

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 160513

Creating a Special Character Overlay District to be called Independence Corridor Overlay (ICO) for the Independence Corridor in the area generally bounded by Independence Avenue from Forest to Ewing, Paseo from Independence to 8th Street and Prospect from Independence to 7th Street; and removing the Independence Avenue East and West Special Review Districts. (14678-P).

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Code of Ordinances of the City of Kansas City, Missouri, commonly known as the Zoning and Development Code, is hereby amended by enacting a new section to be known as Section 88-20A1057, rezoning by creating a Special Character Overlay District, to be called the Independence Corridor Overlay (ICO), an area of approximately 156 acres generally bounded by Independence Avenue from Forest to Ewing, Paseo from Independence to 8th Street and Prospect from Independence to 7th Street, said section to read as follows:

Section 88-20A1057. That an area legally described as:

Independence Boulevard/Avenue bounded by Forest on the west and Ewing to the east and one half block north and south of Independence including complete existing parcel depth; Paseo generally bounded by Independence Avenue on the north and E. 8th Street to the south and one half block east and west of Paseo including complete existing parcel depth; and Prospect generally bounded by Independence Avenue on the north and E. 8th Street to the south and one half block east and west of Prospect including complete existing parcel depth.

is hereby rezoned by creating a Special Character Overlay District to be called the Independence Corridor Overlay (ICO) (the underlying zoning on these properties will remain). This amendment will impose design guidelines applicable to all properties within this district, and is imposed through the rezoning process.

Section B. That the regulations applicable to property within the Independence Corridor Overlay District are as follows:

1. Informational.

a. **Purpose.** This overlay aims to promote design excellence and walkability for all parcels on the Independence Corridor from Forest Avenue on the west to Ewing Avenue on the east, and all parcels two blocks south of Independence Boulevard on Paseo Boulevard, and two blocks south of Independence Boulevard on Prospect Avenue (see Map).

b. **Applicability.**

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- i. The standards of this article apply to all development in the Independence Overlay District. This document establishes the development standards that vary from the underlying base zoning for the properties in the Independence Overlay District. All provisions described below as regulatory in nature have the same force and effect as, but are variations from, the standards set forth in Chapter 88 - Zoning and Development Code.
- ii. If provisions of this overlay district are inconsistent with Chapter 88, the provisions of this overlay district shall apply.
- iii. If provisions of this overlay district are inconsistent with a Historic Overlay District then the provisions of the Historic Overlay District shall apply.
- iv. MPD and UR districts are exempt from the standards of this ordinance; however, standards in this ordinance shall be used to guide the development of standards for MPD and UR districts.
- v. Other than as set forth below, the underlying zoning and the regulations and standards included in the Zoning and Development Code, Chapter 88, prescribed for the areas rezoned to this overlay district shall remain unchanged and shall continue to apply.
 1. **New Development.** Full compliance with this article applies to all new buildings constructed within this district.
 2. **Enlargements and Expansions.** Full compliance with this article applies only to the enlargement or expansion area.
 3. **Façade Changes.** Compliance with this article applies to façade changes to existing buildings.
 4. **Change of Use or Occupancy.** Compliance with use standards apply whenever the use or occupancy of a property changes.
 5. **Signage.** Compliance with signage standards apply when a sign permit is required.
- vi. The standards of this article apply to Areas A, B, and C (see Attachment A) as noted in each standards heading.

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c. Definitions

- i. Front. The portion of the parcel that is adjacent to or abuts Independence, Paseo, Prospect Ave, and parkways and boulevards.
- ii. Independence. Independence refers to the street right-of-way regardless of its “avenue” or “boulevard” designation.
- iii. Map – See Attachment A.
- iv. Parkway and/or boulevard. Any street designated on the Major Street Plan as a parkway, established parkway, boulevard, or established boulevard.

2. Uses

Independence Use Table								
USE GROUP								
Use Category <i>specific use type</i>	R-2.5	R-1.5	B1	B2	B3	B4	M1	Use-Specific Standards
RESIDENTIAL								
Household Living (except as noted below)	P	P	P	P	P	P	P	88-110-06-C
<i>Single family home</i>	-	-	-	-	-	-	-	
<i>In single-purpose residential building</i>	P	P	P	P	P	P	P	88-350
<i>Above ground floor (in mixed-use building)</i>	S	S	P	P	P	P	P	88-350
Group Living (except as noted below)	-	-	-	-	-	-	-	88-350
<i>Group homes</i>	-	-	-	-	-	-	-	88-350
<i>Nursing home</i>	S	S	S	S	S	S	S	88-350
<i>Fraternity, sorority, dormitory</i>	S	S	S	S	S	S	S	
<i>Convent, Monastery</i>	S	S	S	S	S	S	S	
PUBLIC/CIVIC								
Bicycle-Sharing Facility	P	P	P	P	P	P	P	88-322
Club, Lodge, or Fraternal Organization	-	P	P	P	P	P	P	88-365
College/University	P/S	P/S	P	P	P	P	P	88-365
Day Care								
<i>Home-based (1-5)</i>	P	P	P	P	P	P	P	
<i>Family (up to 10)</i>	P	P	P	P	P	P	P	88-330-01
<i>Group (up to 20)</i>	S	P	P	P	P	P	P	88-330-02
<i>Center (21+)</i>	S	S	P	P	P	P	P	88-330-02

