



# City of Kansas City, Missouri

## Docket Memo

Ordinance/Resolution #: 260478

Submitted Department/Preparer: City Planning

Revised 01/30/25

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

Amending Section 88-610-05 regarding reconstruction of nonconforming detached houses after accidental damage or destruction

### Discussion

The proposed text amendment is intended to assist property owners after accidental damage or destruction to single-family homes.

A building or structure that was lawfully built but no longer complies with the zoning and development code is considered "nonconforming." Nonconforming structures may remain in use, but are subject to the regulations of Section 88-610-05. This section establishes requirements for alteration and expansion, moving, and reconstruction in the case of damage or destruction.

The current ordinance establishes that, when more than 50% of the volume of a nonconforming structure is destroyed, the structure loses its nonconforming status and must be rebuilt in conformance with the standards of the current zoning ordinance. If less than 50% of the volume of a nonconforming structure is destroyed, the nonconforming structure may be restored as long as no nonconformities are increased.

The proposed text amendment would add an exception to Section 88-610-05-E.2 allowing nonconforming detached houses to be reconstructed when:

- There is accidental damage or destruction not within the control of the owner or tenant;
- No new nonconformities are created and existing nonconformities are not increased;
- The structure remains a detached house;
- A building permit is obtained within 12 months; and

- Construction is diligently pursued.

There was no public testimony on this amendment. City Plan Commission unanimously recommended approval.

## Fiscal Impact

1. Is this legislation included in the adopted budget?  Yes  No
2. What is the funding source?  
Not applicable - this is a zoning text amendment
3. How does the legislation affect the current fiscal year?  
Not applicable - this is a zoning text amendment
4. Does the legislation have a fiscal impact in future fiscal years? Please notate the difference between one-time and recurring costs.  
Not applicable - this is a zoning text amendment
5. Does the legislation generate revenue, leverage outside funding, or deliver a return on investment?  
Not applicable - this is a zoning text amendment

## 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)

This ordinance has no fiscal impact.

## Citywide Business Plan (CWBP) Impact

1. View the [Adopted 2025-2029 Citywide Business Plan](#)
2. Which CWBP goal is most impacted by this legislation?  
Housing and Healthy Communities (Press tab after selecting.)

3. Which objectives are impacted by this legislation (select all that apply):

- Utilize planning approaches in neighborhoods to reduce blight, ensure sustainable, affordable housing, and improve resident wellbeing and cultural diversity.
- Maintain and increase housing supply to meet the demands of a diverse population.
- Address the various needs of the City's most vulnerable population by working to reduce disparities.
- Promote healthy residents by ensuring basic sanitation and living needs are met.
- Ensure all residents have safe, accessible, quality housing by reducing barriers.
- Protect and promote healthy, active amenities such as parks and trails, play spaces, and green spaces.

### Prior Legislation

Click or tap here to list prior, related ordinances/resolutions.

### Service Level Impacts

Not applicable - this is a zoning text amendment

### Staff Recommendation

Click or tap here to enter department.

Select One:  Sponsored  
 Directive: Res/Ord # [Click to enter Res/Ord. No.](#)

Select One:  Recommend  
 Do Not Recommend  
 Not Applicable

Staff recommends Approval  
CPC recommends Approval

### Other Impacts

1. What will be the potential health impacts to any affected groups?  
Not applicable - this is a zoning text amendment
2. How have those groups been engaged and involved in the development of this ordinance?  
Not applicable - this is a zoning text amendment
3. How does this legislation contribute to a sustainable Kansas City?  
This text amendment facilitates the reconstruction of detached houses after accidental damage or destruction.

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:

Not applicable - this is a zoning text amendment

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)