

“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING VARIOUS SECTIONS 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 January 4, 2011, 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 February 14, 2011 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 Section 445.030K2a of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 445.030 Subdivision Design and Layout

K. Sidewalks

2. Installation of Sidewalks

a. Residential developments

(1) Sidewalks on an individual lot shall be installed along all public streets adjacent to the lot prior to the

issuance of a certificate of occupancy for the structure on the lot.

- (2) Sidewalks in common areas shall be installed at the time public improvements are installed.
- (3) Sidewalks along local roads adjacent to land not included in the subdivision phase shall be installed at the time public improvements are installed.
- (4) Sidewalks along arterial or collector streets shall be installed at the time public improvements are installed.
- (5) The owner of any undeveloped lot within the subdivision or subdivision phase shall be required to construct a sidewalk on that lot when 50% or more of the lots on the same side of the street in the same block already have a sidewalk constructed and:
 - a. it has been 3 years from the effective date of this Code for those subdivisions or subdivision phase for which a final plat was approved as of the effective date of this Code; or
 - b. it has been 3 years from the date the first Certificate of Occupancy was issued in the subdivision or subdivision phase for those final plats approved after the effective date of this code.
- (6) Should any sidewalk not be completed within the required time period, the city may, after holding a public hearing, proceed with constructing the sidewalk and levy a special assessment against the property owner for the costs thereof.
- (7) Any final plat approved after the effective date of this Code shall include a note on the plat that includes the language stated in Section 445.030K2a5.

Section 2. Section 445.030J of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 445.030 Subdivision Design and Layout

J. Street Lighting

- a. The subdivider shall be responsible for installation of all required street lights associated with any new subdivision at the time public improvements are installed. Street lights shall be required as follows:

- (1). On any collector or arterial street immediately adjacent to the subdivision wherein street lights are not currently installed; and
 - (2). On any street within the subdivision in accordance with a street light plan designed by an engineer registered in the State of Missouri, submitted by the subdivider, and approved by the Director of Public Works.
- b. Street lights required to be installed on adjacent collector or arterial streets shall be installed in accordance with a street light plan already approved by the City or a plan designed by a engineer registered in the State of Missouri, submitted by the subdivider, and approved by the Director of Public Works.
 - c. The subdivider shall take the necessary steps to secure placement of required street lights. Street lights shall be installed and be operational prior to acceptance of any public improvements in the subdivision.
 - d. The subdivider shall be responsible to pay all costs for installation and all operational costs incurred by the City for the required street lights as approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerks Office.
 - e. The City may determine it is in the best interests of the health, safety and welfare of the citizens of Raymore to install street lights upon existing collector and arterial streets in advance of development of subdivisions immediately adjacent to the collector or arterial streets. The City, per Ordinance of the City Council, may pay in advance for the installation and operation of the street lights that would normally be required to be installed by the subdivider at the time of subdivision construction. If the City so acts, then at the time a new subdivision application is submitted the subdivider, as part of the development agreement for the new subdivision, shall be charged the street light fee for a five (5) year time period as approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerks Office for each street light that would have been required to be installed on the adjacent collector or arterial streets at the time the subdivision was approved. This fee would be reimbursement to the City for advanced installation of the required street lights.

Section 3. Section 425.040A of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 425.040 Commercial and Industrial Driveways

A. General Performance Standards

1. Off-street parking spaces must be arranged so that no vehicle will back directly onto a street or primary access aisle in a shopping center. All private parking areas and circulation drives must be located off of the street right-of-way. Divisional islands and curbs must be constructed where necessary to provide such protection.
2. Access to property is allowed only across such driveways, and all other frontage on the property shall not be used for egress, ingress or parking on the right-of-way.
3. All driveway designs must allow an entering vehicle turning speed of 15 miles per hour to help reduce interference with through street traffic. Radii of driveways must be sufficient to achieve this standard.
4. Sufficient space must be provided so that vehicles waiting to park or exit do not interfere with street traffic.
5. Provisions for circulation between adjacent parcels shall be provided through coordinated or joint parking systems.
6. Driveway placement shall be such that loading and unloading activities will in no way hinder vehicle ingress or egress.
7. Direct-access driveway placement shall provide exiting vehicles an unobstructed sight distance according to the following schedule.

Design Speed (MPH)	Sight Distance (Feet)
30	200
35	225
40	275
45	325
50	350

8. Driveways shall be designed so that vehicles entering the driveway from the street will not encroach upon the exit lane of a two-way driveway. Also, a right-turning exiting vehicle must be able to use only the first through traffic lane available without encroaching into the adjacent through lane.
9. Driveways that are across the street from one-another shall either have the driveway centerlines line up directly across from one-another or there shall be a minimum of seventy-five (75) feet of separation between the centerlines of the driveways.