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Independence Use Table								
USE GROUP								
Use Category <i>specific use type</i>	R-2.5	R-1.5	B1	B2	B3	B4	M1	Use-Specific Standards
Detention and Correctional Facilities	-	-	-	-	-	-	-	88-335
Halfway House	-	-	-	-	-	-	-	88-352
Hospital	S	S	P	P	P	P	P	
Library/Museum/Cultural Exhibit	P/S	P/S	P	P	P	P	P	88-365
Park/Recreation (except as noted below)	P/S	P/S	P	P	P	P	P	88-365
<i>Community center</i>	P/S	P/S	P	P	P	P	P	88-365
<i>Homes Association Amenities</i>	S	S	S	S	S	S	S	88-805-03-H.
Religious Assembly	P/S	P/S	P	P	P	P	P	88-365
Safety Service (except as noted below)								
<i>Fire station</i>	S	S	P	P	P	P	P	88-365
<i>Police station</i>	P	P	P	P	P	P	P	88-365
<i>Ambulance service</i>	S	S	S	S	P	P	P	88-365
School	P/S	P/S	P	P	P	P	P	88-365
Utilities and Services (except as noted below)	S	S	S[1]	S[1]	S[1]	S[1]	S[1]	88-425-08-B
<i>Basic, minor</i>	P	P	P	P	P	P	P	88-425-08-B
COMMERCIAL								
Adult Business								
<i>Adult media store</i>	-	-	-	-	-	-	-	88-310-03
<i>Adult motion picture theater</i>	-	-	-	-	-	-	-	88-310-02
<i>Sex shop</i>	-	-	-	-	-	-	-	88-310-02
Animal Service								
<i>Sales and grooming</i>	-	-	P	P	P	P	P	88-315
<i>Shelter or boarding</i>	-	-	-	P	P	P	P	88-315
<i>Stable</i>	-	-	-	-	-	-	-	88-315
<i>Veterinary Office</i>	-	-	-	P	P	P	P	88-315
Artist Work or Sales Space	-	-	P	P	P	P	P	
Building Maintenance Service	-	-	-	-	P	P	P	
Business Equipment Sales and Service	-	-	-	P	P	P	P	
Business Support Service (except as noted below)	-	-	-	P	P	P	P	
<i>Day labor employment agency</i>	-	-	-	-	-	-	-	
Communications Service	-	-	-	P	P	P	P	

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Independence Use Table								
USE GROUP								
Use Category <i>specific use type</i>	R-2.5	R-1.5	B1	B2	B3	B4	M1	Use-Specific Standards
Establishments								
Drive-Through Facility	-	-	-	S	S	S	S	88-340
Eating and Drinking Establishments (except as noted below)	-	-	P	P	P	P	P	
<i>Tavern or nightclub</i>	-	-	-	S	S	S	S	
<i>Smoking Lounge</i>	-	-	-	S	S	S	S	
Entertainment and Spectator Sports								
<i>Indoor small venue (1-149 capacity)</i>	-	-	S	P	P	P	P	
<i>Indoor medium venue (150-499 capacity)</i>	-	-	S	S	S	S	S	
<i>Indoor large venue (500+ capacity)</i>	-	-	-	S	S	S	S	
<i>Outdoor (all sizes)</i>	-	-	S	S	S	S	S	
Financial Services (except as noted below)	-	-	P	P	P	P	P	
<i>Short-term loan establishment</i>	-	-	-	-	-	-	-	
<i>Pawn shop</i>	-	-	-	-	-	-	-	
Food and Beverage Retail Sales	-	-	S	S	S	S	S	
Funeral and Interment Service								
<i>Cemetery/mausoleum</i>	-	-	-	-	-	-	-	88-345
<i>Columbarium</i>	S	S	S	S	S	S	S	
<i>Crematory</i>	-	-	S	P	P	P	P	88-345
<i>Undertaking</i>	-	-	S	P	P	P	P	
Gasoline and Fuel Sales	-	-	-	-	-	-	-	
Lodging								
<i>Bed and breakfast</i>	S	S	P	P	P	P	P	88-320
<i>Hotel/motel</i>	-	-	S	S	S	S	S	
<i>Recreational vehicle park</i>	-	-	-	-	-	-	-	
Neighborhood-serving retail	S	S	-	-	-	-	-	88-360
Office, Administrative, Professional or General	-	S	P	P	P	P	P	
Office, Medical (except as noted below)	-	-	P	P	P	P	P	
<i>Blood/plasma center</i>	-	-	-	-	-	-	-	
Parking, Accessory	P	P	P	P	P	P	P	
Parking, Non-accessory	S[1]	S[1]	S[1]	S[1]	S[1]	S[1]	S[1]	
Personal Improvement Service	-	-	P	P	P	P	P	

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Independence Use Table								
USE GROUP								
Use Category <i>specific use type</i>	R-2.5	R-1.5	B1	B2	B3	B4	M1	Use-Specific Standards
Repair or Laundry Service, Consumer	-	-	P	P	P	P	P	
Research Service	-	-	P	P	P	P	P	
Retail Sales	-	-	P	P	P	P	P	
Reuse of designated historic landmark (local or national) if use is not permitted	S	S	S	S	S	S	S	
Sports and Recreation, Participant								
<i>Indoor</i>	-	-	P	P	P	P	P	
<i>Outdoor</i>	-	-	S	S	S	S	S	
Vehicle Sales and Service								
<i>Car wash/cleaning service</i>	-	-	-	-	-	-	-	
<i>Heavy equipment sales/rental</i>	-	-	-	-	-	-	-	
<i>Light equipment sales/rental (indoor)</i>	-	-	-	-	S	S	P[2]	
<i>Light equipment sales/rental (outdoor)</i>	-	-	-	-	-	-	-	
<i>Motor vehicle repair, limited</i>	-	-	-	-	S	S	S	
<i>Motor vehicle repair, general</i>	-	-	-	-	S	S	S	
<i>Vehicle storage/towing</i>	-	-	-	-	-	-	-	
INDUSTRIAL								
Junk/Salvage Yard	-	-	-	-	-	-	-	88-425-09
Manufacturing, Production and Industrial Service								
<i>Artisan</i>	-	-	S	P	P	P	P	
<i>>>Artisanal food and beverage manufacturing</i>	-	-	S	P	P	P	P	
<i>>>Catering establishment</i>	-	-	S	P	P	P	P	
<i>Limited</i>	-	-	-	-	-	S	S	
<i>General</i>	-	-	-	-	-	-	-	
<i>Intensive</i>	-	-	-	-	-	-	-	
Mining and Quarrying	-	-	-	-	-	-	-	88-355
Outdoor Display								
<i>Class A</i>	-	-	P	P	P	P	P	88-435-02
<i>Class B</i>	-	-	-	-	-	-	-	88-435-02
Outdoor Storage								
<i>Principal</i>	-	-	-	-	-	-	-	88-435-03
<i>Accessory</i>	-	-	-	-	-	S[1]	S[1]	88-435-03

