

“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING CHAPTERS 420, 435, 445 AND 470 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 Planning and Zoning Commission held a public hearing on the proposed amendment on April 20, 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 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 May 24, 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 amendments 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 Section 420.060 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 420.060 Temporary Uses

A. Temporary Outdoor Sales Events

Temporary outdoor sales events are permitted in business, commercial and industrial districts subject to the following:

1. Sales events are limited to three events per business per calendar year.
2. Each sales event is limited to a maximum of seven days.

3. A sales event may occur anywhere within the parking area provided:
 - a. no entrance or exit is blocked;
 - b. principal access drives through the property are not blocked; and
 - c. no fire lane is blocked.
4. Any signs utilized for the sales event shall comply with Chapter 435.

B. Seasonal Outdoor Sales Events

Seasonal outdoor sales events are permitted in agricultural, business, commercial and industrial districts subject to the following:

1. The following events shall qualify as a seasonal outdoor sales event:
 - a. Christmas tree sales;
 - b. Garden sales;
 - c. Fireworks stands; and
 - d. Farm stands.
2. Seasonal outdoor sales events shall not occur within required parking spaces. Events held within a parking lot area may only occur on those properties having an excess of parking spaces, and the sales area may only utilize the excess parking area.
3. Any signs utilized for the seasonal outdoor sales event shall comply with Chapter 435.
4. Unless otherwise restricted by City Code, a seasonal outdoor sales event is limited to a total of 60 days per business per calendar year.
5. Large retail sales uses are not limited in the length of time for a seasonal outdoor sales event.

C. Outdoor Events

Outdoor events may be conducted in any business, commercial or industrial district that permits public assembly or on any lot occupied by a public or business use, subject to the following requirements:

1. Outdoor events are limited to seven days per business per calendar year. The owner or operator is required to keep a record of days of operation, and make the record available upon request of the Community Development Director.
2. The event may not involve the construction of a permanent structure.
3. Signs may be provided, subject to the sign regulations of the zoning district in which the use is located.
4. All event-related activities must be located outside of the public right-of-way.
5. Application shall be made to the Community Development Director. Approval of the application is required prior to conducting the event.

D. Contractor's Offices

1. Portable trailers, portable offices and equipment trailers utilized by a contractor on a construction project are permitted during construction.
2. All trailers, offices and equipment must be removed from the property prior to the issuance of a certificate of occupancy for the building.
3. No trailer, office or equipment may be located or stored in any right-of-way or sight triangle area as described in Section 440.040.
4. No trailer, office or equipment may be located, parked or stored on any property unless a building permit has been issued for the property.

E. Real Estate Offices

Real estate offices (containing no sleeping or cooking accommodations unless located in a model dwelling unit) accessory to a housing development are permitted in any district. These structures are limited to a time period that does not exceed the duration of active sales or leasing of dwelling units in the development.

F. Carnivals and Circuses

A carnival or circus is permitted in A, C, BP or M-1 Districts and then only for a period that does not exceed three weeks. The use need not comply with the front yard requirements of this Code provided that no structures or equipment be located within the right-of-way or required sight triangle in accordance with Section 440.040. The use shall comply with all requirements of Chapter 615: Public Amusements of the Raymore City Code.

G. Garage Sales

A garage sale may be held twice within any 90 day period. Each sale event is limited to three days. No garage sale shall be conducted within any public right-of-way. Temporary use permits and application to the Community Development Director are not required.

H. Personal Home Storage, Shipping or Construction Units

1. Personal home storage units and containers may not be located on any lot for more than 45 days in any 12-month period.
2. All home storage units and containers must be located on paved off-street surfaces.
3. No such unit shall block any sidewalk, right-of-way, or be located in any sight triangle as described in Section 440.040.
4. Doors must be secured at all times except during loading and unloading.

I. Temporary Trash Receptacles (Dumpsters)

1. Temporary trash receptacles may not be located on any lot for more than 45 days in any 12-month period. Exception is for a building site with active building construction.
2. Trash receptacles may not be located in the street right-of-way or required sight triangle.
3. Trash receptacles must be located on the property from which the rubbish or materials are generated.
4. Any rubbish or materials intended to be placed in the trash receptacle that remain around the receptacle area shall be collected and placed in the trash receptacle.

