

“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING SECTION 420.060 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 15th amendment on January 15, 2013, 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 January 28, 2013 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 Section 420.060B of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Chapter 420: Use Regulations

Section 420.060 Temporary Uses

B. Seasonal Outdoor Sales Events

Seasonal outdoor sales events are permitted in agricultural, business, commercial, industrial or parks, recreation and public use districts subject to the following:

1. Except as to a fireworks stand, which shall be specifically excluded from the provisions of this Chapter 420, the operation, maintenance and location of which having been fully addressed

in Chapter 215 of the Raymore City Code, the following events shall qualify as a seasonal outdoor sales event:

- a. Christmas tree sales;
 - b. garden sales;
 - c. produce stands;
 - d. pumpkin sales; and
 - e. Ice cream/frozen treat 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 and the following restrictions:
- a. If a temporary building is utilized up to three wall signs are permitted on the building.
 - b. Only 1 temporary event sign is permitted for the business. The temporary event sign shall not be placed or located to be visible for display or advertising when the business is not open.
 - c. The temporary event sign is not limited to the 30 day time limitation placed on temporary signs.
4. Unless otherwise restricted by City Code, the maximum duration for a sales event shall be as set forth below:
- a. Christmas tree sales – 60 days
 - b. garden sales – 60 days
 - c. produce stands – 180 days
 - d. pumpkin sales – 30 days
 - e. ice cream/frozen treat stands – 180 days
5. Large retail sales uses are not limited in the length of time for a seasonal outdoor sales event.
6. If the seasonal outdoor sales event ceases to be open for longer than seven (7) consecutive days, then the event shall cease and all remnants of the event shall be removed from the premises.
7. No recreational vehicle, trailer, or similar vehicle shall be utilized, stored, or parked as part of the seasonal outdoor sales

event. A temporary building or structure such as a shed, canopy or tent may be utilized.

8. There shall be no commercial trash receptacle placed at or near the seasonal outdoor sales event. One residential receptacle may be placed at or near the event location.
9. No portable toilet facility shall be placed at or near the seasonal outdoor sales event location.
10. No storage containers, crates, boxes, or similar containers for products to be sold or displayed shall be placed or stored at or near the seasonal outdoor sales event location.
11. Any water or electrical connections that are made shall be inspected and must be approved by the Building Official prior to commencing business.
12. Written authorization of the property owner to conduct the seasonal outdoor sales event on the property shall be obtained and shall be submitted to the City prior to commencement of the sales event.

Section 2. Section 420.060C of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 420.060 Temporary Uses

C. Outdoor Events

Outdoor events may be conducted in any business, commercial, industrial or parks, recreation and public use 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.
 - a. A City recognized farmer's market is not limited to seven days per calendar year.
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. Written permission of the owner of the property upon which the outdoor event is to be located.
6. Application shall be made to the Community Development Director. Approval of the application is required prior to conducting the event.

Section 3. Section 420.060J of the Unified Development Code is hereby added as follows:

Section 420.060 Temporary Uses

J. Mobile Vendors

Mobile vendors are permitted in agricultural, business, commercial, industrial or parks, recreation and public use districts subject to the following:

1. Mobile vendors shall obtain a City occupational license prior to opening. The following information must be submitted with the application:
 - a. Mobile vendors selling food or beverages shall submit a copy of the food permit from the Cass County Health Department.
 - b. Written permission of the owner of the property upon which the mobile vendor is located.
 - c. Any additional information required by the City Clerk to obtain an occupational license.
2. A mobile vendor cart, truck or similar vehicle used by the vendor shall not be placed or parked in a location that would:
 - a. impact pedestrian, bicycle or motor vehicle traffic circulation; or
 - b. interfere with or block any access drive, intersection, sidewalk, or pathway that provides access to a property or to a structure.

3. Except as to groups of common vendors within carnivals and circuses as regulated by Section 420.060F, a mobile vendor shall not remain overnight on the same property as where the sales occur. The cart, truck or similar vehicle can be brought to the same property on consecutive days.
4. Except as to groups of common vendors within carnivals and circuses as regulated by Section 420.060F, a mobile vendor shall not be stored outdoors on a property when not open for business.
5. One temporary event sign is permitted for the mobile vendor. The sign shall not be placed or located to be visible for display or advertising when the business is not open.

Section 4. Section 485.010 of the Unified Development Code is hereby amended by the addition of the definition as follows:

Term	Definition
Mobile Vendor	A portable cart, vehicle, apparatus, trailer, or structure used for the sale or display of food, beverages, goods or merchandise for walk-up customers.
Trash Receptacle, Commercial	A container used for the temporary storage of rubbish or materials pending collection, having a capacity of at least one cubic yard.
Trash Receptacle, Residential	A container used for the temporary storage of rubbish or materials pending collection, having a capacity of less than one cubic yard. This may include a galvanized metal container, rubber or fiberglass containers, and plastic containers which do not become brittle in cold weather.

Section 5. This Ordinance shall be known as the fifteenth amendment to the Unified Development Code.

Section 6. **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 7. **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 28TH DAY OF JANUARY 2013.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 11TH DAY OF FEBRUARY 2013 BY THE FOLLOWING VOTE:

Councilmember Abdelgawad	Aye
Councilmember Adams	Aye
Councilmember Hall	Aye
Councilmember Kellogg	Absent
Councilmember Moorhead	Aye
Councilmember Seeley	Absent
Councilmember Stevens	Aye
Councilmember Wescoat	Aye

ATTEST:


Jean Woerner, City Clerk

APPROVE:


Peter Kerckhoff, Mayor

2/13/13
Date of Signature