

88-230 - PO, PEDESTRIAN-ORIENTED OVERLAY

88-230-01 - PURPOSE

The regulations of this article are primarily intended preserve and enhance the character of pedestrian-oriented streets and, in turn, to promote street-level activity, economic vitality, and pedestrian safety and comfort.

(Ord. No. [160759](#), § 1, 10-20-2016)

88-230-02 - APPLICABILITY

The standards of this article apply to all development in PO districts unless otherwise expressly stated.

(Ord. No. [160759](#), § 1, 10-20-2016)

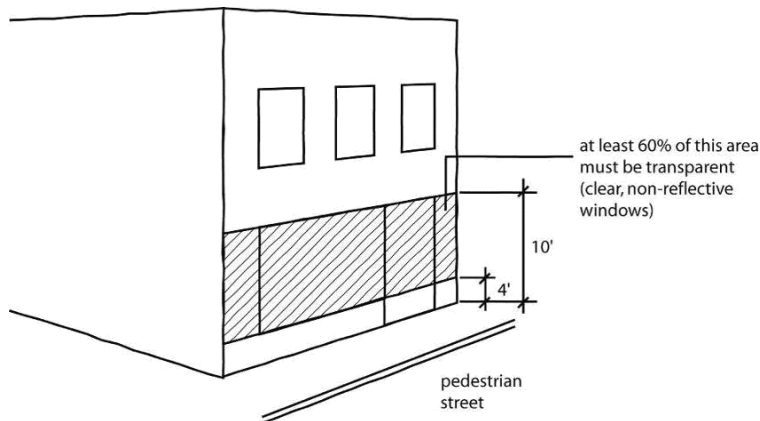
88-230-03 - STANDARDS

88-230-03-A. BUILDING PLACEMENT

1. Buildings must abut the sidewalk or be located within 5 feet of the sidewalk along front property lines.
2. These building placement standards do not apply to permitted arcades, public plazas or parks, or recessed entries.
3. Detached houses are exempt from these building placement standards.

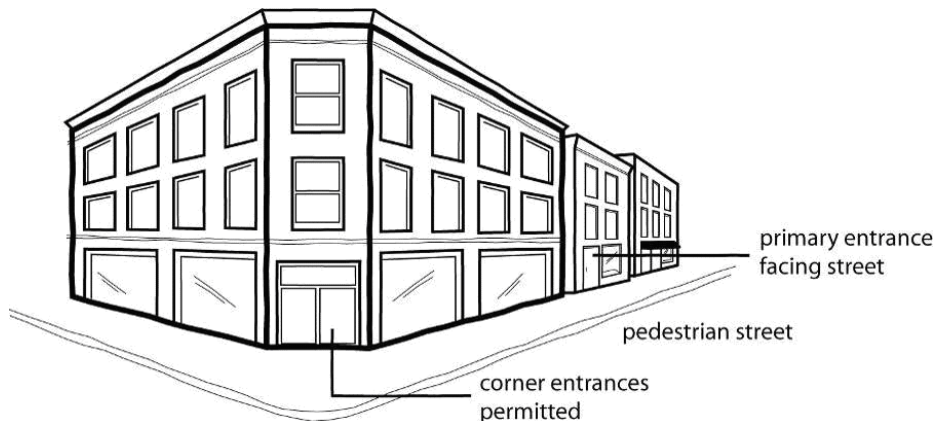
88-230-03-B. GROUND-FLOOR TRANSPARENCY

1. At least 60% of the street-facing building facade between 4 feet and 10 feet above the sidewalk must be comprised of windows that allow views of indoor commercial space or product display areas. On corner lots, this 60% transparency requirement applies only along one street. The minimum transparency standard abutting secondary streets is 40%.
2. Display windows that do not provide views into the interior of the building may be counted towards satisfying up to 50% of the minimum transparency requirements, provided that they are internally illuminated and are at least 2 feet in depth.
3. The bottom of any window or product display window used to satisfy these transparency requirements may not be more than 4.5 feet above the adjacent sidewalk.



88-230-03-C. DOORS AND ENTRANCES

1. Buildings must have a working public entrance door facing the street. Entrances at building corners may be used to satisfy this requirement.
2. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.