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Independence Use Table								
USE GROUP								
Use Category <i>specific use type</i>	R-2.5	R-1.5	B1	B2	B3	B4	M1	Use-Specific Standards
Recycling Service								
<i>Limited</i>	-	-	-	-	-	-	S[1]	
<i>General</i>	-	-	-	-	-	-	-	
Residential Storage Warehouse								
Warehousing, Wholesaling, Freight Movement								
<i>Indoor</i>	-	-	-	-	-	-	S	
<i>Outdoor</i>	-	-	-	-	-	-		
Waste-Related Use								
<i>Composting Facility</i>	-	-	-	-	-	-	-	88-328
<i>Demolition debris landfill</i>	-	-	-	-	-	-	-	88-380
<i>Solid waste separation facility</i>	-	-	-	-	-	-	-	88-380
<i>Transfer station</i>	-	-	-	-	-	-	-	88-380
AGRICULTURE								
Agriculture, Animal								
Agriculture, Crop								
Agriculture, Urban								
<i>Home garden</i>	P	P	P	P	P	P	P	88-312-02-A
<i>Community garden</i>	P	P	P	P	P	P	P	88-312-02-B
<i>Community-supported agriculture (CSA) farm</i>	P	P	P	P	P	P	P	88-312-02-C
ACCESSORY SERVICES								
Wireless Communication Facility								
<i>Freestanding</i>	-	-	-	-	-	-	-	88-385
<i>Co-located antenna</i>	P	P	P	P	P	P	P	88-385

3. Lot and Building Standards.

Applicable areas: Area A, Area B. Area C shall comply with the Lot and Building Standards of Chapter 88.

a. Non-Residential Lot and Building Standards.

Non-Residential Lot and Building Standards	
Lot Size	Refer to underlying zoning district

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Floor Area Ratio	Refer to underlying zoning district
Max. Front Yard Setback	0 ft.
Minimum Frontage	Area A: 80 percent of total lot frontage Area B: 60 percent of total lot frontage
Max. Street-side Setback	0 ft.
Abutting a Parkway	20 ft.
Min. Rear Yard Setback	0 ft.
Abutting residential district	Refer to underlying zoning district
Abutting an alley (any zoning district)	0 ft.
Maximum Height	45 ft.

b. Residential Lot and Building Standards.

- i. Attached Houses, Two-unit Houses, Multi-unit houses, and Multi-unit Buildings are allowed Residential Building Types. Detached Single Family Homes are not allowed.

Residential Buildings Lot and Building Standards	
Lot Size	Refer to underlying zoning district
Floor Area Ratio	Refer to underlying zoning district
Max. Front Yard Setback	15 ft.
Minimum Frontage	Area A: 80 percent of total lot frontage Area B: 60 percent of total lot frontage
Max. Street-side Setback	15 ft.
Min. Rear Yard Setback	0 ft.
Minimum Height	2 stories
Maximum Height	45 ft.

c. Exceptions to Lot & Building Standards.

- i. Buildings serving residential, public and civic, funeral and internment uses may choose to comply with Campus-Style and Courtyard Design Guidelines (see 2d).
- ii. Features allowed to be setback greater than the maximum allowed setback include:

Exceptions to the lot and building standards		
Feature	Maximum percent of façade	Maximum setback
Changes in façade setback from the maximum allowed setback	Fronting street: 50 percent Fronting street side	5 ft.

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	yard: 75 percent	
Recessed primary entrance	25 percent	5 ft.
Patio (see patio standards below)	60 percent	15 ft.

iii. No more than 75 percent of the front façade shall be set back more than the maximum allowed setback.

d. Campus-Style and Courtyard Design Guidelines.

Residential Uses, Public and Civic Uses, and Funeral and Interment Uses may use these guidelines to create campus-style or courtyard developments:

- i. Courtyards shall be visible from the Independence and/or Paseo Blvd right-of-way.
- ii. No more than 40 percent of the courtyard may be paved. Courtyard may not be used for parking facilities.
- iii. A minimum of 25 percent of the principal building(s) shall meet the maximum setback requirement.
- iv. Campus-style and courtyard developments shall be approved through a development plan.
- v. Flexibility to the Lot and Building Standards of the Overlay District may be granted by the City Council to accommodate this development type.

4. Architectural Materials.

Applicable areas: Area A, Area B, Area C.

- a. **Permitted Material.** Materials identified with a “PM” are Primary Materials and allowed on all stories of a structure.
- b. **Permitted Secondary Material.** Materials identified with a “SM” are Secondary Materials and allowed on the second story and above of a structure or for the required building elements. Permitted secondary materials may be used as an accent material on the first story and shall not encompass more than 20 percent of the first story façade.
- c. **Prohibited Materials.** Materials identified with an “-” are expressly prohibited.

