Unified Development Code

Raymore.Missouri

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Effective Date
1.1.2009

Updated through 22nd Amendment 9/14/2015

APPENDIX A

CHRONOLOGICAL LIST OF ORDINANCES ESTABLISHING AND AMENDING THE UNIFIED DEVELOPMENT CODE OF THE CITY OF RAYMORE, MISSOURI

Ordinance Number	Amendment Number	Application Number	Date Adopted	Code Sections Affected	Summary of Changes
28117			12/8/2008	Established entire Ordinance	First Unified Development Code. Replaced City Code Chapter 400, 405, 410, 415, 420, 425 and 505
29025	1	09-004	3/9/2009	465.02	Planning Commission Membership 465.020B
29073	2	09-030	7/27/2009	Chapters 425,435,455, 465,470 and 485	Miscellaneous Changes 425.030 Residential Driveways 435.070A Temporary Signs 445.040M Stream Buffer 465.030A-D BOA 465.040 Community Dev. Dir 465.050A Dir of Public Works 465.060B DRC membership 470.010A Summary of Procedures 470.010C Inactive applications 470.140A Lot splits 485.010 Def - noncommercial msg. 435.050 Sign types permitted
29092	3	09-042	9/14/2009	Chapters 420 and 485	Renewable Energy Systems 420.070
29137	4	09-081	11/9/2009	Chapters 445 and 455	Removal of specific fees and replaced with reference to adopted Schedule of Fees and Charges 445.020F Mud deposit 445.040J Park Fee Commercial dev 455.010B land disturbance permit 455.010F Financial security
2010-34	5	10-005	4/26/2010	Chapter 415	Established the OT, Original Town Overlay District 415.050
2010-50	6	10-012	6/14/2010	Chapters 420, 435, 445 and 470	Miscellaneous changes 420.060 temporary uses 435.080 Illumination of signs 435.090 Sign maintenance 445.020H inspection of improvem. 470.170 vacation of easements

2010-67	7	10-016	8/9/2010	420.040B	Home Occupations
2011-09	8	10-032	2/28/2011	Chapters 405, 410, 420, 425, 445, 470, 480 and 485	Miscellaneous Changes
2011-22	9	11-001	4/11/2011	Chapter 435	Sign Regulations
2011-26	10	10-033	4/25/2011	415.02	CCO District Regulations
2011-52	11	11-004	8/8/2011	405.040; 410.040; 425.030; 445.020; 445.030	Miscellaneous Changes
2012-050	12	12-009	6/25/2012	445.03	Sidewalks on undeveloped lots
2012-074	13	12-025	9/24/2012	misc. sections	Miscellaneous Changes as recommended in 2012 annual review of UDC
2012-079	14	12-029	10/22/2012	455.040; 460.010	Adoption of new FIRM
2013-010	15	13-001	02/11/2013	420.060	Temporary Uses
2013-056	16	13-017	08/26/2013	Misc. sections	Miscellaneous Changes from 2012 UDC Annual Review
2014-005	17	14-001	02/10/2014	Misc. sections	Canopy lighting; sidewalks on corner lots; inflatable sign permit
2014-006	18	14-002	02/10/2014	Misc. sections	Accessory dwelling units
2014-063	19	14-003	9/8/2014	455.04	stream buffers
2014-064	20	14-021	9/8/2014	Chapter 451	stormwater treatment
2015-005	21	14-035	1/26/2015	Misc. sections	Miscellaneous Changes from 2014 UDC Annual Review
2015-068	22	15-013	9/14/2015	Misc. sections	Miscellaneous Changes from 2015 UDC Annual Review

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Chapter 400. Introductory Provisions

Section 400.010 Title

This Title will be known and may be cited and referred to as the "Unified Development Code" of the City of Raymore, Missouri. For convenience, it is also referred to throughout as "this Code."

Section 400.020 Effective Date

The provisions of this Code became effective on January 1, 2009.

Section 400.030 Applicability and Jurisdictional Area

The provisions of the Unified Development Code will apply to all structures and land in the incorporated area of Raymore, Missouri.

