

“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING CHAPTERS 425, 435, 455, 465, 470 AND 485 OF THE UNIFIED DEVELOPMENT CODE OF THE RAYMORE CITY CODE”

WHEREAS, the City Council of the City of Raymore, Missouri adopted the Unified Development Code as Ordinance 28117 on December 8, 2008; and,

WHEREAS, the City Council of the City of Raymore, Missouri adopted the First amendment to the Unified Development Code as Ordinance 29025 on March 9, 2009; and

WHEREAS, the Planning and Zoning Commission held a public hearing on the proposed amendment on May 19, 2009, and again on June 16, 2009, after notice of said hearing was published in a newspaper of general circulation in Raymore, Missouri, at least fifteen (15) days prior to said hearing; and,

WHEREAS, the Planning and Zoning Commission heard public testimony at the public hearing and has submitted its recommendation of approval to the Governing Body of the City of Raymore, Missouri; and,

WHEREAS, the Governing Body, City Council of Raymore, Missouri, held a public hearing on the proposed amendment on July 13, 2009, after notice of said hearing was published in a newspaper of general circulation in Raymore, Missouri, at least fifteen (15) days prior to said hearing; and

WHEREAS, the City Council of the City of Raymore, Missouri has determined the amendment proposed would be in the best interest of the health, safety and welfare of the citizens of Raymore.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:

Section 1. Section 425.030 of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 425.030 Residential Driveways

The following standards apply to all residential driveways providing ingress or egress to a public or private street:

- A. One driveway opening is permitted to a lot from any street frontage provided that access is not otherwise controlled or restricted.

- B. On corner lots one driveway is permitted per street frontage provided that no off-street parking areas are located in the sight triangle area as described by this code.
- C. A second driveway opening on the same street frontage is permitted for a lot in the A, RE and RR districts, provided that the lot area is one acre or greater.
- D. All residential driveways except those in the A and RE districts must be paved. In the A and RE districts, gravel may be used for driveway surfacing.
- E. All multi-family dwellings and apartment communities abutting arterial or collector streets as identified in the Growth Management Plan must comply with the commercial and industrial driveway standards of Section 425.040.
- F. The minimum width of a single car driveway shall be 10 feet and the minimum width of a two-car driveway shall be 18 feet, measured at the property line.
- G. Attached single-family and multiple-family dwellings should be served by a common access drive whenever possible and curb cuts must be minimized.
- H. Individual driveways leading from a street to an attached garage must be of sufficient depth to ensure that parked vehicles do not overhang the sidewalk or public street. The distance between the sidewalk and the garage must be at least 20 feet.

Section 2. Section 435.070 (A) of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 435.070 Temporary Signs

A. General

- 1. The following signs may be installed as temporary signs:
 - a. Real estate
 - b. Real estate directional
 - c. Construction
 - d. Political
 - e. Public event
 - f. Private event
 - g. Fireworks tent

- h. Garage sale
- i. Incidental
- j. Peddler's

2. Temporary signs may be installed as a freestanding or a wall sign.

Section 3. Section 455.040 (M) (1) of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 455.040 Stream Buffer Protection

M. Administrative Appeal and Judicial Review

1. Administrative Appeal

Any person aggrieved by a decision or order of the City, may appeal an enforcement action in writing within 10 days after receipt of such action to the Director of Public Works of the City of Raymore and shall be entitled to a hearing before the Board of Appeals of the City of Raymore within 30 days of receipt of the written appeal.

Section 4. Section 465.030 (A) thru (D) of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 465.030 Board of Adjustment

A. Establishment

By authority vested to the City of Raymore, the City Council has established the Board of Adjustment.

B. Membership

The Board of Adjustment consists of five members and up to three alternative members who are citizens of the City of Raymore, Missouri and have been appointed by the Mayor with the advice and consent of a majority of the City Council.

C. Terms

1. The term of each of the members is five years.

2. At its November meeting, or the first meeting after November if no meeting is held in November, the Board must annually elect one of its members to act as Chair, another as Vice-Chair, and another of its members as

Secretary. The terms are for one year with eligibility for re-election.

3. Alternative members will serve in the order of their appointment in the event a member(s) of the Board of Adjustment is not able to participate in a meeting due to absence or disqualification. If an alternate member begins as a member of the Board for a particular case, they must serve as a member of the Board until the case is concluded, even if the case is continued.
4. All members of the Board will serve without compensation.
5. The City Council may remove any member only for cause stated in writing and after public hearing. The Mayor may, with the advice and consent of a majority of the City Council, remove any member for misconduct or neglect of duty. A member's unexcused absence from three consecutive regular meetings in a 12 month period constitutes neglect of duty.