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- d. **Material Transition.** Primary and secondary front façade materials shall wrap at the corners a minimum of 10 feet on the side facades.
- e. **Determination of Most Similar Material.** When a specific material cannot be readily classified, the city planning and development director is authorized to determine the most similar, thus most appropriate, material based on the following considerations:
 - i. the appearance of the material;
 - ii. the durability of the material;
 - iii. the method of installing the material;
 - iv. the location of the material; and
 - v. information provided by the International Building Code.

Allowed Architectural Materials		
Material	Façade Fronting:	
	Front and Street-side Yard	Side and Rear Yard
Brick	PM	PM
Stone	PM	PM
Cast stone	PM	PM
Glass	PM	PM
Terra cotta	PM	PM
Tile	SM	PM
Cast concrete	SM	PM
Pre-cast concrete	SM	PM
Stucco	SM	PM
Metal with hidden fasteners	SM	PM
Wood	SM	PM
Fiber cement siding	SM	PM
Fiberglass replication	SM	PM
Concrete masonry unit	-	PM
Split faced block	-	PM

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Glass block	-	SM
EIFS	-	-

5. Façade Articulation and Composition.

Applicable areas: Area A, Area B, Area C.

a. **Building Elements.** Building element standards apply to front and street-side facades.

i. All buildings shall include at least two of the following elements:

1. Two or more exterior finishes
2. Two or more changes in roof lines
3. Changes in façade setbacks no greater than 5 feet
4. Bay windows
5. Canopies and/or awnings
6. Balconies
7. Patio

ii. Residential buildings or residential portions of mixed-use buildings with three or more units shall provide outdoor spaces for residents. Residential buildings and uses shall include one or more of the following features on the front façade:

1. **Porches-** Porches are generally slightly above grade with an ornamental rail separating the porch from adjoining grade. Porches must have a minimum depth of 6 feet and shall span at least 50 percent of the front façade width.
2. **Balconies -** Balconies are outdoor spaces above the ground floor. Balconies must have a guard rail enclosing the usable area. Balconies must have a minimum depth of 4 feet and minimum length of 6 feet. A minimum of one balcony shall be provided per 20 feet of the front façade width per story.
3. **Stoops -** Stoops are unenclosed steps and landings providing access to a primary entrance. Stoops must have ornamental metal rails and cheek walls not exceeding 1

foot in height above the corresponding step. One stoop is required per front façade ground level unit. A minimum of 3 stoops is required to meet this requirement.

b. Doors and Entrances

- i. Primary entrances shall provide public access to individual shops or businesses, lobby entrances, or to individual dwelling units from Independence, Paseo, and Prospect. On corner lots, entrances at building corners may be used to satisfy this requirement.
- ii. Primary entrances must be accentuated with two or more of the following architectural features:
 1. Change in building material
 2. Tile flooring
 3. Recessed entrance (setback no greater than 5 feet) with sidelight windows
 4. Transom windows and/or sidelight windows
 5. Porticos
 6. Canopies and/or awnings
 7. Projecting signage
 8. Decorative lighting
- iii. Residential primary entrances shall not exceed 36 inches above grade. Non-residential primary entrances shall not exceed 12 inches above grade.

c. Patios

- i. Up to 60 percent of a façade may be setback a maximum of 15 feet to allow for a patio.
- ii. Patios may be used for Class A Outdoor Display, dining or gathering space. Patios may not be used for outdoor storage.
- iii. Patios may be roofed with a permanent structure attached to the principal structure. No tents or other temporary structures shall be erected within the patio.

- iv. Patios must be enclosed with a permanent rail or wall constructed of metal, masonry, or wood and shall be no taller than 3 feet in height.
- v. Patios are not permitted adjacent to intersections of streets identified by the Major Street Plan (includes all four corners).

6. Transparency.

Applicable areas: Area A, Area B, Area C.

- a. At least 70 percent of the façade fronting Independence, Paseo, and Prospect between 2 feet and 10 feet above the sidewalk must be comprised of windows that allow clear views of indoor space or product display areas. On corner lots, this 70 percent transparency requirement applies only along Independence, Paseo and Prospect. The minimum transparency standard for facades fronting streets other than Independence, Paseo, Prospect, parkways and boulevards is 40 percent. Facades fronting parkways and boulevards other than Independence, Paseo and Prospect shall comply with the standards set forth in 88-323 “Boulevard and Parkway Standards.”
- b. Buildings used solely for residential purposes may reduce their transparency to 40 percent on the first story, measured between 3 ½ feet above the finished floor and the interior ceiling.
- c. The minimum transparency for the second story and above must be 40 percent on any façade fronting a street.
- d. Display windows that do not provide views into the interior of the building may be counted towards satisfying up to 50 percent of the minimum ground-level transparency requirements, provided that they are internally illuminated and are at least 3 feet in depth.
- e. For non-residential structures, the bottom of any window or product display window used to satisfy the ground-level transparency requirements shall not be more than 3.5 feet above the adjacent sidewalk.
- f. The bottom of any window used to satisfy transparency requirements for stories above the ground-level shall not be more than 3.5 feet above the interior floor.
- g. No existing building shall be altered in such a way that reduces transparency below the required or existing amount.

- h. Internal illumination of windows, display windows and primary entrances shall not have any effects of movement, flashing, scintillation, rolling, dissolving, fading or similar effects.
- i. No obstructions shall be placed on the outside of the window or door, including but not limited to bars, solid screens, signage, and shutters. Boards may be utilized in compliance with Chapter 48 (Nuisances). Required transparency shall not be obstructed by interior signage.

7. Parking and Loading.

Applicable areas: Area A, Area B. Area C shall comply with the Parking and Loading Standards of Chapter 88.