88-230-03-D. PARKING

1. No off-street parking is required for nonresidential uses unless such uses exceed 4,000 square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of 4,000 square feet (see 88-420 for off-street parking ratios).
2. Any off-street parking that is provided must be located behind the building or within or under the building.
3. When the depth of the lot is insufficient to permit required parking to the rear of the building, parking may be located to the side of the building, provided that it does not occupy more than 50% of the street frontage and it is screened from view of the street by a brick wall, wrought-iron or decorative fence, or landscaping between 18 and 42 inches in height. Chain link fences are prohibited.

88-230-03-E. DRIVEWAYS AND VEHICLE ACCESS

Driveways and vehicle access, when provided, must come from an alley or side street if either is present.

88-230-03-F. SIGNS

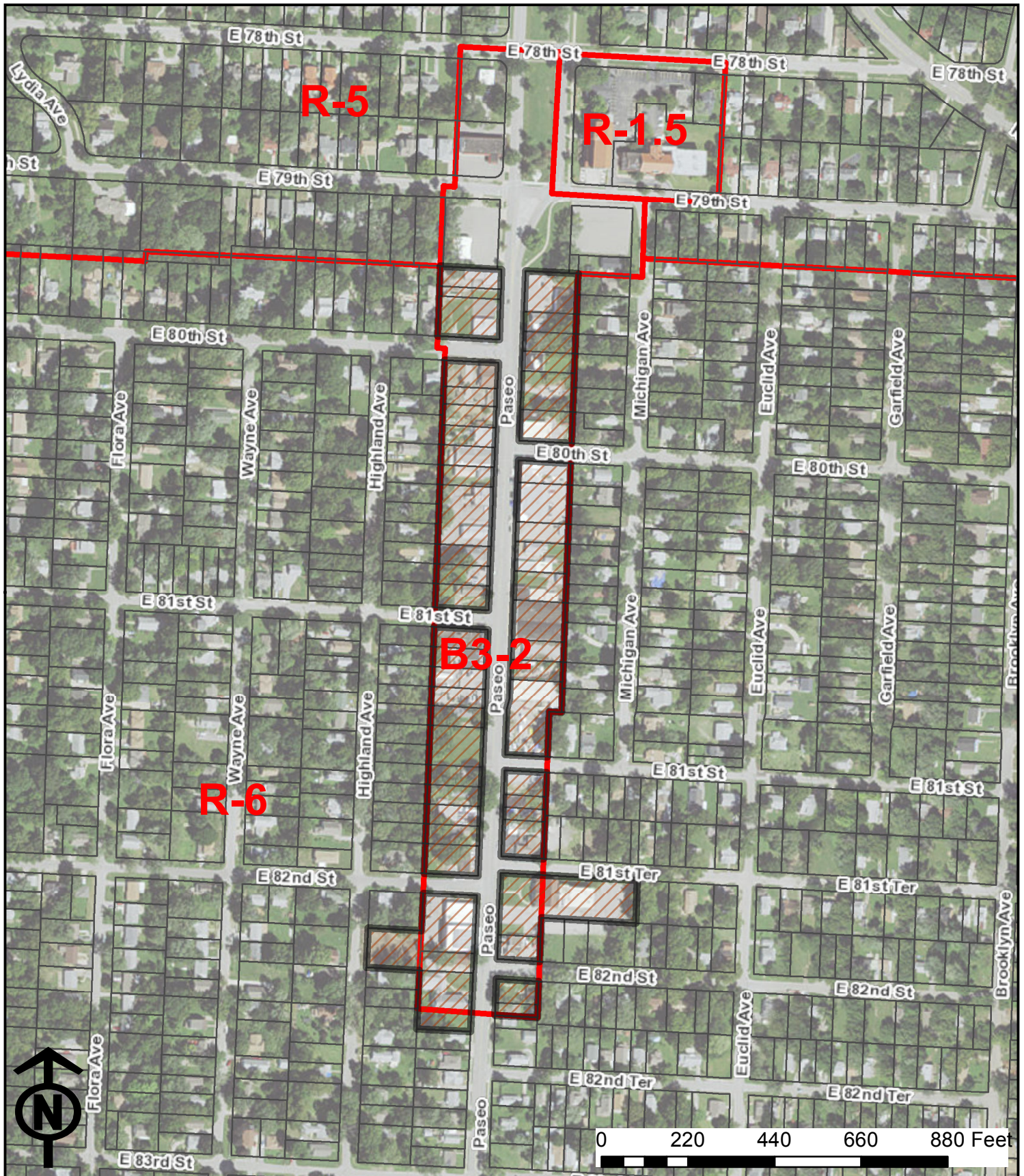
All signs in P/O district must comply with the standards of 88-445-09.