Section 400.040 Purpose and Intent

This Code, adopted pursuant to the provisions of Chapter 89, RSMo., is intended to serve the following purposes:

A. to promote the health, safety, morals, comfort and general welfare of the City; and

B. to preserve and protect property values throughout the City; and

C. to restrict and regulate the height, number of stories and size of building; the percentage of lot coverage; the size of yards, courts and other open spaces; the density of population; the preservation of features of historical significance; and

D. to provide for orderly development in coordination with existing streets, utilities and public facilities; and

E. to divide the City into zones and districts; and

F. to regulate and restrict the location and use of buildings within each district or zone, and to create a comprehensive and stable pattern of land uses upon which to plan for transportation, water supply, sewage, schools, parks, public facilities and other facilities; and

G. to minimize public and private losses due to erosion, siltation and water pollution; and

H. to maintain stream water quality by provisions designed to create buffer zones along streams for the protection of water resources and minimize land development within buffers by establishing buffer zone requirements and by requiring authorization for any such activities; and

I. to lessen congestion on public ways; and

J. to prevent the overcrowding of land; and

K. to avoid undue concentration of population; and

L. to facilitate adequate provision for transportation, water, sewerage, schools, parks, and other requirements; and

M. secure safety from fire, flood waters, panic, and other dangers.

Section 400.050 Zoning Map

The boundaries and location of the zoning districts as defined by this Code are identified on the Official Zoning Map, entitled "Zoning Map of the City of Raymore, Missouri." The Official Zoning Map, together

with all notations, references and information shown on the map is hereby incorporated by reference and made a part of this Code. The map must remain on file and available to the public in the office of the Community Development Director.

Section 400.060 Interpretation of Zoning District Boundaries

Where uncertainty exists with respect to the zoning district boundaries, the zoning district boundaries will be construed to follow:

A. corporate limits;

B. United States public land survey lines;

C. property lines;

D. centerlines of streets, alleys, waterways, easements and railroad rights-of-way lines or extensions of such lines; or

E. Where they do not coincide with the above, the district boundaries will be determined by the use of the scale shown on the Official Zoning Map.

Section 400.070 Annexed Land

A. Voluntary Annexations

Applicants for any and all land to be voluntarily annexed into the City shall have a statutorily affirmed right to use either (1) an Extended Option or (2) an Abbreviated Option. Planning staff shall provide all applicants for annexation with information related to both Extended and Abbreviated Procedures but make no recommendations.

1. The Extended Option shall follow all the provisions and procedures as established under the provisions of Chapter 71.012, RSMo., as amended.

2. The Abbreviated Option shall follow all the provisions and procedures as established under the provisions of Chapter 71.014, RSMo., as amended.

a. Procedural requirements

(1) Verified petition requesting annexation signed by all fee owners of all affected tracts.

(2) No signature is required to include public property or other property not subject to a fee interest.

(3) No public hearing is required nor any written objection permitted.

(4) The sole requirement is for the territory to be contiguous and compact to the existing corporate limits.

3. Following receipt of either the extended or the abbreviated verified petition, the Council shall vote to either accept or deny the annexation request. Action shall be taken within 60 days.

4. Upon adoption, the City Clerk shall file two certified copies of the ordinance with the County Clerk and one certified copy with the election authority if an election authority exists. Completion of these steps completes the annexation and entitles the extended corporate limits to judicial notice.

B. Involuntary Annexations

To involuntarily annex property into the corporate limits of the City of Raymore, the provisions and procedures established by Section 71.015, RSMo., as amended, shall be complied with in full. The City of Raymore shall proceed under an involuntary annexation procedure when:

1. A written objection has been filed as outlined in Section 71.012, RSMo.;
2. When not all of the owners of a tract to be annexed have consented to, and signed the verified petition as provided in Section 71.012, RSMo.; or
3. When the City desires to annex property without the consent of the owners as outlined in Section 71.015, RSMo.

C. Zoning of Annexed Property

All real property that is voluntarily or involuntarily annexed into the corporate limits of the City of Raymore pursuant to the provisions of this chapter shall retain the zoning designation originally established by the County. The zoning designation shall be retained until the annexed real property is appropriately rezoned in accordance with the requirements and procedures established by the City of Raymore as provided for in Chapter 89, RSMo., as amended. These requirements shall include, but not be limited to, the notice and public hearing requirements incorporated by this Code and the Zoning Enabling Act, as provided for in Chapter 89, RSMo., as amended.

Section 400.080 Word Usage and Construction of Language

A. Meanings and Intent

All provisions, terms, phrases and expressions used in this Code will be construed according to the purpose and intent set out in Section 400.040.

B. Headings, Illustrations and Text

In case of any difference of meaning or implication between the text of this Code and any heading, drawing, table, figure or illustration, the text controls.

C. Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "including," "such as," or similar language are intended to provide examples; not to be exhaustive lists of all possibilities.

D. Computation of Time

The time in which an act is to be done will be computed by excluding the first day and including the last day. If the last day is a Sunday or legal holiday observed by the City, that day will be excluded. When the period of time prescribed or allowed is less than seven days, intermediate Sundays and legal holidays observed by the City will be excluded in the computation. Any half holidays will not be counted as a legal holiday for purposes of this Code.

E. References to Other Regulations, Publications and Documents

Whenever reference is made to a resolution, ordinance, statute, regulation or document, that reference will be construed as referring to the most recent edition of such resolution, ordinance, statute, regulation or document or to the relevant successor document, unless otherwise expressly stated.

F. Delegation of Authority

Whenever a provision appears requiring the head of a department or another officer or employee of the City to perform an act or duty, that provision will be construed as authorizing the department head or officer to delegate that responsibility to others over whom they have authority.

G. Technical and Non-technical Terms

Words and phrases will be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law will be construed and understood according to such meaning. (See also Chapter 485).

H. Public Officials and Agencies

All public officials, bodies and agencies to which references are made are those of the City of Raymore, unless otherwise expressly provided.

I. Mandatory and Discretionary Terms

The words "shall," "will" and "must" are mandatory. The words "may" and "should" are discretionary and advisory terms.

J. Conjunctions

Unless the context clearly suggests the contrary, conjunctions will be interpreted as follows:

1. "And" indicates that all connected items, conditions, provisions or events apply; and
2. "Or" indicates that one or more of the connected items, conditions, provisions or events may apply.

K. Tenses and Plurals

Words used in one tense (past, present or future) include all other tenses, unless the context clearly indicates the contrary. The singular includes the plural and the plural includes the singular.

L. Other Rules

In the construction of the Unified Development Code, the provisions and rules of this section must be preserved and applied, except when the context clearly requires otherwise:

1. the phrase "used for" will include the phrases "arranged for", "designed for", "intended for", "maintained for" and "occupied for;"
2. the word "person" includes individual, firms, corporations, associations, governmental bodies, and agencies, and all other legal entities;
3. the abbreviation "N/A" means not applicable;
4. the word "City" means City of Raymore, Missouri;
5. the word "Council" means the Raymore City Council;
6. the word "Director" means the Community Development Director;
7. the word "Commission" means the Planning and Zoning Commission;
8. the word "Board" means the Board of Adjustment;
9. unless otherwise specified, all distances will be measured horizontally; and

10. the terms "Comprehensive Plan", "Growth Management Plan" and "City Plan" mean the Growth Management Plan adopted by the Planning and Zoning Commission in accordance with sections 89.300 et seq., RSMo., and as from time to time amended.

M. Interpretation

1. Minimum Requirements

In their interpretation and application, the provisions of this Code will be held to be the minimum requirements for the promotion of the public health, safety, morals and welfare.

2. Conflicting or Overlapping Regulations

a. Conflict or Overlap with State and Federal Regulations

If the provisions of this Code are either more restrictive or less restrictive than comparable conditions imposed by the state or federal government, the regulations which are more restrictive will govern, to the extent permitted by law.

b. Conflict or Overlap with Other City Regulations

If the provisions of this Code are inconsistent with one another, or if they conflict with provisions found in other adopted City ordinances, the more restrictive provision will control. No text amendment, variance or conditional use permit or any other development approval under this Code may diminish the provisions of any other more restrictive City ordinance.

c. Conflict or Overlap with Private Agreements

This Code is not intended to abrogate, annul or otherwise interfere with any private easement, covenant, restriction, agreement or legal relationship; provided however, that where the provisions of this Code are more restrictive (or impose higher standards of requirements) than such easement, covenants or other private agreements or legal relationship, the provisions of this Code will govern. The City does not enforce private agreements, easements, covenants or restrictions except those specifically required for the administration and enforcement of this Code, even where the private agreements are more restrictive than the provisions of this Code.

N. Development Agreements and Memorandums of Understanding

Terms and conditions agreed to as part of an approved development agreement or memorandum of understanding are in addition to the requirements of this Code.

Section 400.090 Exemptions

The following structures and uses are exempt from the provisions of this Code:

A. Poles, wires, cables, conduits, laterals, pipes, mains, valves or other similar equipment for the distribution to consumers of telephone or other communications, electricity, gas or water, or the collection of sewage or surface water operated or maintained by a public utility but not including substations or accessory utility facilities located on or above the surface of the ground.

