

“AN ORDINANCE OF THE CITY OF RAYMORE MISSOURI, ESTABLISHING SECTION 415.050 AND AMENDING SECTION 485.010 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 has adopted four amendments to the Unified Development Code; and,

WHEREAS, the Planning and Zoning Commission held a public hearing on the proposed fifth amendment to the Unified Development Code on February 16, 2010, 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 City Council of the City of Raymore, Missouri; and,

WHEREAS, the City Council of the City of Raymore, Missouri held a public hearing on the proposed fifth amendment to the Unified Development Code on March 22, 2010, 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 proposed amendment 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. The following language shall be added as Section 415.050 of the Unified Development Code:

Section 415.050 OT, Original Town Overlay District

A. Purpose and Description

1. The purpose of the OT, Original Town Overlay District is to preserve and enhance the historic character of the Original Town neighborhood. Its intent is to encourage a mix of residential, commercial, and institutional uses while ensuring their compatibility.

B. Objectives

In order to preserve and enhance the historic character of the Original Town neighborhood, the following objectives will be realized:

1. Preserve the neighborhood's housing stock and encourage new housing to be compatible with existing development and reflective of the neighborhood's history.
2. Provide an opportunity for small, locally-owned businesses to grow by allowing home-businesses, live/work uses, and commercial spaces.
3. Encourage compatibility of new construction and structural alterations with the existing scale and character of surrounding properties.
4. Create a unique and identifiable neighborhood with a distinct yet compatible character with the rest of the City.

C. Permitted and Conditional Uses

1. All uses allowed in the underlying zoning district shall be allowed in the OT district as specified in the Use Table in Sections 405.020 and 410.020 with the exceptions listed below. Those uses identified as requiring a conditional use permit shall do so in accordance with the regulations of this code.
2. Live/work uses shall be permitted in commercially zoned property and shall be a conditional use in residentially zoned property in the OT district. Live/work uses shall be permitted in accordance with the following regulations:
 - a. Any commercial use permitted in the underlying zoning district is permitted in the live/work unit with the exception of the following uses, which are deemed incompatible:
 - i. uses prohibited in the Original Town Overlay District;
 - ii. adult businesses;
 - iii. firearms sales or instruction;
 - iv. pet stores, kennels, and veterinary clinics;
 - v. liquor sales; and
 - vi. amusement and recreation uses.
3. At least one resident in each live/work unit shall maintain a valid occupational license for a business on the premises.

- a. Neither the living space nor the working space shall be less than twenty five percent (25%) of the combined floor area of the site.
- b. The commercial use may occur in the primary structure or a detached accessory building. The residential use shall not be located in an accessory building.
- c. Parking must be provided in accordance with the requirements for the commercial use.
- d. The workspace must meet the requirements of the building and fire code for the type of activity/use being undertaken.
- e. Signs shall be installed pursuant to the requirements of Chapter 435 and the requirements in this section.

D. Prohibited Uses

In order to promote compatibility between residential and commercial uses in the OT district, the following uses are prohibited:

- 1. vehicle sales and service uses;
- 2. drive-thru facilities.

E. Dimensional Standards

- 1. The following bulk and dimensional standards will apply to all lots in the OT District:

Minimum Lot Area	8,000 sq.ft.
Minimum Lot Width	50 ft
Minimum Lot Depth	100 ft
Minimum Front Yard	20 ft
Minimum Rear Yard	30 ft
Minimum Side Yard	7.5 ft
Maximum Building Height	35 ft
Maximum Building Coverage	30%

- 2. New development in the OT district must comply with the average front yard provisions of 405.030(B)(2) and 410.030(B)(2).

F. District-Specific Design Requirements

1. Design Guidelines

Property developed or redeveloped in the Original Town Overlay District should comply with the recommendations found in the Original Town Neighborhood Design Guidelines document.

2. Garage Orientation

- a. Garage doors facing the street shall be set back at least 8 feet from the primary façade
- b. Garage doors shall not comprise more than 50 percent of the front façade.
- c. Rear-loading, side-loading, and detached garages shall not be subject to standards of this sub-section.

3. Parking

- a. On-street parking spaces adjacent to the property may count towards the required number of parking spaces. On-street parking spaces must be in compliance with Chapters 350 through 365 of the Raymore Municipal Code.
- b. Shared parking is permitted for non-residential uses in accordance with Section 425.060.

4. Outdoor Storage

Outdoor storage or display of merchandise shall be prohibited on commercially-zoned properties in the OT district.

5. Signs

- a. Electronic message center signs are prohibited in the OT district.
- b. The maximum permitted size for a permanent freestanding sign located on a local street shall be 24 square feet in copy area.

6. Lighting

- a. Luminaires shall not exceed 20 feet in height.

G. Action on Application

The Planning and Zoning Commission may, upon showing of undue hardship by the applicant, waive one or more of the specific requirements of the design standards of this section. The Commission shall approve the minimum waiver necessary to allow the application to be approved. The applicant for any such waiver shall have the burden of showing that the proposed project with such waiver shall have the minimum negative effect on aesthetics and compatibility within the OT district.

Section 2. Section 485.010: General Definitions is hereby amended by the addition of the following definition:

Term	Definition
Live/Work	A building and/or lot used by a single family for both dwelling purposes and a permitted commercial use.

Section 3. This Ordinance shall be known as the Fifth Amendment to the Unified Development Code.

Section 4. 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 5. 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 22ND DAY OF MARCH 2010.

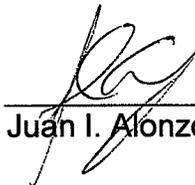
BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 26TH DAY OF APRIL 2010 BY THE FOLLOWING VOTE:

Councilmember Adams	Aye
Councilmember Becker	Aye
Councilmember Cox	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Kerckhoff	Aye
Councilmember Medsker	Aye
Councilmember Stevens	Aye

ATTEST:


Jean Woerner, City Clerk

APPROVE:



Juan I. Alonzo, Mayor

4/28/10

Date of Signature