

COMPARED VERSION
NEW ORDINANCE TO CODE BOOKS

ORDINANCE NO. 220323

Amending Chapter 88, Code of Ordinances, by repealing Section 88-620, Fees, and enacting in lieu thereof a new section of like number and subject matter for the propose of establishing a cap on the fees for minor subdivisions.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY

Section A. That Chapter 88, Code of Ordinances, is hereby amended by repealing Section 88-620, Fees, and enacting in lieu thereof a new section of like number and subject matter for the purpose of establishing a cap on the fees for minor subdivisions, said section to read as follows:

88-620 FEES

88-620-A. SUBDIVISION REGULATION FEES

1. PRELIMINARY PLAT

The fee for the filing of the preliminary plat shall be:

- a. For residential, a base charge of \$407.00 plus \$4.00 per residential unit, not to exceed \$1,355.00.
- b. For applications revising an area of an approved preliminary plat, a base charge of \$407.00 plus \$4.00 per unit of the area to be amended, not to exceed \$1,355.00.
- c. For nonresidential, a base charge of \$407.00 plus \$65.00 per acre or fraction thereof, not to exceed \$1,355.00.
- d. For applications revising an area of an approved preliminary plat, a base charge of \$407.00 plus \$65.00 acre of the area to be amended, not to exceed \$1,355.00.

2. FINAL PLAT

The fee for filing the final plat shall be:

- a. For residential, a base charge of \$407.00 plus \$4.00 per residential unit, not to exceed \$1,896.00.
- b. For nonresidential, a base charge of \$407.00 plus \$32.00 per acre or fraction thereof, not to exceed \$1,896.00.

3. MINOR SUBDIVISIONS

a. LOT SPLIT

1. For residential: \$217.00 plus \$3.00 per lot/unit, not to exceed \$1,896.00.
2. For nonresidential: \$217.00 plus \$65.00 per acre, not to exceed \$1,896.00.

- b. **LOT LINE ADJUSTMENT**
 - 1. \$217.00 plus \$3.00 per lot, not to exceed \$1,896.00.
 - c. **LOT CONSOLIDATIONS.**
 - 1. \$217.00 plus \$3.00 per lot, not to exceed \$1,896.00.
 - d. **CONDOMINIUM PLATS**
 - 1. \$217.00 plus \$3.00 per unit, not to exceed \$1,896.00.
4. **STREET NAMING**
- The fee for filing for approval of street names shall be:
- a. \$136.00 as part of plat approval process.
 - b. \$136.00 for honorary street name petition.
5. **RE-REVIEW OF PLATS**
- When plat documents require subsequent submittal(s) for review after the second 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 third 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: \$678.00.
- b. Development plan:
 - 1. Residential: \$678.00 plus \$4.00 per dwelling unit, not to exceed \$3,793.00.

2. Nonresidential: \$678.00 plus \$97.00 per acre or fraction thereof, not to exceed \$3,793.00.
- c. Project plan:
 1. Residential: \$271.00 plus \$4.00 per dwelling unit.
 2. Nonresidential: \$271.00 plus \$97.00 per acre or fraction thereof.
 - d. Major amendments:
 1. Residential: \$325.00 plus \$4.00 per dwelling unit, not to exceed \$1,355.00.
 2. Nonresidential: \$325.00 plus \$97.00 per acre or fraction thereof, not to exceed \$1,355.00.
 - e. Urban redevelopment district:
 1. \$678.00 plus \$97.00 per acre or \$4.00 per dwelling unit, whichever is greater, not to exceed \$3,793.00.
 - f. Master plan development:
 1. \$678.00 plus \$97.00 per acre or \$4.00 per dwelling unit, whichever is greater, not to exceed \$3,793.00.
 - g. For approval of a council approved signage plan: \$271.00.
 - h. For application for special review district: \$460.00.
 - i. For text amendments: \$542.00.
 - j. For land use plan amendments: \$867.00.
 - k. For major street plan amendments: \$433.00.
 - l. For applications for appeal from the decision of the director of city planning and development: \$542.00.
 - m. For neighborhood rezoning projects and overlay districts:
 - from 0—200 parcels/lots \$2,709.00.
 - from 201—500 parcels/lots \$4,876.00.
 - from 501+ parcels/lots \$5,960.00.
 - n. Vacation of alleys, streets, and plats: \$303.00.
 - o. For all other applications: \$651.00.

