2. ~~For nonresidential,~~Non-residential: $207.00 plus $62.00 per acre

   b. Lot Line Adjustment: $207.00 plus $3.00 per lot
      ~~1. $207.00 plus $3.00 per lot~~

   c. Lot Consolidation~~s~~: $207.00 plus $3.00 per lot
      ~~1. $207.00 plus $3.00 per lot~~

   d. Condominium Plat~~s~~: $207.00 plus $3.00 per unit, not to exceed $1,813.00
      ~~1. $207.00 plus $3.00 per unit, not to exceed $1,813.00~~

4. *Street naming. The fee for filing for approval of street names shall be:*

   a. $130.00 as part of plat approval process

b. $130.00 for honorary street name petition.

5. *Re-review of plats.* When plat documents require subsequent submittal(s) for review after the 2nd submittal, and prior indicated deficiencies were not addressed in the resubmittal, a resubmittal fee shall be assessed at the time of resubmittal. This fee shall be 25% of the original filing fee for 3rd and subsequent resubmittals. Such resubmittal fee shall not apply as a credit toward any other fees charged.

a. *Recording fee for final plat.* The fee for filing the final plat shall be deposited with the office of the director of records and shall be equal to the fee required by the county in which the plat is required to be filed.

b. The city manager shall have authority annually to adjust the fees listed above to reflect an increase equal to an increase in the consumer price index (all items/all urban consumers/Kansas City, Missouri-Kansas) published by the United States Department of Labor, Bureau of Labor Statistics, provided that the increases are reflective of the costs of the services being provided. If the costs in processing the applications fall below the fees being charged, the fees shall be reduced so that they are equal to or less than the costs of processing the applications. The adjustments shall be made annually by the city manager in conjunction with the adoption of the annual budget of the city by filing a notice with the city clerk.

88-620-B. APPLICATIONS TO THE CITY PLAN COMMISSION, THE BOARD OF ZONING ADJUSTMENT, AND ADMINISTRATIVE APPROVALS

Certain fees are hereby established for the filing of applications to the board of zoning adjustment and the city plan commission as follows:

1. City plan commission

a. For applications to rezone: $648.00

b. Development plan:

1. Residential: $648.00 plus $4.00 per dwelling unit, not to exceed $3,626.00

2. Nonresidential: $648.00 plus $93.00 per acre or fraction thereof, not to exceed $3,626.00

c. Project plan:

1. Residential: $259.00 plus $4.00 per dwelling unit

2. Nonresidential: $259.00 plus $93.00 per acre or fraction thereof

d. Major amendments

1. Residential: $311.00 plus $4.00 per dwelling unit, not to exceed $1,295.00

2. Nonresidential: $311.00 plus $93.00 per acre or fraction thereof, not to exceed $1,295.00

e. Urban redevelopment district: $648.00 plus $93.00 per acre or $4.00 per dwelling unit, whichever is greater, not to exceed $3,626.00
~~1. $648.00 plus $93.00 per acre or $4.00 per dwelling unit, whichever is greater, not to exceed $3,626.00~~

f. Master plan development: $648.00 plus $93.00 per acre or $4.00 per dwelling unit, whichever is greater, not to exceed $3,626.00
~~1. $648.00 plus $93.00 per acre or $4.00 per dwelling unit, whichever is greater, not to exceed $3,626.00~~

g. Council approved signage plan: $259.00

h. Special review district: $440.00

i. Zoning & Development Code text amendment: $518.00

j. Land use plan amendment: $829.00

k. Major street plan amendment: $414.00

l. Appeal of the decision of the director of city planning and development: $518.00

m. Neighborhood rezoning and Overlay District:

0-200 parcels / lots $2,590.00
201-500 parcels / lots $4,662.00
501 + parcels / lots $5,698.00

n. For all other applications: $622.00

2. *Board of zoning adjustment*

a. Variances involving the following uses:

1. 1 and 2 family dwelling and accessory uses: $259.00

2. All other uses: $518.00

b. Appeal of the decision of the director of city planning and development: $518.00

c. Rehearing before the board of zoning adjustment: $207.00

d. Certificate of legal nonconformance:

1. 1 and 2 family dwelling: $130

2. All other uses: $311.00

3. Change in use for an existing legal nonconformance pursuant to 88-610 for 1 and 2 family dwelling: $52.00
4. Change in use for an existing legal nonconformance for all other uses: $181.00

e. All other requests: $389.00

f. Stay of enforcement: $414.00

g. Special use permit:

1. Ambulance service: $855.00

2. Bed & breakfast: $596.00

3. Blood/plasma center: $829.00

4. Car wash/cleaning service: $855.00

5. Cemetery/columbarium/mausoleum: $855.00

6. Check-cashing, short-term loan/title loan establishment: $1,502.00

7. College/university: $855.00

8. Community center: $389.00

9. Community supported agriculture: $100.00

10. Crematory: $855.00

11. Day care (home & family): $596.00

12. Day care (11-20 children) (group): $596.00

13. Day care center (21+): $829.00

14. Day labor employment agency: $829.00

15. Demolition debris landfill: $1,502.00

16. Detention and correctional facility: $1,502.00

17. Drive-thru facility: $855.00

18. Entertainment and spectator sports: $855.00

19. Entertainment: small venue (1-149 capacity): $466.00

20. Entertainment: medium venue (150-499 capacity): $855.00

21. Entertainment: large venue (500 + capacity): $1,502.00

22. Entertainment: outdoor (all sizes): $1,502.00

23. Financial services (except check-cashing and pawn shops): $829.00

24. Gasoline and fuel Sales: $855.00

25. Group living: $596.00

26. Heavy equipment sales/rental: $855.00

27. Historic landmark (reuse of officially designated historic landmark, local or national): $207.00

28. Hospital: $855.00

29. Hotel/motel: $855.00

30. Household living: $855.00

31. Junk/Salvage yard: $1,502.00

32. Library/Museum/Cultural Exhibit: $389.00

33. Light equipment sales/rental (indoor): $855.00

34. Light equipment sales/rental (outdoor): $1,502.00

35. Manufacturing, production, and industrial service – limited: $1,502.00

36. Manufacturing, production, and industrial service – general: $1,502.00

37. Mining and quarrying: $1,502.00

38. Motor vehicle repair limited: $855.00

39. Motor vehicle repair general: $855.00

40. Neighborhood-serving retail: $855.00

41. Nursing home: $829.00

42. Office, administrative, professional or general: $855.00

43. Park/recreation: $466.00

44. Parking, non-accessory: $855.00

45. Pawn shop: $1,502.00

46. Recreation vehicle park: $1,502.00

47. Recycling service – limited: $1,502.00

48. Recycling service – general: $1,502.00

49. Religious assembly: $389.00

50. Repair or laundry service, consumer: $855.00

51. Residential storage warehouse: $855.00

52. Safety service (except for police and fire station): $855.00

53. School: $389.00

54. Short Term Rental ~~(without consent)~~: $596.00

55. Signs: $337.00

56. Solid waste separation facility: $1,502.00

57. Sports and recreation, participant (indoor): $855.00

58. Sports and recreation, participant (outdoor): $1,502.00

59. Stable: $829.00

60. Tavern or nightclub: $855.00

61. Transfer station: $1,502.00

62. Undertaking: $855.00

63. Utilities and services (except basic, minor): $855.00

64. Vehicle sales and service: $855.00

65. Vehicle storage/towing: $1,502.00

66. Warehousing, wholesaling, freight movement – indoor: $855.00

67. Warehousing, wholesaling, freight movement – outdoor: $1,502.00

68. Waste related use: $1,502.00

69. All other uses: $855.00

3. *Administrative fees*

a. Minor amendment to an approved development plan:

1. Residential: $233.00 plus $4.00 per dwelling unit, not to exceed $648.00

2. Nonresidential: $233.00 plus $93.00 per acre or fraction thereof, not to exceed $648.00

b. Administrative adjustment: $259.00

c. Administrative approval: $259.00

d. Request for continuance by the applicant: $130.00

e. Short Term Rental:
1. Administrative approval: $259.00
2. Special Use Permit: $596.00
3. First year registration: ~~$250.00~~ $275.00 (if administrative approval or special use permit not required, as those fees include first year registration)
4. Annual renewal of registration: ~~$150.00~~ $175.00
~~5. Daily Use Fee: $3.00 per day or partial day~~

~~1. Owner occupied:~~

~~i. First year registration: $100.00~~
~~ii. Annual renewal: $50.00~~

~~2. Non owner occupied:~~
~~iii. Administrative approval (with consent): $259.00~~
~~iv. Special use permit (without consent): $596.00~~
~~v. Annual renewal: $50.00~~

4. The city plan commission and the board of zoning adjustment shall have the authority to waive the fees set out in this subsection in the interests of justice.

5. Transcripts on appeal to circuit court. Transcripts, necessary upon appeal to the circuit court, shall be furnished by the appellant. These may be obtained, upon payment of the current charge, from the reporting service employed by the board of zoning adjustment to take testimony given at the public hearing. The board may waive the transcription costs where it is determined that the appellant is unable to pay the costs. The cost of the transcript will be refunded to the appellant if the appellate court orders such refund upon judgment.

6. The city manager shall have authority annually to adjust the fees listed above to reflect an increase equal to an increase in the consumer price index (all items/all urban consumers/Kansas City, Missouri-Kansas) published by the United States Department of Labor, Bureau of Labor Statistics, provided that the increases are reflective of the costs of the services being provided. If the costs in processing the applications fall below the fees being charged, the fees shall be reduced so that they are equal to or less than the costs of processing the applications. The adjustments shall be made annually by the city manager in conjunction with the adoption of the annual budget of the city by filing a notice with the city clerk.

Revise 88-805-02-A. to clarify:

88-805-02-A. HOUSEHOLD LIVING ~~CATEGORY~~

Residential occupancy of a dwelling unit by a household with tenancy arranged on a ~~monthly or longer~~ basis of 30 consecutive days or more.

88-810-698 HOST
The owner, operator, corporation, agent, or other authorized representative facilitating the rental of a short term rental property or unit.

88-810-728 LODGER

One who, by agreement with the owner of a property, acquires no interest or possession therein but only the right to occupy a room or rooms that remains in the owner's legal possession and who dwells in common with the family.

88-810-1445 REVOCATION
The repeal of a permit or designation through the procedures outlined within this chapter.

88-810-1580 SHORT TERM RENTAL
A short-term rental is the rental of a property, a dwelling unit, or portion thereof for a period of less than 30 consecutive days. *(See 88-321)*

88-810-1581 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.

88-810-2160 SUSPENSION
The temporary prohibition of a use permitted by this chapter. Failure to cure conditions leading to the suspension may result in revocation.