BILL 2586 **ORDINANCE 2010-67**

"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING SECTION 420.040B 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 July 6, 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 July 26, 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 Section 420.040B of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 420.040 Use-Specific Standards, Other Uses

B. Home Occupations

1. General
The following regulations are intended to ensure that businesses conducted as subordinate to residential uses are not detrimental to the surrounding neighborhood, and that the residential character of the dwelling is maintained.

2. Prohibited Home Occupations
The following uses are prohibited as home occupations:

a. animal services, including kennels or veterinary services;
b. funeral and interment services;
c. restaurants;
d. grocery sales;
e. retail seller;
f. equipment rental;
g. motor vehicle repair;
h. warehousing; and
i. physician or dentist offices.

3. Requirements

a. The home occupation must be incidental and subordinate to the principal residential use of the premises and not occupy more than 25 percent of the floor area of dwelling unit.

b. No home occupation may be conducted in a detached accessory building unless the detached accessory building is on property zoned A, RE, RR or on any property one acre or larger in size.

c. No structural alteration is permitted that would change the residential character of the dwelling.

d. No outdoor storage of materials or equipment used for the home occupation is permitted.

e. No signs are permitted for a home occupation.

f. No more than one person not related to a resident may be employed by the home occupation use.

g. No home occupation may produce any noise, heat, vibration, dust, air pollution, electromagnetic interference, odors or other hazards that are detrimental to the safety and comfort of the neighborhood residences.

h. Parking generated by the home occupation use must be provided on a driveway or in an off-street area other than the required front yard.

i. No commodities may be displayed or sold on the premises except that which is produced on the premises or that are normal and customary to the home occupation.

4. Particular Home Occupations Permitted
Customary home occupations include, but are not limited to, the following list of occupations; provided however, that each listed occupation conforms to the requirements of this section.

a. Art, dancing, and music schools provided that instruction is limited to five pupils per session at any one time.

b. Professional offices for architects, engineers, planners, lawyers, accountants, bookkeepers, and similar professions.

c. Offices for realtors, insurance agents, brokers, sales representatives, and manufacturing representatives when no exchange of tangible goods is made on the premises.

d. Radio, television, phonograph, recorder, and small appliance repair services.

e. Home crafts and hobbies such as model making, rug weaving, lapidary work, woodworking, etc.

f. Tailoring, alterations, and seamstresses.

g. Beauty shops provided that not more than one assistant, other than a member of the immediate family, is employed.

h. Massage therapy, provided the home occupation complies with the following:

(1) Massage therapist shall be licensed to perform massage therapy in accordance with Chapter 324 of the Revised Statutes of Missouri.

(2) Massage therapist shall obtain a City of Raymore Occupational License.

(3) Massage therapy to be conducted as a home occupation shall comply with all requirements of Chapter 635: Massage Establishments, of the Raymore City Code.

(4) There shall be only one licensed therapist per address operating at the home. No more than one room shall be used for massage therapy and the

appointment times shall be spaced out during the day to eliminate patients waiting for their massage therapy appointment.

(5) Hours of operation shall be limited to 7:00 am to 10:00 pm.

Section 2. This Ordinance shall be known as the Seventh Amendment to the Unified Development Code.

Section 3: 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 4: 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 26TH DAY OF JULY 2010.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 9TH DAY OF AUGUST 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

Jean Woerner, City Clerk

APPROVE:

Juan I. Alonzo, Mayor

8/12/10

Date of Signature