88-230-03-G. GROUND FLOOR COMMERCIAL FLOOR SPACE

All buildings constructed in the PO district must comply with the following ground space requirements:

1. The minimum floor-to-ceiling height of all ground floor space in the building must be at least 13 feet.
2. Commercial and other nonresidential uses allowed in the subject zoning districts must occupy at least 800 square feet or 50% of the building's ground floor area, whichever is greater.

(Ord. No. 120783, § 1, 10-4-2012; Ord. No. [160759](#), § 1, 10-20-2016)



ORDINANCE NO. 160414

Establishing a pedestrian-oriented overlay district for 16 acres in an area generally bounded by E. 79th Street to the north and 320 feet south of east 82nd Street to the south and one half block to the east and west of Paseo. (14682-P)

WHEREAS, Section 88-230 of the Zoning and Development Code provides for the establishment of a pedestrian-oriented zoning overlay district, which is intended to preserve and enhance the character of pedestrian-oriented streets and promote street-level activity, economic vitality, and pedestrian safety and comfort; and

WHEREAS, the Marlborough Village area of Kansas City will benefit from the establishment of a pedestrian-oriented overlay district, designed to maintain and promote the economic vitality of the area, stabilize property values, preserve historic resources, and reduce investment risks within the area; NOW, THEREFORE,

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 88-20A1055, establishing a pedestrian-oriented overlay district (P/O) for approximately 16 acres generally bounded by E. 79th Street to the north and 320 feet south of east 82nd Street to the south and one half block to the east and west of Paseo, including complete existing parcel depth, said section to read as follows:

Section 88-20A1055. That an area legally described as:

Home Lawn:

- 7914-16 PASEO/S 25 FT OF LOT 4N 25 FT OF LOT 5 BLK 1
ALSO E 1/2 VAC ALLEY W OF & ADJ HOME LAWN
- HOME LAWN---S 1/2 LOT 5 BLK 1 & E 1/2 VAC ALLEY LY
W & ADJ
- HOME LAWN---LOTS 6 & 7 BLK 1 & E 1/2 VAC ALLEY LY
W & ADJ

Bales Orchard Addition:

- 8000 PASEO / BALES ORCHARD ADD LOT 1
- BALES ORCHARD ADD---LOT 2
- BALES ORCHARD ADD---LOT 3
- 8014 PASEO / LOT 4 BALES ORCHARD ADD
- 8016 PASEO / LOT 5 BALES ORCHARD ADD
- 8020 PASEO / LOT 6 BALES ORCHARD ADD
- 8032 PASEO BALES ORCHARD ADD LOTS 7 THRU 9
- 8036 PASEO / LOT 10 BALES ORCHARD

ORDINANCE NO. 160414

- 8040 PASEO BALES ORCHARD LOT 11
- 8060 PASEO / LOT 12 BALES ORCHARD ADD

Kelly & Brighams Addition:

- 8100 PASEO / LOT 1 KELLY & BRIGHMANS ADD
- 8104 PASEO / LOT 2 KELLY & BRIGHAMS ADD
- 8106 PASEO/VAC LOT KELLY & BRIGHAMS ADD LOT 3
- 8108 PASEO/VAC LOT KELLY & BRIGHAMS ADD LOT 4
- 8110 PASEO / LOT 5 KELLY & BRIGHAMS ADD
- 8112 PASEO/KELLY & BRIGHAMS ADD LOTS 6 & 7
- 8116 PASEO / LOT 8 KELLY & BRIGHAMS ADD
- 8118 PASEO / LOT 9 KELLY & BRIGHAMS ADD
- 8120 PASEO KELLY & BRIGHAM ADD LOT 10
- 8122 PASEO / LOT 11 KELLY & BRIGHAMS ADD
- 8124 PASEO / LOT 12 KELLY & BRIGHAMS ADD

