

SECOND COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 010446

Amending Chapter 80, Code of Ordinances, by repealing Section 80-480, Fees, and amending Chapter 66, Code of Ordinances, by repealing Section 66-10, Fees, and enacting in lieu thereof two new sections of like numbers and subject matters.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Chapter 80, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 80-480, Fees, and enacting in lieu thereof one new section of like number and subject matter, to read as follows:

Sec. 80-480. Fees.

(a) *Applications to board of zoning adjustment and city plan commission.* 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, not requiring a preliminary plan: \$350.00.
 - b. For applications to rezone with a preliminary or development plan:
 1. Residential: \$350.00 plus \$3.00 per dwelling unit, but not to exceed \$3,000.00.
 2. Nonresidential: \$350.00 plus \$75.00 per acre or fraction thereof, but not to exceed \$3,000.00.
 - c. For Community Unit Projects: \$250.00 plus \$3.00 per dwelling unit, but not to exceed \$2,500.00.
 - d. For amendments to preliminary or development plans:
 1. Residential: \$200.00 plus \$3.00 per dwelling unit of the area to be amended, but not to exceed \$1,000.00.
 2. Nonresidential: \$200.00 plus \$75.00 per acre or fraction thereof of the area to be amended, but not to exceed \$1,000.00.
 - e. For each stage of final plans:
 1. Residential: \$150.00 plus \$3.00 per dwelling unit, but not to

exceed \$1,000.00.

2. Nonresidential: \$150.00 plus \$75.00 per acre or fraction thereof, but not to exceed \$1,000.00.

f. For approval of signage plans: \$200.00.

g. For application for special review district: \$250.00.

h. For special use permits and text amendments: \$350.00.

i. For Group Housing Projects: \$250.00 plus \$3.00 per dwelling unit.

j. For all other applications: \$350.00.

(2) Board of zoning adjustment.

a. For applications for area (bulk) variances involving the following uses:

(i) 1 and 2 family dwelling and accessory uses: \$200.00

(ii) All other uses: \$300.00

b. For applications for appeal from the decision of the Codes Administration: \$300.00.

c. For applications for a conditional use permit excluding signs, carnivals, circuses, fiestas or street fairs: \$400.00.

d. For applications for a conditional use permit for signs, carnivals, circuses, fiestas or street fairs: \$200.00.

e. For applications for a special use permit: \$300.00.

f. For applications for all other requests: \$300.00.

g. For applications for rehearing before the board of zoning adjustment: \$100.00.

h. For applications for a group housing project: \$300.00.

(3) For any request for continuance by the applicant: \$100.00.

(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.

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(b) *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.

(c) *Certificates of legal nonconformance.* For all applications for certificate of legal nonconformance, there shall be a charge of \$100.00 for applications related to one- and two-family residences and \$250.00 for all other applications. For all requests for approval of a change in use for an existing legal nonconforming use pursuant to Section 80-230(4), there shall be a charge of \$50.00 for requests related to one- and two-family residences and \$125.00 for all other requests.

(d) 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.

Section 2. That Chapter 66, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended by repealing Section 66-10, Fees, and enacting in lieu thereof one new section of like number and subject matter, to read as follows:

Sec. 66-10. Fees.

(a) *Generally.* The following fees are hereby established for the filing of applications in conformance with the provisions of this chapter:

- (1) *Preliminary plat.* The fee for the filing of the preliminary plat will be:
 - a. For residential, a minimum charge of \$300.00 plus \$3.00 per unit, but not to exceed \$1,000.00.
 - b. For applications revising an area of an approved preliminary plat, a minimum charge of \$300.00 plus \$3.00 per unit of the area to be amended, but not to exceed \$1,000.00.
 - c. For nonresidential, a minimum charge of \$300.00 plus \$50.00 per acre or

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fraction thereof, but not to exceed \$1,000.00.

- d. For applications revising an area of an approved preliminary plat, a minimum charge of \$300.00 plus \$50.00 acre of the area to be amended, but not to exceed \$1,000.00.

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

- a. For residential, a minimum charge of \$300.00 plus \$3.00 per unit, but not to exceed \$1,500.00.
- b. For nonresidential, a minimum charge of \$200.00 plus \$25.00 per acre or fraction thereof, but not to exceed \$1,500.00.

(3) *Lot split.* The fee for filing for lot split shall be:

- a. For residential, excluding townhouses, a minimum charge of \$150.00 plus \$2.00 per lot.
- b. For nonresidential, a minimum charge of \$150.00 plus \$50.00 per acre.

(4) *Townhouse plat or survey (minor subdivision).* The fee for filing a certificate of survey for townhouses upon an established lot is \$150.00 plus \$3.00 per unit.

(b) *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.

(c) 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.

Section 3. That the Council finds and declares that before taking any action on the proposed amendments hereinabove, all public notices and hearings required by the Zoning Ordinance and Subdivision Regulations have been given and had.

I hereby certify that as required by Chapter 80 and Chapter 66, Code of Ordinances, the

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foregoing ordinance was duly advertised and public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

Assistant City Attorney