2. Board of zoning adjustment:
 - a. For applications for variances involving the following uses:
 1. One- and two-family dwelling and accessory uses: \$271.00.
 2. All other uses: \$542.00.
 - b. For applications for appeal from the decision of the director of city planning and development: \$542.00.
 - c. For applications for rehearing before the board of zoning adjustment: \$271.00.
 - d. Certificates of legal nonconformance: For all applications for certificate of legal nonconformance, there shall be a charge of \$136.00 for applications related to one- and two-family residences and \$325.00 for all other applications. For all requests for approval of a change in use for an existing legal nonconforming use pursuant to 88-610 there shall be a charge of \$54.00 for requests related to one- and two-family residences and \$189.00 for all other requests.
 - e. For applications for all other requests: \$407.00.
 - f. For stay of enforcement: \$433.00.
 - g. Special use permits:
 1. Ambulance service: \$894.00.
 2. Bed & breakfast: \$623.00.
 3. Blood/plasma center: \$867.00.
 4. Car wash/cleaning service: \$894.00.
 5. Cemetery/columbarium/mausoleum: \$894.00.
 6. Check-cashing, short-term loan/title loan establishment: \$1,571.00.
 7. College/university: \$894.00.
 8. Community center: \$407.00.
 9. Community supported agriculture: \$105.00.
 10. Crematory: \$894.00.
 11. Day care (home & family): \$623.00.
 12. Day care (11—20 children) (group): \$623.00.

13. Day care center (21+): \$867.00.
14. Day labor employment agency: \$867.00.
15. Demolition debris landfill: \$1,571.00.
16. Detention and correctional facilities: \$1,571.00.
17. Drive-thru facility: \$894.00.
18. Entertainment and spectator sports: \$894.00.
19. Entertainment: small venue (1—149 capacity): \$487.00.
20. Entertainment: medium venue (150—499 capacity): \$894.00.
21. Entertainment: large venue (500 + capacity): \$1,571.00.
22. Entertainment: outdoor (all sizes): \$1,571.00.
23. Financial services (except check-cashing and pawn shops): \$867.00.
24. Gasoline and fuel sales: \$894.00.
25. Group living: \$623.00.
26. Heavy equipment sales/rental: \$894.00.
27. Historic landmark (reuse of officially designated historic landmark, local or national): \$271.00.
28. Hospital: \$894.00.
29. Hotel/motel: \$894.00.
30. Household living: \$894.00.
31. Junk/salvage yard: \$1,571.00.
32. Library/museum/cultural exhibit: \$407.00.
33. Light equipment sales/rental (indoor): \$894.00.
34. Light equipment sales/rental (outdoor): \$1,571.00.

35. Manufacturing, production, and industrial service - limited: \$1,571.00.
36. Manufacturing, production, and industrial service - general: \$1,571.00.
37. Mining and quarrying: \$1,571.00.
38. Motor vehicle repair limited: \$894.00.
39. Motor vehicle repair general: \$894.00.
40. Neighborhood-serving retail: \$894.00.
41. Nursing homes: \$867.00.
42. Office, administrative, professional or general: \$894.00.
43. Park/recreation: \$487.00.
44. Parking, non-accessory: \$894.00.
45. Pawn shops: \$1,571.00.
46. Recreation vehicle park: \$1,571.00.
47. Recycling service - limited: \$1,571.00.
48. Recycling service - general: \$1,571.00.
49. Religious assembly: \$407.00.
50. Repair or laundry service, consumer: \$894.00.
51. Residential storage warehouse: \$894.00.
52. Safety service (except for police and fire stations \$894.00.
53. School: \$407.00.
54. Signs: \$353.00.
55. Solid waste separation facility: \$1,571.00.
56. Sports and recreation, participant (indoor): \$894.00.
57. Sports and recreation, participant (outdoor): \$1,571.00.

58. Stable: \$867.00.
 59. Tavern or nightclub: \$894.00.
 60. Transfer station: \$1,571.00.
 61. Undertaking: \$894.00.
 62. Utilities and services (except basic, minor): \$894.00.
 63. Vehicle sales and service: \$894.00.
 64. Vehicle storage/towing: \$1,571.00.
 65. Warehousing, wholesaling, freight movement—indoor: \$894.00.
 66. Warehousing, wholesaling, freight movement—outdoor: \$1,571.00.
 67. Waste related use: \$1,571.00.
 68. All other uses: \$894.00.
3. Administrative fees:
- A. Minor amendment to an approved development plan:
 1. Residential: \$244.00 plus \$4.00 per dwelling unit, not to exceed \$678.00.
 2. Nonresidential: \$244.00 plus \$97.00 per acre or fraction thereof, not to exceed \$678.00.
 - B. Administrative adjustment: \$271.00.
 - C. Administrative approval: \$271.00.
 - D. For any request for continuance by the applicant: \$136.00.
 - E. Short term rental:
 1. Administrative approval: \$271.00
 2. Special use permit: \$623.00
 3. First year registration: \$288.00 (if administrative approval or special use permit not required, as those fees include first year registration)
 4. Annual renewal of registration: \$183.00

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.

I hereby certify that as required by Chapter 88, Code of Ordinances, the foregoing ordinance was duly advertised ad public hearings were held.

Secretary, City Plan Commission

Approved as to form and legality:

Sarah Baxter
Assistant City Attorney