B. Railroad tracks, signals, bridges and similar facilities and equipment located on a railroad right-of-way, and maintenance and repair work on such facilities and equipment.

C. Signs exempted from regulation by Section 435.020C.

Section 400.100 Transitional Provisions

A. Violations Continue

Any violation of the previous zoning or subdivision regulations of the City will continue to be a violation under this Code and will be subject to penalties and enforcement under Chapter 480 unless the use, development, construction or other activity is consistent with the express terms of this Code, in which case enforcement action will cease, except to the extent of collecting penalties for violations that occurred before the effective date specified in Section 400.020.

B. Completion of Development

1. Permits Issued Before Effective Date

Any building, development or sign for which a permit was lawfully issued before the effective date specified in Section 400.020 may be completed in conformance with the issued permit. If the building, development or sign is not completed within the time allowed under the original permit, then the building, development or sign shall be constructed, completed or occupied only in strict compliance with this Code.

2. Preliminary Plats Approved Before Effective Date

If a preliminary plat was approved before the effective date specified in Section 400.020, final plat approval may be granted in accordance with the preliminary plat. Final plats shall comply with all requirements of this Code.

3. Preliminary Development Plans Approved Before Effective Date

If a preliminary development plan for a planned unit development was approved before the effective date specified in Section 400.020, final plat approval may be granted in accordance with the preliminary plan. Final plats shall comply with all requirements of this Code.

C. Conditional Uses

1. Any use that was legally established before the effective date specified in Section 400.020 without a conditional use permit and which after the effective date is located within a zoning district that requires a conditional use permit for the subject use under this Code, will be issued a conditional use permit without following the procedures of Section 470.030. The use and any proposed expansions or modifications will be subject to all applicable standards of this Code, including any new or modified use standards and the regulations for nonconformities of Chapter 475.
2. Any use that was legally established before the effective date specified in Section 400.020 by a conditional use permit and which after the effective date is located within a zoning district that requires a conditional use permit for the subject use, may continue to be operated under the terms of the original conditional use permit. The use and any proposed expansions or modifications will be subject to all applicable standards of this Code, including any new or modified use standards and the regulations for nonconformities of Chapter 475.
3. Any use that was legally established before the effective date specified in Section 400.020 with a conditional use permit and which after the effective date is located within a zoning district that does not require a conditional use permit for the subject use, will continue to be subject to all applicable standards of this Code, including any new or modified use standards and the

regulations for nonconformities of Chapter 475. Conditions established as part of the original approval of the conditional use permit shall remain in effect and be continuously followed.

Section 400.110 Severability

It is hereby declared to be the intention of the City that the provisions of this Code are separable, in accordance with the following rules:

A. If any court or competent jurisdiction will adjudge any provision of this Code to be invalid, such judgment will not affect any other provisions of this Code.

B. If any court or competent jurisdiction will adjudge invalid the application of any provision of this Code to a particular property or structure, such judgment will not affect the application of said provisions to any other property or structure.

Section 400.120 Zoning District Conversions

The following zoning districts are hereby established. The zoning district classifications in effect before the effective dates specified in Section 400.020 are converted as follows:

Districts prior to effective date	Districts established on effective date
A, Agricultural District	A, Agricultural District (10 ac.)
RE, Rural Estate District (3 acres)	RE, Rural Estate District (3 ac.)
RR, Rural Residential District (1-3 acres)	RR, Rural Residential District (1 ac.)
none	R-1A, Single-Family Residential District (10,000 sf)
R-1, Single-Family Residential District (8,400 sf)	R-1, Single-Family Residential District (8,400 sf)
none	R-1.5, Single-Family Residential District (6,500 sf)
R-2, Two-Family Residential District	R-2, Single and Two-Family Residential District
none	R-3, Medium Density Residential District
R-3, Multi-Family	R-3A, Multiple-Family Residential District
R-3A, Garden Apartment District	R-3B, Apartment Community Residential District
C-0, Non-Retail Business District	PO, Professional Office District
C-1, Neighborhood Commercial District (modified)	C-1, Neighborhood Commercial District
C-2, General Commercial District	C-2, General Commercial District
C-3, Shopping Center District	C-3, Regional Commercial District
C-M, Commercial/Manufacturing District	BP, Business Park District
M-1, Light Industrial District	M-1, Light Industrial-Commercial District
M-2, Heavy Industrial District	M-2, General Industrial District
CCO, City Center Overlay District	CCO, City Center Overlay District
none	GCO, Gateway Commercial Overlay District
P, Planned District	P, Planned District Overlay
PUD, Planned Unit Development District	PUD, Planned Unit Development District
none	OT, Original Town District
none	PR, Parks, Recreation and Public Use District

