

**ORDINANCE NO. 980170**

**Amending Chapter 80, Code of Ordinances, by repealing Appendix A, KCIA (Airport) General Planned Development District, Sections 2.4, GP-4 High density residential uses, and 2.5, GP-5 Medium density residential uses, and enacting in lieu thereof two new sections of like numbers and subject matters.**

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 80, Code of Ordinances of the City of Kansas City, Missouri, is hereby amended, by repealing Appendix A, KCIA (Airport) General Planned Development District, Sections 2.4, GP-4 High density residential uses, and 2.5, GP-5 Medium density residential uses, and enacting in lieu thereof two new sections of like numbers and subject matters, to read as follows:

**Sec. 2.4. GP-4 High Density Residential Uses.**

I. *Purpose.* The GP-4 zone is primarily for apartment buildings located in relation to outlying major thoroughfares or in peripheral relationship to outlying regional or local business districts.

II. *Permitted uses.* The following uses shall be permitted:

A. *Principal uses.*

1. Apartments or other multifamily residences having three or more dwelling units.
2. Apartment hotels.
3. Hotels and motels.
4. Hospitals (minimum lot area - ten acres).
5. Junior or senior high schools and schools of higher learning, public or private (minimum lot area - ten acres; minimum yard depth or width - 50 feet).
6. Elementary schools, public or private (minimum lot area - five acres; minimum yard depth or width - 50 feet).
7. Churches (minimum lot area - three acres; minimum yard depth or width - 30 feet).
8. Nursing homes.

9. Golf courses, not including miniature golf courses or golf driving ranges, if a part of an overall development plan for residential development.

10. Accessory uses customarily incident to the above uses including golf course clubhouses and driving ranges which are accessory to golf courses.

11. Halfway houses for the rehabilitation of drug addicts, alcoholics and prisoners or juvenile delinquents who are considered to be substance abusers or for the rehabilitation of ex-offenders in a controlled environment with supervision and treatment or counseling provided on-site on an interim basis after referral from a public agency or institutional facility may be allowed as a special use permit by the city council, after public hearing and recommendation of the city plan commission, subject to the following conditions:

a. One parking space per every four residents, plus one per every employee, is required.

b. Paving and screening of the parking area shall be as required by section 80-444.

c. There shall be required 500 square feet of lot area per resident.

d. There shall be no exterior evidence of such use and no sign advertising such use.

e. There shall be 250 square feet of floor area per resident and resident staff.

f. At the time of original approval, no halfway house shall be located within 1,500 feet of another halfway house nor shall be located within 1,500 feet of a group home, a convalescent center, a children's nursery or boarding home, a group day care home or a day care center located in any residential district (R-1, R-2, R-3, R-4, R-4-O, R-5, R-6, GP-6, GP-5 or GP-4); provided, however, that the city council shall have the authority to waive this requirement if the facilities are separated by a major thoroughfare, railroad track, major waterway or other comparable manmade or natural barrier.

g. The facility shall maintain the residential character of the structure.

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h. The applicant shall demonstrate that there shall be no negative impact on property within 500 feet of the proposed facility and that the character of the neighborhood shall be maintained.

i. Any halfway houses which are approved as a special use permit shall comply with the height, yard, and area regulations of the zoning district in which the facility is authorized, except as otherwise provided in these subsections.

j. The permit shall be limited to a two-year period but may be renewed by the city council after a public hearing; provided, however, at the time of renewal, the applicant shall demonstrate that the facility has not had a negative impact on properties within 500 feet, that the character of the neighborhood has not been impaired, and that the facility has complied with the provisions of chapter 56, the property maintenance code. The city council may impose such conditions as to operation, site development, times of operation or any other matter as may be deemed necessary in order that such use shall not materially injure or curtail the appropriate use of neighboring property; shall not jeopardize the public health, safety and welfare; and does not violate the general spirit or intent of this chapter or this subsection.

B. *Signs.* Only identification, informational or directional signs shall be permitted. Identification signs at the entrance or entrances to buildings shall be permitted not to exceed 12 square feet in area. No other individual sign shall exceed four square feet in area. Signs detached from buildings shall not exceed five feet in height above the grade where the sign is located.

### III. *Building height, coverage, lot area, lot width, and yards regulation.*

A. *Building height.* None, except as prescribed within any airport runway approach zone (see Section 1.6).

B. *Coverage and minimum open space.* No building or buildings on any lot shall occupy more than 30 percent of the lot area. Not less than 40 percent of the lot area shall be in open landscaped yard space, unobstructed by vehicular driveways or parking areas.

C. *Minimum lot area.*

1. For three or more bedroom apartments - 4,300 square feet per unit;

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2. For two bedroom apartments - 3,300 square feet per unit;
3. For one bedroom apartments - 2,200 square feet per unit;
4. For efficiency apartments and transient hotel rooms - 1,600 square feet per unit.
5. For nursing homes, 715 square feet per bed if dormitory design; otherwise, one-half (1/2) the lot area requirements as stated above.

D. *Minimum lot width.* Eighty feet.

E. *Yards.* No building shall be located nearer than 20 feet from any property line or less than a distance equal to 50 percent of its height, whichever is greater. Where any property line is a street property line, the yard related to the building height may be measured from the centerline of the street.