In addition to the standards of 88-420 Parking and Loading, the following standards apply in the Independence Overlay District:

- a. Any off-street parking provided must be located behind the building, in the side yard, within or under the building. Parking is not allowed in the street-side yard or front yard. Off-street parking shall be located no closer to an adjacent street than the front building line nearest the parking. On a boulevard, parking located on the side of a building shall be set back a minimum of 10 feet behind the front building line or 30 feet from the right-of-way, whichever is greater.
- b. Tenant spaces for active uses, as permitted by the subject zoning district, shall be included on the ground level of parking garage facades fronting Independence. Spaces accommodating these uses shall have a minimum depth of 20 ft. and shall span the entire length of the parking garage, with the exception of drive aisles.
- c. Vehicular Access Points on the same property shall be spaced at least 100 feet apart. The number of allowed vehicular access points shall not exceed the following table:

Allowed Vehicular Access Points	
Frontage	Allowed Curb Cuts
<150 ft.	1
151-500 ft.	2
501 ft. – 1,000 ft.	3
1,001 ft. <	One additional curb cut per 500 feet of frontage

8. Screening, Fencing and Walls.

Applicable areas: Area A, Area B, Area C.

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- a. In addition to 88-425-08 Screening of Containers and Mechanical/Utility Equipment the following standards must be met:
 - i. Dumpsters and ground level mechanical/utility equipment must be located in the rear yard or can be located in the side yard if setback 20 feet from Independence, Paseo, and Prospect. Dumpsters and ground level mechanical/utility equipment shall not be located in the front or street-side setback.
 - ii. Dumpsters shall be no closer to the street than the front building line.
 - iii. Screening materials must be the same as the primary building materials.
 - iv. Access for dumpsters and mechanical/utility equipment must be shared with any access for required parking.
- b. Fencing and walls within the overlay district shall comply with the following standards:
 - i. No fence over 6 feet shall be erected on any lot.
 - ii. On a boulevard fencing must be of steel, iron, concrete, stone, or brick. Wood picket, stockade or chain link fencing is not permitted, per the Boulevard and Parkway Standards in Section 88-323.
 - iii. Within 20 feet of the Independence, Paseo, and Prospect right-of-way lines:
 - 1. Fencing must meet or exceed 80 percent transparency.
 - 2. Freestanding walls shall not exceed 24 inches in height. Fencing or a combination of fencing and a freestanding wall shall not exceed 48 inches in height.
 - 3. Retaining walls shall not be terraced.
 - 4. Retaining walls adjacent to Independence Avenue shall not exceed 48 inches in height.
 - 5. Walls shall be constructed of brick, pre-cast concrete, stone or cast stone.

- 6. Chain link, vinyl, plastic, wood, and similar materials are prohibited.
- 7. Retaining walls shall be topped with a decorative element designed to discourage sitting. Decorative elements shall be included when measuring the height of the retaining wall.
- iv. Barbed-wire, razor wire, metal sheeting and similar materials are prohibited.
- v. The finished side of the fence or wall must face the adjacent property or the street.
- vi. Patios shall be enclosed by a fence or wall 36 inches in height.
- vii. At a minimum, the following shall be constructed to provide screening of vehicular use areas within 20 feet of Independence, Paseo and Prospect:
 - 1. A solid 12-24 inch tall masonry wall topped with a decorative metal fence with at least 80 percent transparency and a maximum height of 24-36 inch tall. The screening structure shall not exceed 48 inches.
 - 2. Posts constructed of the masonry base may extend between stretches of the decorative metal fence as long as an overall transparency of 80 percent is maintained.
- c. When a vehicular use area is adjacent to a public right-of-way or a residential district, perimeter landscaping in accordance with 88-425-05 must be provided to provide physical and visual separation. This requirement applies only when there are no intervening buildings between the right-of-way and the vehicular use area.

Table 6	
Minimum required landscape buffer strip	
Adjacent to an alley	No buffer required
Adjacent to public right-of-way	3 ft.
Adjacent to residential district	5 ft.

9. Signage.

Applicable areas: Area A, Area B. Area C shall comply with the Signage Standards of Chapter 88.

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- a. One wall sign; one awning, canopy or marquee sign; and one projecting sign per tenant with customer entrance are permitted, covering a maximum of 10 percent per tenant elevation.
- b. Monument signs are allowed on parcels serving residential, public/civic or funeral and internment uses. One monument sign is permitted per street frontage. Monument signs shall have a minimum setback of 10 feet from all property lines. Monument signs shall not exceed 20 square feet in area and 4 feet in height. Monument signs shall be constructed of primary materials matching the principal building. Text shall consist of pin-mounted channel letters or engraved text. The area surrounding the monument sign shall be landscaped.
- c. Any projecting sign mounted perpendicular to a building wall shall not exceed 12 square feet in area; if mounted radially on a building corner, it shall not exceed 24 square feet in area. The sign shall not exceed 50 percent of its projecting distance in thickness. Projecting signs shall not project more than 4 feet from the building face, with a minimum clearance of 8 feet. On building corners, the sign shall not project more than 5 feet. No more than 50 percent of a projecting sign shall project above the parapet of the building.
- d. Signs may be internally or externally illuminated.
- e. Wall signs shall be channel signs.
- f. Incidental signs are permitted in the district, according to the standards of 88-445-08-G.
- g. Hand-painted wall signs may be located on a side or street side façade, not fronting Independence. Hand-painted signage located on a non-street side façade shall not exceed 50 percent of the façade area and 20 percent on street side facades. Only one hand-painted sign is allowed per façade. Facades with hand-painted signs may not include any other signage. Hand-painted signs must receive approval by the director of city planning and development.
- h. Historical wall signs, hand-painted signs, neon signs, and projecting signs that advertise closed or off-site businesses may remain and shall not count toward any signage requirements if established more than 50 years from the date of application. Historical signs may be removed and reinstalled for restoration. Retention of historical signs must receive approval by the director of city planning and development.
- i. Roof signs are allowed and shall be channel signs. Supporting structures must consist of the fewest number of supporting members without

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embellishments. Roof signs are permitted on buildings if the top of the highest portion of the roof is at least 30 feet above grade. The maximum horizontal dimension of a roof sign may not exceed 50 percent of the width of the wall it most closely parallels or 20 feet, whichever is less. The maximum height of a roof sign and its supporting structure may not exceed 6 feet, measured from the elevation of top of the highest parapet to the top of the sign. Roof signs shall not be constructed of wood.