Section 4. Section 470.010C3 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 470.010 General Requirements

C. Applications

3. Filing Fees

Applications must be accompanied by the fee amount approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerks Office. Fees are not required with applications initiated by the Planning and Zoning Commission or City Council. Application fees are nonrefundable.

Section 5. Section 470.010E1d of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 470.010 General Requirements

E. Public Hearings

1. Public Notice

Whenever a public hearing is required by this chapter, public notice must be provided in accordance with this section.

d. Posted Sign Notice

- (1) This sub-section applies to Rezoning, Preliminary Plat, Conditional Use Permit and Planned Unit Development applications.
- (2) The City will post a sign informing the general public that a hearing will be held concerning the pending application. The sign will be furnished by the City and must be posted at least 15 days prior to the date of the public hearing.
- (3) A sign must be posted along each road frontage in a conspicuous place on the property upon which action is pending. The sign must be placed within five feet of the

right-of-way line in a central position on the property and placed so that the sign is clearly visible from the street.

- (4) The applicant is responsible for maintaining the sign on the property for at least the 15 days prior to the hearing, through the hearing, and through any continuances of the hearing.

Section 6. Section 420.030A of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 420.030 Use-Specific Standards, Commercial Uses

A. Adult Business

1. **Applicability**
This section applies to any adult business.

2. **Location Restrictions**

No adult business shall be located in the following areas:

- a. within 1,000 feet of any school, house of worship, library, licensed child care center, public park or property zoned for residential purposes, which uses are located within the City; measurement shall be made in a straight line without regard to intervening structures or objects from the closest portion of the parcel containing the adult business to the closest portion of the parcel containing the school, house of worship, library, licensed child care center, public park or property zoned for residential purposes; or
- b. within 1,000 feet of any other adult business for which there is a license issued by the City regardless of whether such businesses are located on the same property or separate properties; measurements shall be made in a straight line without regard to intervening structures or objects from the closest portion of the parcel containing the preexisting adult business.

3. **Signs**

- a. All adult businesses shall conspicuously display on the principal entrance to the building a sign, visible

from the exterior of the building, on which uppercase letters shall be at least two inches high and lowercase letters shall be at least one inch high, which shall read as follows:

THIS BUSINESS IS AN ADULT BUSINESS. ONLY PERSONS EIGHTEEN (18) YEARS OF AGE OR OLDER SHALL BE PERMITTED ON THE PREMISES.

b. All adult businesses shall comply with the sign regulations of Chapter 435.

4. Licensing

All applicable licensing requirements of Chapter 650: Adult Businesses of the City of Raymore shall be satisfied.

5. Adult Video Viewing Booths

Adult video viewing booths are hereby strictly prohibited either as a principal use or an accessory use.

Section 7. Section 420.050A4 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 420.050 Accessory Uses and Structures

A. General

All accessory uses and structures must meet the following requirements:

4. accessory structures must meet the minimum front and side yard setback required for principal buildings within the applicable zoning district, as specified in the bulk and dimensional standards table for the district unless specifically exempted by the projections into required yards table in the bulk and dimensional standards section;

Section 8. Section 405.030B1 of the Unified Development Code is hereby amended as follows:

Section 405.030 Bulk and Dimensional Standards Table

B. Exceptions to Dimensional Standards Table

1. Projections into Required Yards

Required yards must be unobstructed and unoccupied from the ground to the sky except that certain building features and structures are allowed to project into required yards to the extent expressly indicated in the following table:

Obstruction/Projection into Required Yards	Front	Side	Rear
Accessory detached garages, and carports, set back at least 5 feet from side and rear property lines and subject to the requirements of Section 420.050.	No	Yes	Yes
Sheds or other accessory storage structures, setback at least 5 feet from side and rear property lines	No	Yes	Yes

Section 9. Section 410.030B1 of the Unified Development Code is hereby amended as follows:

Section 410.030 Bulk and Dimensional Standards Table

B. Exceptions to Dimensional Standards Table

1. Projections into Required Yards

Required yards must be unobstructed and unoccupied from the ground to the sky except that certain building features and structures are allowed to project into required yards to the extent expressly indicated in the following table:

Obstruction/Projection into Required Yards	Front	Side	Rear
Accessory detached garages, and carports, set back at least 5 feet from side and rear property lines and subject to the requirements of Section 420.050.	No	Yes	Yes
Sheds or other accessory storage structures, setback at least 5 feet from side and rear property lines	No	Yes	Yes

Section 10. Section 485.010 of the Unified Development Code is hereby amended as follows:

Section 485.010 General Definitions

Fence, Decorative	An open fence, other than chain link, that is no more than 66% opaque and is intended to decorate, accent, or frame a feature of the landscape. Decorative fences include but shall not be limited to split rail, picket, wrought iron, and similar open fences.
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Section 11. Section 470.030D4b of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 470.030 Conditional Uses

D. Procedure

Section 11. Section 470.030D4b of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 470.030 Conditional Uses

D. Procedure

4. City Council Action

b. Conditions of Approval

- (1) In approving a conditional use, the City Council may impose conditions, safeguards and restrictions upon the applicant and the premises that will benefit from the conditional use as may be necessary.
- (2) The City Council may:
 - a. limit the conditional use permit to a specific time period.
 - b. allow the conditional use permit to be transferrable.
 - c. allow the conditional use permit to be renewed.