D. Vacancies

The Mayor, with the advice and consent of a majority of the City Council, may fill vacancies for the remainder of any vacant term.

Section 5. Section 465.040 of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 465.040 Community Development Director

A. Establishment

The position of Community Development Director was previously established and appointed by the City Manager.

B. Powers and Duties

The Community Development Director has the following powers and duties:

1. to enforce the Unified Development Code;
2. to approve and issue all zoning and occupancy certificates and make and maintain records thereof;
3. to conduct inspections of buildings, structures and uses of land to determine compliance with the provisions of the Unified Development Code;
4. to approve site plans according to Section 470.160D.1.;

5. to render interpretations of the Unified Development Code;
6. to schedule meetings of the Development Review Committee, as needed;
7. to receive, file and transmit applications for site plans, preliminary and final plats, rezonings, PUDs, variances, conditional use permits, special uses, inflatable sign permits and vacations as designated in the Unified Development Code;
8. to maintain permanent and current records of the Unified Development Code, including but not limited to, all zoning text and map amendments, conditional uses, plats, variances, appeals and other development review applications;
9. to maintain and update the Unified Development Code, on or before March 31st of each year, for distribution to the public. This includes the following:
 - a. the compiled text of the Unified Development Code, including all amendments adopted through the preceding December 31st; and
 - b. a Zoning Map or maps, showing the zoning districts, divisions and classifications in effect on the preceding December 31st.
10. to provide such clerical, technical and consulting assistance as may be required by the Planning and Zoning Commission, Board of Adjustment and other boards, commissions and officials in the exercise of their duties relating to the Unified Development Code; and
11. to maintain the rules of the Planning and Zoning Commission and Board of Adjustment.

Section 6. Section 465.050 (A) of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 465.050 Director of Public Works

A. Establishment

The position of Director of Public Works was previously established and appointed by the City Manager.

Section 7. Section 465.060 (B) of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 465.060 Development Review Committee

B. Membership

The Development Review Committee consists of the Community Development Director and representatives from City departments and other government agencies deemed necessary by the Director to provide input on development proposals. These may include, but not be limited to, representatives from the Raymore Community Development Department, Engineering, Economic Development, Parks and Recreation, and City Manager's office, and the South Metropolitan Fire Protection District.

Section 8. Section 470.010 (A) of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 470.010 General Requirements

A. Summary of Procedures

The following table provides a summary of the review and approval procedures of this chapter. In the event of conflict between this summary table and the detailed procedures contained elsewhere in this chapter, the detailed procedures govern.

	Community Development Director and Engineering Staff	Board of Adjustment	Planning & Zoning Commission	City Council	Board of Appeals
Zoning map amendments (rezoning)	R		[R]	[D]	
Text amendments	R		[R]	[D]	
Conditional uses	R		[R]	[D]	
Uses subject to special conditions	D				
Planned unit development (PUD)	R		[R]	[D]	
Zoning variances	R	[D]			
Appeals of UDC Administrative Decisions		D			
Minor subdivision plat	R		R	D	
Preliminary subdivision plat	R		[R]	[D]	
Final subdivision plat	R		R	D	
Zoning certificate	D	A			
Sign permit	D	A		A	
Site plan review	D or R		A or D	A	
Vacation of streets or reservations	R		[R]	[D]	
Interpretations	D	A			A (Chapter 455 or 460)
Administrative adjustments	D	A			
Natural Resource Protection	R				D

Variances					
Flood Plain Management Variances	R				D
Inflatable Signs	R		R	D	

R = Recommendation D = Decision A = Appellate authority [] Public Hearing Required

Section 9. The following language shall be added to Section 470.010 (C) of the Unified Development Code:

Section 470.010 General Requirements

5. Inactive Applications

- a. An applicant may submit a request to stay consideration of an application at any time during the application review process. All review of the application will be placed on hold until the applicant contacts the Community Development Director and indicates consideration of the application can again commence.
- b. The maximum amount of time an application is permitted to remain inactive is 1 year from the date the request to stay consideration of the application is made. If an applicant does not withdraw the application or authorize review to again commence within the 1 year time period than the application shall expire and a new application, including filing fee, shall be submitted to commence review.