- j. Electronic, digital, and motorized signs, changeable copy panels, and outdoor advertising signs are prohibited within the district.

Section C. That the Independence Avenue West Special Review District that was imposed as Overlay District SR on the following described property through rezoning in Committee Substitute for Ordinance No. 981058 is hereby removed, and said property is hereby rezoned to no longer be subject to Overlay District SR:

Area 1 - (Lydia Avenue to Myrtle Avenue)

Beginning at the northeast corner, Lydia Avenue and Independence Boulevard, then north along east line of Lydia 151 feet, then east 118 feet, then south 150 feet to north line of Independence Boulevard, then west to the point of beginning, and all of Lots 3 and 4, Tracy's Subdivision, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 93 and 94, Hurck's Subdivision of Guinotte Bluff, a subdivision lying in Kansas City, Jackson County, Missouri.

The south 140 feet of a lot beginning at the intersection of the north line of Independence Boulevard, with the east line of Highland Avenue, then north along east line to south line of vacated Brownell Avenue, then east along south line to east line of vacated Dykington Avenue, then south along east line to north line of Independence Boulevard then west along north line to the point of beginning.

The southern 125 feet of Lot 20, Block 1, Dykington Place, a subdivision lying in Kansas City, Jackson County, Missouri.

The southern 40 feet of Lots 7 and 10, and all of Lots 8 and 9, of W. W. Kendalls 1st Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

A portion of a lot beginning on the east line of Maple Boulevard, 631.75 feet south of the southwest corner Lot 8, Block 2, Phelps Place, then south 100 feet, then southeasterly along curve to left radius 35 to point 310 feet west of intersection west line Garfield Avenue with north line

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Independence Avenue, then east along said north line 125 feet, then north 135 feet, then west 160 feet to the point of beginning.

Beginning at the northwest corner of Independence Avenue and Prospect Avenue, then north along the west line of Prospect Avenue 167.5 feet, then west 162.5 feet, then south to the north line of Independence Avenue then east along the north line of Independence Avenue to the point of beginning.

Beginning northeast corner of Prospect and Independence Boulevards, thence east 183 feet, then north 145.5 feet, then west 184 feet, then south 145.5 feet to the point of beginning.

Lots 1-4, inclusive, Independence Avenue Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-5, inclusive, Richmond Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 3-5, inclusive, Charles E. Phillips 3rd Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-3, inclusive, and Lots 78-81, inclusive, D. O. Smarts Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

The southern 131 feet of Lots 14 and 15, D. O. Smarts Subdivision, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-5, inclusive, Rickerts 1st Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 3-5, inclusive, Franklin Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-4, inclusive, Waters Subdivision, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 28-36, inclusive, East Hampton, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-5, inclusive, Block 2, Setzlers Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-12, inclusive, Block 1, Bethesda Place, and Lots 37-44, inclusive, Bethesda Place Annex, a subdivision lying in Kansas City, Jackson County, Missouri.

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Lots 1-5, inclusive, Montezuma Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-4, inclusive, Neds Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-15, inclusive, Bethsaida Springs, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-13, inclusive, Block 2, Gages Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Beginning at a point 320 feet west of the southwest corner of Monroe and Independence Avenue, then 234 feet west along south line of Independence Avenue, then south 132 feet, then east 232 feet, then north to the point of beginning.

The north 125 feet of Lot 1, and the north 130 feet of Lots 2-5, inclusive, Troosts 2nd Addition.

Beginning at the southeast corner of Benton Boulevard and Independence Avenue then south 130 feet, along the east line of Benton Boulevard, then east 398 feet, then north to south line of Independence Boulevard, then west along south line of Independence Boulevard to the point of beginning.

Lots 2-5, inclusive, Chick & Krulls Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-3, inclusive, Amanda Place, a subdivision lying in Kansas City, Jackson County, Missouri.

The northern 140 feet of Lots 4-8, inclusive, and the northern 125 feet of Lots 2 and 3 of Long Croysdale and Vaughans Subdivision, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-9, inclusive, Block A, Lots 5-9, inclusive, Block B, and Lots 5-9, inclusive, Block C, and Lots 5-9, inclusive, Block D, Vaughn Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Beginning at the southwest corner, Independence Boulevard and Prospect Avenue, west long the south line of Independence Avenue 470 feet, then north 12 feet, then west along south line of Independence Avenue 100 feet, then south 126 feet, then east 422 feet, then south 211 feet, then east 154 feet to northwest corner of Sixth Street and Prospect Avenue, then north along west line of Prospect Avenue to the point of beginning.

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Beginning at the southwest corner of Olive Street and Independence Boulevard, west along the south line of Independence Boulevard 169 feet, then north 11 feet, then west along south line of Independence Boulevard to the southeast corner of Park Street and Independence Boulevard, then south along the east line of Park Avenue 125 feet, then east to the west line of Olive Street, then north to the point of beginning.

Beginning at southwest corner of Independence Avenue and Park Avenue, then south 127.30 feet, then west to the east line of Brooklyn Avenue, then north to the south line of Independence Avenue, then east along south line of Independence Avenue to the point of beginning.

The northern 125 feet of Blocks 1 and 2, John Johnsons Subdivision, a subdivision lying in Kansas City, Jackson County, Missouri.