IV. *Parking and loading requirements.* In the GP-4 zone, no on-street parking shall be permitted. Off-street parking shall be provided in amounts not less than three parking spaces for each two apartments and otherwise all parking shall conform to the requirements of section 80-444 and section 80-445, Code of Ordinances (the Zoning Ordinance).

**Sec. 2.5. GP-5 Medium Density Residential Uses.**

I. *Purpose.* The GP-5 zone is intended for all types of residential uses.

II. *Permitted uses.* The following uses shall be permitted:

A. *Principal uses.*

1. One-family dwellings.
2. Two-family dwellings.
3. Apartments or other multifamily residences having three or more dwelling units.
4. Junior or senior high school and schools of higher learning, public or private (minimum lot area - ten acres; minimum yard depth or width - 50 feet).
5. Elementary schools, public or private (minimum lot area - five acres; minimum yard depth or width - 50 feet).
6. Churches (minimum lot area - three acres; minimum yard

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depth or width - 30 feet).

7. Golf courses, not including miniature golf courses or golf driving ranges, if a part of an overall development plan for residential development.

8. Accessory uses customarily incident to the above uses including golf course clubhouses and driving ranges which are accessory to golf courses.

9. Halfway houses for the rehabilitation of drug addicts, alcoholics and prisoners or juvenile delinquents who are considered to be substance abusers or for the rehabilitation of ex-offenders in a controlled environment with supervision and treatment or counseling provided on-site on an interim basis after referral from a public agency or institutional facility may be allowed as a special use permit by the city council, after public hearing and recommendation of the city plan commission, subject to the following conditions:

a. One parking space per every four residents, plus one per every employee, is required.

b. Paving and screening of the parking area shall be as required by section 80-444.

c. There shall be required 700 square feet of lot area per resident.

d. There shall be no exterior evidence of such use and no sign advertising such use.

e. There shall be 250 square feet of floor area per resident and resident staff.

f. At the time of original approval, no halfway house shall be located within 1,500 feet of another halfway house nor shall be located within 1,500 feet of a group home, a convalescent center, a children's nursery or boarding home, a group day care home or a day care center located in any residential district (R-1, R-2, R-3, R-4, R-4-O, R-5, R-6, GP-6, GP-5 or GP-4); provided, however, that the city council shall have the authority to waive this requirement if the facilities are separated by a major thoroughfare, railroad track, major waterway or other comparable manmade or natural barrier.

g. The facility shall maintain the residential character

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of the structure.

h. The applicant shall demonstrate that there shall be no negative impact on property within 500 feet of the proposed facility and that the character of the neighborhood shall be maintained.

i. Any halfway houses which are approved as a special use permit shall comply with the height, yard, and area regulations of the zoning district in which the facility is authorized, except as otherwise provided in these subsections.

j. The permit shall be limited to a two-year period but may be renewed by the city council after a public hearing; provided, however, at the time of renewal, the applicant shall demonstrate that the facility has not had a negative impact on properties within 500 feet, that the character of the neighborhood has not been impaired, and that the facility has complied with the provisions of chapter 56, the property maintenance code. The city council may impose such conditions as to operation, site development, times of operation or any other matter as may be deemed necessary in order that such use shall not materially injure or curtail the appropriate use of neighboring property; shall not jeopardize the public health, safety and welfare; and does not violate the general spirit or intent of this chapter or this subsection.

B. *Signs.* Same as GP-4; however, no sign upon the premises of a one- or two-family dwelling shall exceed one square foot in area.

III. *Building height, coverage, lot area, lot width, and yards regulations.*

A. *Building height.* Three stories (see section 1.6).

B. *Coverage and minimum open space.* No building or buildings on any lot shall occupy more than 30 percent of the lot area. Not less than 40 percent of the lot area shall be in open landscaped yard space, unobstructed by vehicular driveways or parking areas.

C. *Minimum lot area.*

1. For one-family dwellings - 6,200 square feet;
2. For two-family dwellings - 8,600 square feet;
3. For more than two-family dwellings - same as GP-4.

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D. *Minimum lot width.*

1. For one-family dwellings - 50 feet;
2. For two-family dwellings - 60 feet;
3. For more than two-family dwellings or other permitted nonresidential uses - 80 feet.

E. *Yards.* Same as GP-4 except one- and two-family dwellings may, as an alternative, provide a side yard of not less than ten percent of the width of the lot. Such side yard shall not be less than eight feet; provided such use is at least 30 feet from any interior rear property line.

IV. *Parking and loading regulations.* In the GP-5 zone, one off-street parking space shall be provided for each dwelling unit in a one- or two-family dwelling structure and for dwelling structures having more than two dwelling units, three parking spaces shall be provided for each two dwelling units. All parking for other permitted uses shall conform to the requirements set forth in section 80-444 and section 80-445, Code of Ordinances (the Zoning Ordinance).

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

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I hereby certify that as required by Chapter 80, Code of Ordinances of the City of Kansas City, Missouri, the amendment in the foregoing ordinance was duly advertised and public hearings were held.

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Secretary, City Plan Commission

Approved as to form and legality:

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Assistant City Attorney