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ORDINANCE NO. 52-731

AN ORDINANCE AMENDING SECTIONS 2.26.010, 2.26.020, 2.26.030, AND 2.26.040 OF THE CODE OF THE CITY OF WICHITA, KANSAS, PERTAINING TO FEES AND CHARGES FOR PLANNING AND ZONING, BOARD OF ZONING APPEALS, SUBDIVISION, AND SIGN APPLICATIONS AND PROCEEDINGS; AND REPEALING THE ORIGINAL SECTIONS OF THE SAME.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS:

**SECTION 1.** Section 2.26.010 of the Code of the City of Wichita shall be amended to read as follows:

**Sec. 2.26.010. Fees for zoning applications.** For the purpose of defraying costs of zoning proceedings, the governing body establishes the following schedule of fees:

(1) *Change of zoning district boundaries or classification.* Upon the filing of each application for a change of zoning district boundaries or classification where authorized by the zoning ordinance, the following shall be paid based on the zoning classification requested:

“RR”, “SF-20”, “SF-10”, “SF-5”, “TF-3”	\$660 plus \$35 per acre
“MF-18”, “MF-29”, “MH”, “U”, “B”, “NO”, “GO”, “NR”	\$990 plus \$35 per acre
“LC”, “GC”, “CBD”, “OW”, “IP”, “LI”, “GI”	\$1320 plus \$35 per acre

(2) *Community Unit Plan.* Upon the filing of each application for a Community Unit Plan (C.U.P.), the following shall be paid:

Original – when filed separately	\$1320 plus \$35 per acre
Original – when filed with rezoning application	\$880 plus \$35 per acre
Major Amendments (design or use change that would affect 50% or more of the area contained within the C.U.P.)	\$1320
Minor Amendments (design or use change that would affect less than 50% of the area contained within the C.U.P.)	\$880

(3) *Planned Unit Development.* Upon the filing of each application for a Planned Unit Development (P.U.D.), the following shall be paid:

Original	\$1320 plus \$35 per acre
Major Amendments (design or use change that would affect 50% or more of the area contained within the P.U.D.)	\$1320
Minor Amendments (design or use change that would affect less than 50% of the area contained within the P.U.D.)	\$880

- (4) *Protective overlay.* No fee shall be charged to process a Protective Overlay (P.O.) except in the following instances:

A fee of \$660 shall be paid upon the filing of a new application for a Protective Overlay.

A fee of \$660 shall be paid upon the filing of each application for an amendment or termination of a Protective Overlay in any district, except for property zoned "LC" Limited Commercial or "GC" General Commercial six (6) acres in size or larger.

Property zoned "LC" Limited Commercial or "GC" General Commercial six (6) acres in size or larger held in a single ownership or under single control shall be charged a fee equal to that charged for a Community Unit Plan as established in Sec. 2.26-010(2).

- (5) *Conditional Use.* Upon the filing of each application for a conditional use (C.U.), the following shall be paid:

Residential Use	\$495
Non-Residential Use	\$825 plus \$35 per acre
Renewal	one-half the fee listed for the applicable use
Filed with zone change application	one-half the fee listed for the applicable use

- (6) *Deferral.* An applicant requesting deferral of a case shall be charged a fee of \$165 to cover administrative costs at such time that the deferral is granted.

- (7) *Adjustment.* A fee shall be charged for processing an adjustment to a Community Unit Plan, Planned Unit Development, Conditional Use, Protective Overlay, or Zoning standard. If the applicant appeals the Zoning Adjustment to the Board of Zoning Appeals, said fee shall be credited toward the fee required for a Variance as established in Sec. 2.26.020.

Residential Use	\$195
Non-Residential Use	\$275
Additional Zoning Adjustment on same lot	\$85

Administrative Permit for wireless facility \$275

Administrative Permit for Short Term Rental \$275

(8) *Withdrawal.* If an applicant should withdraw an application that requires governing body approval within two (2) weeks after the Planning Commission hearing, the applicant shall be refunded fifteen percent (15%) of the application fee.

(9) *Receipt.* A written receipt shall be issued to the person making such payment and records thereof shall be kept in such a manner as prescribed by law.