The northern 80 feet of Lots 1 and 2, Block 1, and all Lots 1 and 2, Block 2, Euclid Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-4, inclusive, Trosts 1st Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 16-20, inclusive, Lot 22, Lots 24-28, inclusive, Lots 39-43, inclusive, Lot 31, Lot 36, Lots 56 and 57, the northern 120 feet of Lots 32 and 33, and the eastern 120 feet of Lots 50-54, inclusive, Ranson Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-4, inclusive, and the eastern 60 feet of Lots 5-7, Askew Partition of Part of Lots 44-45-46-47-57-58-59 and 60, Ranson Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-7, inclusive, Neiswanger Subdivision of Part of Lots 47-48-49-55-56-57, Ranson Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 47 and 48, inclusive, Part of Lots 47 and 48, Ranson Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Area 2 - (Myrtle Avenue to Van Brunt Boulevard)

Lots 15-18, inclusive, Patts Fourth Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-5, inclusive, Beth Esda Place No. 2, a subdivision lying in Kansas City, Jackson County, Missouri.

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Lots 1 and 2, Block 1, Gladstone Heights, a subdivision lying in Kansas City, Jackson County, Missouri.

Beginning at the northwest corner of Spruce Avenue and Independence Avenue, then north along the west line of Spruce Avenue 140 feet, then west 150 feet, then south to the north line of Independence Avenue, then east along the north line of Independence Avenue to the point of beginning.

Lots A-H, inclusive, and Lots J-P, inclusive, Gladstone Heights Resurvey, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 12-17, inclusive, and Lots 234 and 235, Block 2, Lots 12-21, inclusive, Block 3, South Abington, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-13, inclusive, Block A, Rosenthals Resurvey of Bloomfield Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-6, inclusive, and Lots 61-66, inclusive, Greenview Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-6, inclusive, Stevens Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-8, inclusive, Buena Vista, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-7, inclusive, Detroit Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-3, inclusive, Monroe Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Section D. That the Independence Avenue East Special Review District that was imposed as Overlay District SR on the following described property through rezoning in Committee Substitute for Ordinance No. 981059 is hereby removed, and said property is hereby rezoned to no longer be subject to Overlay District SR:

Area 1 - (Van Brunt Boulevard to Topping Avenue)

Lots 10-19, inclusive, Block 6, and Lots 12-19, Block 7, South Abington, a subdivision lying in Kansas City, Jackson County, Missouri.

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Beginning at a point on the north line of Independence Avenue 506 feet east from the northeast corner of Van Brunt Boulevard and Independence Avenue, then east 203 feet along the north line of Independence Boulevard, then north 150 feet, then west 105 feet, then north 31 feet, then west 99 feet, then south to the point of beginning.

Lots 10-13, inclusive, Block 3, Lots 10-14, inclusive, Block 4, Dundee Park, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 10-14, inclusive, Block 3, and Lots 10-14, inclusive, Block 4, Laveta Place, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 18-28, inclusive, Block 6, Lots 18-28, inclusive, Block 7, and Lots 18-28, inclusive, Block 8, Maplewood, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-17, inclusive, Commissioners Plat of Forest Park, a subdivision lying in Kansas City, Jackson County, Missouri.

Beginning at the southeast corner of Denver Avenue and Independence Avenue, then 135 feet south along the east line of Denver Avenue, then east 50 feet, then north to the south line of Independence Avenue, then west to the point of beginning.

Lots 1-11, inclusive, Old Orchard, a subdivision lying in Kansas City, Jackson County, Missouri.

The northern 135 feet of Lots 1, 5 and 6, Bloomfield Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-7, inclusive, Block B, Rosenthals Resurvey of Bloomfield Addition, a subdivision lying in Kansas City, Jackson County, Missouri.

Area 2 - (Beacon Avenue to Winchester Avenue)

Lots 1-4, inclusive, Continuation of Ridgeview, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 11-35, inclusive, Ridgeview, a subdivision lying in Kansas City, Jackson County, Missouri.

Lots 1-12, inclusive, Sheffield Corrected Plat of South 300 feet, a subdivision lying in Kansas City, Jackson County, Missouri.

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Lots 1-12, inclusive, Sheffield Resurvey of Lots 13-22 of Corrected Plat, a subdivision lying in Kansas City, Jackson County, Missouri.

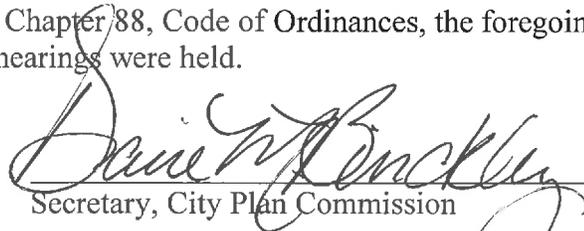
Lots 23-32, inclusive, Sheffield Corrected Plat of south 200 feet, a subdivision lying in Kansas City, Jackson County, Missouri

Lots 4 and 5, Block 1, Lots 1-5, inclusive, Block 2, Lots 1-5, inclusive, Block 3, Lots 1-5, inclusive, Block 4, East Ridgeway, a subdivision lying in Kansas City, Jackson County, Missouri.

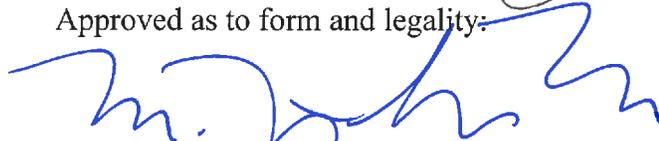
Lots 1-5, inclusive, Block 1, Lots 1-5, inclusive, Block 2, Lots 1-5, inclusive, Block 3, West Ridgeway, a subdivision lying in Kansas City, Jackson County, Missouri.

Section E. 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.

