

COMMITTEE SUBSTITUTE FOR ORDINANCE NO. 190502

Amending Chapter 88, Zoning and Development Code, by adding a new section to be known as Section 88-505-12, Public Engagement, to codify expectations as it relates to public engagement for certain types of development projects; and providing for a delayed effective date.

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section A. That Chapter 88, Zoning and Development Code, be amended by adding a new section to be known as Section 88-505-12, Public Engagement, to read as follows:

88-505-12. Public Engagement

88-505-12-A. Purpose.

The public engagement process described in this section provides a framework for the notification and meeting process for applicants and registered neighborhood/civic organizations and nearby property owners to provide an opportunity for applicants to provide information and answer questions and hear any concerns about a land use development proposal which may impact the adjacent area.

88-505-12-B. Applicability.

The public engagement process described in this section is required in conjunction with the following application types and major amendments to said application types:

1. 88-515 Zoning Map Amendments, including
 - a. 88-260 Urban Redevelopment Districts
 - b. 88-520 Master Planned Developments
2. 88-517 Development Plan Approvals
3. 88-260 UR Preliminary Development Plans and 88-520 MPD Preliminary Development Plans
4. 88-525 Special Use Permits
5. 88-545 Preliminary Plats

88-505-12-C. Public Engagement Process

1. If a subject property is located within the boundaries of only one registered neighborhood organization or civic organization, the applicant shall send notice of application to that registered neighborhood organization or civic organization prior to facilitating the required public meeting.

The notice must be sent not later than seven calendar days after filing any application referenced in 88-505-12B by non-signature certified mail and email (if available) to the contact of record on the City's website of registered neighborhood and civic organizations. Notification shall occur on the form provided by the city planning and development director. The notice shall describe the application and provide the recipient with the option to host a meeting on the application. A copy of the notice shall be provided to the city planning and development department. The registered neighborhood and/or civic organization shall respond to the applicant and city staff in writing, via email within 10 calendar days of the postmark date of the notice or date of electronic transmission to confirm which party will host a public meeting, as well as the date, time and location of the meeting.

2. If a subject property is located within the boundaries of more than one registered neighborhood organization or civic organization, or is not located within the boundaries of any registered neighborhood and/or civic organization, the applicant shall hold a meeting in accordance with the criteria in 88-505-12-C-3.

3. **Required Public Meeting**

- a. At least one public meeting shall be required for all application types listed in 88-505-12-B and must meet the following criteria:
 - i. be held at least seven calendar days prior to the first scheduled public hearing;
 - ii. be open to the public and hosted in an accessible building as defined by the Americans with Disabilities Act;
 - iii. not be located in the applicant's office or any place of business affiliated with the applicant;
 - iv. not be located in a residential unit;

such testimony is subject to the discretion of the Board of Zoning Adjustment.

88-505-12-D Failure to Comply

Failure to comply with anything required in this section may be cause for continuance by the City Plan Commission.

Section B. That this ordinance shall become effective October 1, 2019.

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:



Sarah Baxter
Assistant City Attorney



Authenticated as Passed



Sly James, Mayor



Marilyn Sanders, City Clerk
JUN 27 2019

Date Passed