Section 12. Section 480.030C of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 480.030 Remedies and Enforcement Powers

C. Revocation of Plans or Other Approvals

1. When a violation of this Code involves a failure to comply with an approved site plan or condition of approval of a site plan, the Planning and Zoning Commission may revoke any plan or approval or condition its continuance on strict compliance with this Code and all conditions of approval. The Community Development Director must provide notice to the person found to be in violation. The Planning and Zoning Commission shall hold a public hearing prior to the revocation of any site plan.
2. When a violation of this Code involves a failure to comply with a condition of approval of a Conditional Use Permit, the City Council

Section 13. Section 420.050D of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 420.050 Accessory Uses and Structures

D. Accessory Uses in Non-Agricultural and Non-Residential Districts
The following accessory uses are permitted in non-agricultural and non-residential districts:

1. restaurants, drug stores, gift shops, swimming pools, tennis courts, club and lounges and newsstands when located in a permitted hotel, motel or office building;
2. employee restaurants and cafeterias when located in a permitted business or manufacturing or industrial building;
3. offices for permitted business and industrial uses when said office is located on the same site as the business or industry to which it is accessory;
4. services within retail stores, such as banking, personal services, or pet grooming where the service is clearly subordinate and incidental to the principal use;
5. banking machines, vending machines, drop-off boxes and other similar features not interfering with traffic circulation;
6. retail sales for permitted industrial uses when located on the same site as the industrial use; and
7. the storage of retail merchandise when located within the same building as the principal retail business.
8. vending machines for movie rentals located on a sidewalk adjacent to the exterior of a building. The sidewalk location being utilized shall not be adjacent to a drive aisle or fire lane, and an area on the sidewalk at least 36" wide shall be provided between the machine and the edge of the sidewalk.

Section 14. Section 405.040F of the Unified Development Code is hereby amended by the addition of the following language:

Section 405.040 Additional Regulations

F. Vehicle Parking

1. In the A or RE districts, parking or storing of recreational vehicles, boats and trailers is allowed anywhere on the property. In all other residential districts, parking or storing of recreational vehicles, boats, and trailers is permitted only:

- a. on a driveway; or
 - b. inside a completely enclosed structure; or
 - c. behind the front of the residence in the side or rear yard. The vehicle does not have to be upon a paved or impervious surface.
2. Parking of the following vehicles is prohibited in residential districts, except as specifically permitted by this Code:
- a. Semi-trailer truck, also known as a semi-tractor truck or road tractor.
 - b. Cargo trailer, semi-trailer, or similar vehicle that can be connected to or pulled by a semi-trailer truck.
 - c. Any truck licensed with a gross vehicle weight rating (GVWR) exceeding 10,000 pounds.
 - d. Overnight parking of a school bus, charter bus or similar vehicle.
3. No vehicle may be parked or stored on the grass in the front yard area of a residential lot for more than 24 hours unless approval is granted by the City Council, except that this Subsection shall not apply to any lot or parcel of private property that is one acre or more in size.
4. No vehicle may be parked or stored in the right-of-way located between the curb of a street and the property line.

Section 15. Section 410.040 of the Unified Development Code is hereby amended by the addition of the following language:

Section 410.040 Additional Regulations

- D. No vehicle may be parked or stored on the grass area of a commercial or industrial lot.
- E. No vehicle may be parked or stored in the right-of-way located between the curb of a street and the property line.

Section 16. Section 485.010 of the Unified Development Code is hereby amended by the addition of the following definition:

Section 485.010 General Definitions

Vehicle	Any car, truck, trailer, camper, recreational vehicle, boat or other device utilized for transporting goods, passengers or equipment.
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Section 18. This ordinance shall be known as the Eighth Amendment to the Unified Development Code.

Section 19: 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 20: 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 14TH DAY OF FEBRUARY 2011.

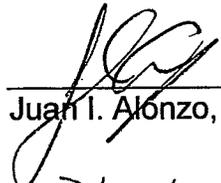
BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 28TH DAY OF FEBRUARY 2011 BY THE FOLLOWING VOTE:

Councilmember Adams	Aye
Councilmember Becker	Aye
Councilmember Cox	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Kerckhoff	Absent
Councilmember Stevens	Aye
Councilmember Wescoat	Aye

ATTEST:


Jean Woerner, City Clerk

APPROVE:



Juan I. Alonzo, Mayor
3/2/11

Date of Signature