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

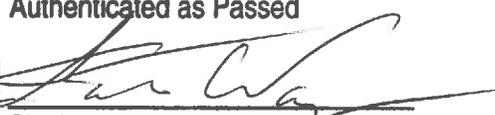

Secretary, City Plan Commission

Approved as to form and legality:


M. Margaret Sheahan Moran
Assistant City Attorney



Authenticated as Passed


Sly James, Mayor

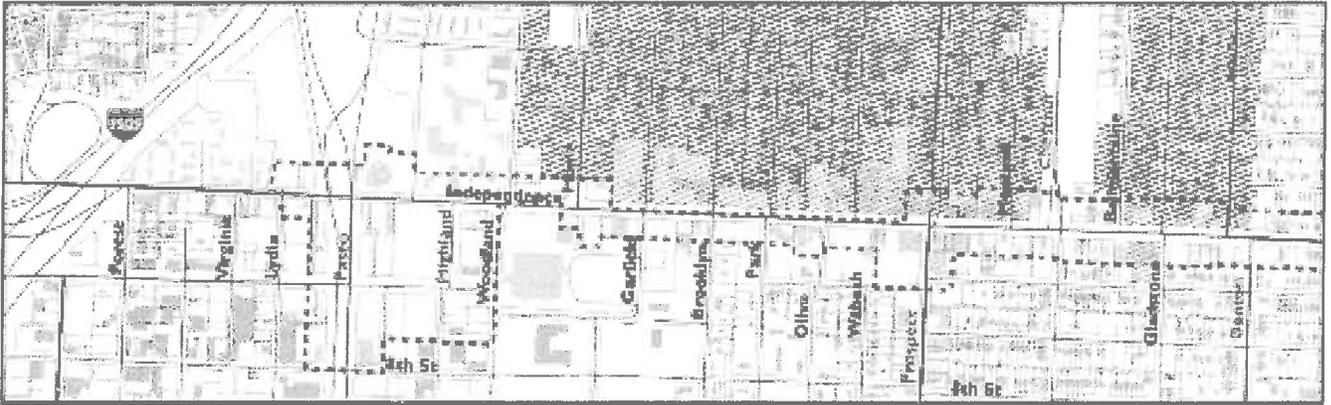

Marilyn Sanders, City Clerk

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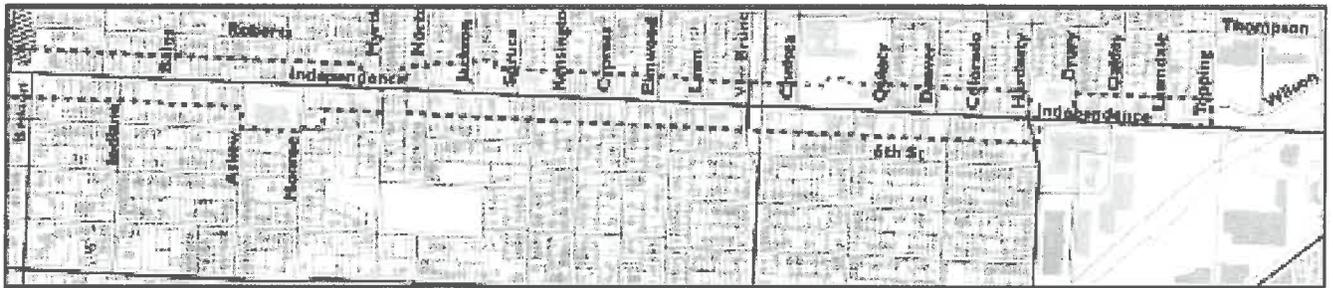
Date Passed

Attachment A

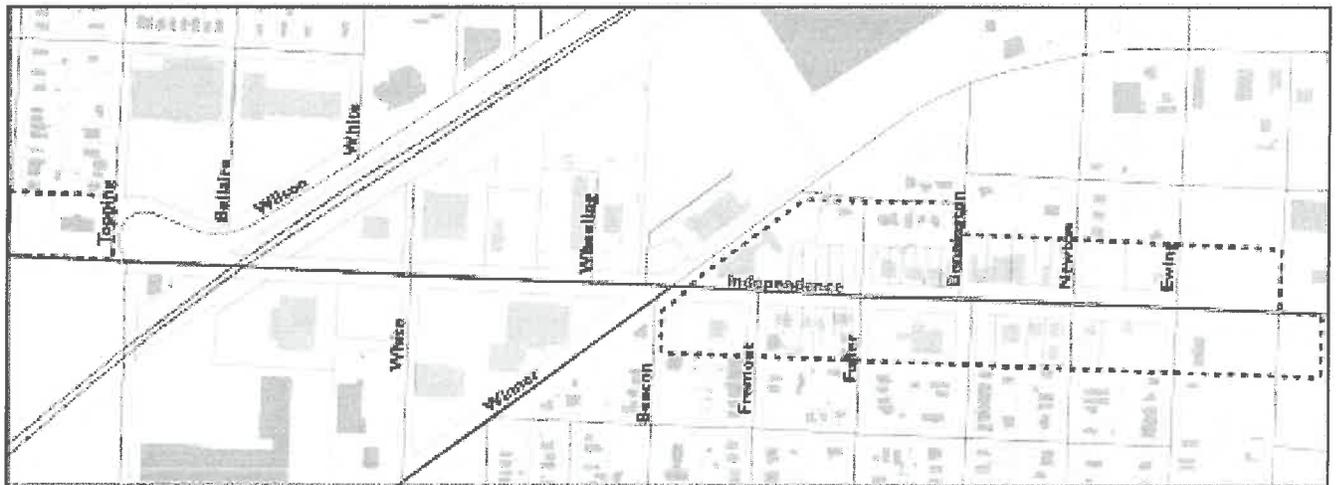
Area A



Area B



Area C



Independence Zoning Overlay Sections

- Parcels Included in Overlay
- Existing Special Review District
- Historic Overlay District
- Building Footprints