**SECTION 2.** Section 2.26.020 of the Code of the City of Wichita shall be amended to read as follows:

**Sec. 2.26.020. Fees for Board of Zoning Appeals applications.** For the purpose of defraying costs of Board of Zoning Appeals (BZA) proceedings, the governing body establishes the following schedule of fees to be paid at the time of filing for the application:

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|---|--------------------------------|
| (1) Appeals of Administrative Interpretations | \$140                          |
| Zoning Verification Letter                    | \$140                          |
| Zoning Interpretation Letter                  | \$140                          |
| (2) Variances for Residential Uses            | \$580 plus \$40 per zoning lot |
| Additional variance on same zoning lot        | \$165                          |
| (3) Variances for Non-Residential Uses        | \$825 plus \$40 per zoning lot |
| Additional variance on same lot               | \$250                          |
| (4) Modified Site Plan Review                 | \$140                          |
| (5) Time Extension for BZA conditions         | \$80                           |

A separate fee shall be required for each proceeding.

**SECTION 3.** Section 2.26.030 of the Code of the City of Wichita shall be amended to read as follows:

**Sec. 2.26.030. Fees for subdivision applications and proceedings.** For the purpose of defraying costs of subdivision applications and proceedings, the governing body establishes the following schedule of fees:

(a) *Subdivision applications.* Upon the filing of each application for subdivision approval, the following shall be paid:

- (1) A fee of \$275 for a sketch plat. Said fee shall be credited toward the fee required for a preliminary plat as established in Sec. 2.26.030(2).
- (2) A fee of \$990 plus \$20 per lot for a preliminary plat. If the property is zoned or approved for rezoning to other than a one-family or two-family district, a \$20 per acre fee will be charged instead of \$20 per lot.

- (3) A fee of \$990 plus \$20 per lot for a one-step plat. If the property is zoned or approved for rezoning to other than a one-family or two-family district, a \$20 per acre fee will be charged instead of \$20 per lot.
  - (4) Whenever an overall preliminary plat is finalized in portions, each final plat after the first shall be charged a fee of \$660 for administration purposes.
  - (5) A fee of \$305 shall be charged for any revised preliminary or final plat which, in the opinion of the Director of Planning, requires a rehearing before the Subdivision and Utility Advisory Committee. If, in the opinion of the Director of Planning, proposed revisions are so significant as to constitute a new plat, the fee required for a preliminary plat as established in Sec. 2.26.030(2) will be charged.
- (b) *Lot split applications.* Upon the filing of each application for lot split approval, the following shall be paid:
    - (1) Residential zoned lot split \$305 plus \$85 per lot.
    - (2) Office, commercial or industrial zoned lot split \$440 plus \$85 per lot.
  - (c) *Vacation applications.* The filing fee for vacation applications shall be \$580. A lesser fee of \$305 shall be assessed for reprocessing a vacation case previously considered and approved by the planning commission and governing body, but never completed.
  - (d) *Amending letter of credit, performance bond, or cash guarantee.* The fee for amending a letter of credit, performance bond or cash guarantee that was submitted to assure the construction of required improvements shall be \$85.
  - (e) *Street name change.* The fee for processing a street name change request shall be \$330.
  - (f) *Rescind platting requirement.* The fee for processing a request to rescind platting requirements associated with a zone change request shall be \$165.
  - (g) *Additional costs.* For subdivision applications, the charges associated with engineering costs and recording documents are in addition to the filing fees. These will be billed to the applicant.

**SECTION 4.** Section 2.26.040 of the Code of the City of Wichita shall be amended to read as follows:

**Sec. 2.26.040. Fees for planning applications and proceedings pertaining to signs.** For the purpose of defraying costs, the governing body establishes the following schedule of fees:

- (a) *Sign Code Adjustment.* A fee of \$275 shall be charged for processing a sign code adjustment application. After the \$275 original fee for a sign code adjustment, any additional adjustments on the same lot shall require an \$85 fee for each additional adjustment requested on the same application as the original adjustment. If the applicant appeals the sign code adjustment to the Board of Zoning Appeals, the fee for the adjustment shall be credited toward the fee required for a variance as established in Section 2.26.020.
- (b) *Special Review Approval for Off-Site Billboard Sign Permits.* A fee of \$745 shall be charged for processing a special review approval for off-site billboard sign permit application.

**SECTION 5.** The originals of Sections 2.26.010, 2.26.020, 2.26.030, and 2.26.040 of the of the Code of the City of Wichita are hereby repealed.

**SECTION 6.** This ordinance shall be included in the Code of the City of Wichita and shall become effective on July 1, 2025, after its adoption and publication once in the official City newspaper.

PASSED by the governing body of the City of Wichita, Kansas, this 20th day of May, 2025.

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Lily Wu, Mayor

ATTEST:

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Paul Leeker, City Clerk

Approved as to form:

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Jennifer Magana, City Attorney & Director of Law