5. The trash receptacle shall be removed from the property when full.
6. Trash receptacles shall be placed at least five feet from any property line.

Section 2. Section 435.080 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

- A. Signs may be illuminated as permitted in Section 435.050 and other provisions of this chapter. The lighting for any sign that would be visible from any residentially zoned property shall be designed so that no direct glare from any light source is focused, beamed or directed at such property.
- B. Flashing lights, rapidly changing or intermittent-type illumination, rotating beams, or illumination resembling emergency lights are prohibited for the illumination of signs.
- C. The electric wiring for all illuminated signs must be located underground.
- D. An electrical permit shall be obtained for any illuminated sign.
- E. Any sign that is internally illuminated shall have all letters, graphics or symbols of the sign properly illuminated as originally designed.

Section 3. Section 435.090 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 435.090 Maintenance

- A. All signs, together with all their supports, braces, guys and anchors, must be kept in good repair and shall maintain a clean appearance and be in a safe condition.

Section 4. Section 445.020 (H) of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 445.020 Improvements

- H. Inspection of Improvements
 1. Construction Plan Review Fee

Prior to the issuance of a construction permit, the subdivider shall pay to the City a plan review fee as approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerk's office for the review and processing of the Construction and Grading Plans.

2. Inspection of Improvements

- a. Unless otherwise approved by the Director of Public Works, all improvements shall be inspected by the City of Raymore. Prior to the issuance of a construction permit, the subdivider shall pay to the City a fee as approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerk's office for construction inspection.
- b. The subdivider shall contract with a registered professional engineer or surveyor to perform construction staking and preparation of "as-built" construction plans.
- c. Building permits shall not be issued for residential projects until the required improvements have been accepted by the City and the construction inspection and plan review fees have been paid. A certificate of occupancy shall not be issued for non-residential developments until the required improvements have been accepted by the City.

Section 5. Section 470.170 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 470.170 Vacation of Easements or Plats

A. Applicability

1. This section sets forth the required review and approval procedures to vacate a plat, part of a plat, or platted utility easement. No vacation may take place, unless the consent of the persons owning two-thirds of the property immediately adjoining thereto is obtained in writing.
2. Any application to vacate a street, alley or any other public way shall comply with the procedures outlined in Section 530.010 of the Raymore City Code.

B. Application

The application must be filed with the Community Development Director. The application will be accompanied by a legal description and survey or other drawing acceptable to the Community Development Director depicting the plat or easement proposed to be vacated and the properties and property owners surrounding the plat or easement.

C. Procedure

1. City Council Public Hearing

- a. All proposed requested vacations must be submitted to the City Council for review and final action. The City Council will hold a public hearing on the application in accordance with Section 470.010E, with the exception that only published and mailed notices are required. The notice will state that an application for vacation has been filed, describing the property fully, and that a hearing thereon before the City Council will be held on a date certain after the completion of such publication notice, naming the day on which the hearing will be held, and that at such time and place all persons interested can appear and be heard concerning the application.
- b. The City Council or Community Development Director may determine that it would be advisable to obtain the recommendation of the Planning and Zoning Commission concerning a vacation application prior to the public hearing before the City Council. In that event, the Planning and Zoning Commission will hold its own public hearing on the application following publication notice and notice to surrounding property owners in accordance with the provisions for public hearings. At the conclusion of any such hearing, the Planning and Zoning Commission will submit its recommendation on the application to the City Council.

2. City Council Action

The City Council will approve or disapprove the application for the vacation.

3. Review Criteria

The City Council may approve the application if it determines from the evidence that:

- a. due and legal notice has been given by publication as required herein;
- b. no private rights will be injured or endangered by the vacation;
- c. the proposed vacation is not contrary to the Growth Management Plan or any other transportation plans for the City; and
- d. the public will suffer no loss or inconvenience thereby and that in justice to the applicant or applicants the application should be granted.

Section 6. This Ordinance shall be known as the Sixth Amendment to the Unified Development Code.

Section 7: 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 8: 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 24TH DAY OF MAY 2010.

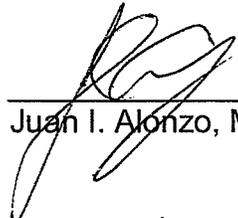
BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 14TH DAY OF JUNE 2010 BY THE FOLLOWING VOTE:

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



Date of Signature