Section 10. Section 470.140 (A) of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 470.140 Lot Splits

A. Applicability

A lot may be divided as a lot split provided the following conditions are met:

- 1. no nonconforming lot shall be created as a result of the lot split.
- 2. a previously platted lot zoned "R-2"; "R-3" or "R-3A" may be divided as a lot split by either metes and bounds description or by replatting provided the following conditions are met:

- a. for a two-family dwelling in a "R-2" district, a lot split may only occur where the common wall between the two units exist. The lot split must, as closely as possible, divide the property into two equal halves.
- b. for an attached single-family dwelling in a "R-3" or "R-3A" district, a lot split may only occur where the common wall between the units exist. The lot split will only be permitted within a building area identified on a recorded final plat. The lot split process permits the units to be surveyed and individually sold.
- c. two-family residential and attached single-family lot splits are only permitted on lots contained within an approved final plat.

Section 11. The following definitions shall be added to Section 485.010 of the Unified Development Code in its proper alphabetical position after the definition of sign:

Section 485.010 General Definitions

Sign, Noncommercial Message: A sign that does not direct attention to or advertise a business, office or any other commercial interest or activity, or does not direct attention to a product, commodity or service offered for sale or lease.

Section 12. Section 435.050 of the Unified Development Code is hereby repealed in its entirety and replaced with the following:

Section 435.050 Sign Types Permitted

Signs are permitted in each zoning district as follows:

Zoning District	Sign Type	Maximum Number Permitted	Maximum Size (square feet)	Maximum Height	Illumination Permitted	Additional Requirements
A	Freestanding	1	64	12	direct or indirect	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use. See Section 435.060A,B,C, & D; 435.070
	Wall	3 per establishment	10% of façade area	n/a	direct or indirect	
	Temporary	1 per street frontage	64	12	not permitted	
RE, RR, R-3, R-3A and R-3B	Freestanding	1	32	6	indirect	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use. See Section 435.060 A,B,C,D; 435.070
	Wall	3 per establishment	10% of façade area	n/a	direct or indirect	
	Temporary	1	32	6	not permitted	
R-1A, R-1, R-1.5, and R-2	Freestanding	1	16	6	not permitted	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use. See Section 435.060 A,B,C,D; 435.070
	Wall	3 per establishment	10% of façade area	n/a	direct or indirect	
	Temporary	1	16	6	not permitted	
PO and C-1	Freestanding	1	32	6	direct or indirect	See Section 435.060D
	Wall	3 per establishment, plus 1 under canopy	10 of façade area	n/a	direct or indirect	See Section 435.060 A,B,C
	Temporary	1 per establishment	32	6	not permitted	See Section 435.070

Zoning District	Sign Type	Maximum Number Permitted	Maximum Size (square feet)	Maximum Height	Illumination Permitted	Additional Requirements	
C-2, C-3, BP, M-1 and M-2	Freestanding	Individual building with 1 tenant	1	32	6	direct or indirect	See also Section 435.060D
		Individual building 2-4 tenants or less	1	48	6	direct or indirect	See also Section 435.060D
		Shopping center under 100,000 square feet	1	80	15	direct or indirect	See also Section 435.060D
		Shopping center 100,000 square feet or more	1 per street frontage	300	30	direct or indirect	See also Section 435.060D
		Off-premise on a lot under 2 ac	1	32	6	direct or indirect	See also Section 435.060D&E
		Off-premise on a lot 2- 5 ac	1	48	6	direct or indirect	See also Section 435.060D&E
		Off-premise on a lot greater than 5 ac	1	80	15	direct or indirect	See also Section 435.060D&E
	Wall	3 per establishment, plus 1 under canopy	10% of façade area	n/a	direct or indirect	Signs advertising special services count against the allowable total number of signs and sign area (e.g. pharmacy sign on a discount store). Wall signs are permitted on any side of a building. See also Section 435.060A,B,C.	
Temporary	1 per establishment	32	6	Not permitted	See Section 435.070		

Section 13. This ordinance shall be known as the Second Amendment to the Unified Development Code.

Section 14: Effective Date. The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 15: Severability. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

DULY READ THE FIRST TIME THIS 13TH DAY OF JULY, 2009.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 27TH DAY OF JULY 2009 BY THE FOLLOWING VOTE:

Councilmember Adams	Aye
Councilmember Cox	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Kerckhoff	Aye
Councilmember Lewis	Aye
Councilmember Medsker	Aye
Councilmember Seimears	Aye

ATTEST:

APPROVE:


Jean Woerner, City Clerk


Juan I. Alonzo, Mayor

7/29/09
Date of Signature