Marlborough Highlands:

- MARLBOROUGH HIGHLANDS ADD / LOTS 1, 2, 3 AND 38
- 8212 PASEO / LOT 4 MARLBOROUGH HIGHLANDS ADD
- 8216 PASEO / CHURCH MARLBOROUGH HIGHLANDS ADD LOTS 5 6 & 7

Marlborough Hill:

- 7911 PASEO / LOTS 22 & 23 MARLBOROUGH HILL
- 7913 PASEO / LOT 24 MARLBOROUGH HILL ADD
- 7917 PASEO / LOT 25 MARLBOROUGH HILL ADD
- 7929 PASEO MARLBOROUGH HILL ADD LOT 26
- 7933 PASEO /VAC LOT MARLBOROUGH HILL ADD LOTS 27 & 28
- 7941 PASEO MARLBOROUGH HILL ADD LOT 29
- 8001-05 PASEO / LOT 30 MARLBOROUGH HILL ADD
- 8007-13 PASEO MARLBOROUGH HILL ADD LOTS 31 & 32
- 8015 PASEO / LOT 33 MARLBOROUGH HILL ADD
- 8017-19 PASEO MARLBOROUGH HILL ADD LOT 34 & N 25 FT LOT 35
- 8021-25 PASEO MARLBOROUGH HILL ADD S 25 FT OF LOT 35 & ALL OF LOT 36
- 8027 PASEO MARLBOROUGH HILL ADD LOTS 37 & 38
- 8031 PASEO MARLBOROUGH HILL ADD LOT 39
- 8037 PASEO / VAC LOT MARLBOROUGH HILL ADD LOT 40

ORDINANCE NO. 160414

Marlborough Plaza:

- 8039 PASEO KANSAS CITY /MARLBOROUGH PLAZA RES OF LOT 1-33 LOTS 1 THRU 4 & LOT 41 OF MARLBOROUGH HILLS SUB & VAC ALLEY LY S OF SD LOT 41
- 8101-05 PASEO MARLBOROUGH PLAZA LOTS 63 & 64
- 8107-09 PASEO MARLBOROUGH PLAZA LOT 65
- 8111-13 PASEO MARLBOROUGH PLAZA LOT 66
- 8125 PASEO / LOTS 67 68 & 69 MARLBOROUGH PLAZA
- 8129-33 PASEO & 1817 E 81ST TER CHURCH PARSONAGE ED & SCOUT BLDGS & PARKING MARLBOROUGH PLAZA LOTS 122 THRU 132
- 8135 PASEO / LOTS 133 & 134 MARLBOROUGH PLAZA

Dudley's 37th Addition:

- SEC 16-48-33 SW1/4 SE1/4 DUDLEYS 37TH ADD LOTS 30 & 31
- SEC 16-48-33 SW1/4 SE1/4 DUDLEYS 37TH ADD LOTS 32

is hereby established as a pedestrian-oriented overlay district (P/O), all as shown outlined on a map marked Section 88-20A1055, which is attached hereto and made a part hereof, and which is hereby adopted as a part of an amendment to the zoning maps constituting a part of said chapter and in accordance with Section 88-20 thereof.

Section B. 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 and Development Code 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.

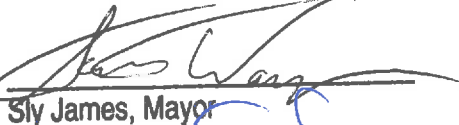

Secretary, City Plan Commission

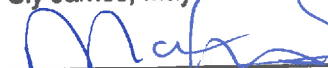
Approved as to form and legality:


M. Margaret Sheahan Moran
Assistant City Attorney



Authenticated as Passed


Sly James, Mayor


Marilyn Sanders, City Clerk
JUN 09 2016

Date Passed