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Chapter 405. Agricultural and Residential Districts

Section 405.010 District Descriptions

A. A, Agricultural District

The purpose of the A, Agricultural District is to accommodate agricultural activities and related uses on the fringe of the urbanized area of the City. Land within this district is likely to be developed with other land uses in the future. Because A districts will typically be located within close proximity to urban development, the agricultural activities conducted in the A district should not be detrimental to surrounding land uses. The type and intensity of uses permitted in this district will encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is requested by the property owner or initiated by the City.

B. RE, Rural Estate District

The purpose of the RE, Rural Estate District is to accommodate very low-density residential development in semi-rural areas of the City, characterized by dwellings surrounded by ample open space. Consistent with its semi-rural character, some single-family lots are large enough to accommodate small-scale agriculture and/or stables. The RE district also is intended to provide for some limited institutional uses compatible with surrounding residential neighborhoods.

C. RR, Rural Residential District

The purpose of the RR, Rural Residential District is to accommodate low-density residential development in semi-rural areas of the City. The district functions as a large-lot single-family dwelling district and also provides for limited institutional uses compatible with surrounding residential neighborhoods.

D. R-1A, Single-Family Residential District

The purpose of the R-1A, Single-Family Residential District is to accommodate low-density residential development. The R-1A district also provides for limited institutional uses compatible with surrounding residential neighborhoods, with slightly larger lot sizes and lower density than the R-1 Single Family District.

E. R-1, Single-Family Residential District

The purpose of the R-1, Single-Family Residential District is to accommodate low-density residential development and limited institutional uses compatible with surrounding residential neighborhoods.

F. R-1.5, Single-Family Residential District

The purpose of the R-1.5, Single-Family Residential District is to accommodate low-density residential development and limited institutional uses compatible with surrounding residential neighborhoods, with slightly smaller lot sizes and higher density than the R-1 Single-Family District.

G. R-2, Single- and Two-Family Residential District

The purpose of the R-2, Single- and Two-Family Residential District is to accommodate single- and two-family residential development. The R-2 district typically functions as a transition between arterial and collector streets, commercial and/or higher residential areas, and lower density single-family residential areas. The R-2 district also provides for limited institutional uses compatible with surrounding residential neighborhoods.

H. R-3, Medium Density Residential District

The R-3, Medium-Density Residential District, is intended to accommodate a mix of two-family and

attached single-family residential development. The R-3 district is typically located adjacent to an arterial or collector street and serves as a transition between commercial development or heavy automobile traffic and lower density residential development. The R-3 district also provides for limited institutional uses compatible with surrounding residential neighborhoods.

I. R-3A, Multiple-Family Residential District

The R-3A, Multiple-Family Residential District, accommodates single-family attached and multiple-family residential development on individual lots where there are sufficient services and infrastructure to support higher density residential development.

J. R-3B, Apartment Community Residential District

The R-3B, Apartment Community Residential District, is intended to accommodate multiple-family residential development where there are sufficient services and infrastructure to support higher density residential development. The principal use of the land in this district is multiple-family development that is planned and developed only on a lot or tract under single ownership or unified control.

K. PR, Parks, Recreation and Public Use District

The PR, Parks, Recreation and Public Use District is a special purpose district that is intended to accommodate land uses that offer a variety of active and passive recreational opportunities and other public uses. See Section 415.070.

Section 405.020 Use Table

A. Use Groups

The use table classifies land uses into five major groupings: Residential, Public and Civic, Commercial, Industrial and Other. These are referred to as "Use Groups."

B. Use Categories

Each Use Group is further divided into "Use Categories." These categories classify land uses based on common characteristics, such as the type of products sold, site conditions or the amount of activity on the site. Some use categories are further divided into specific use types, which are described in Section 485.010.

C. Determination of Land Use Category

When a land use cannot be classified into a Use Category or appears to fit into multiple categories, the Community Development Director is authorized to determine the most appropriate Use Category.

D. Permitted Uses

Uses identified with a "P" in the use table are permitted by-right in the designated zoning districts, subject to compliance with all other applicable provisions of this Code.

E. Uses Subject to Special Conditions

Uses identified with an "S" in the use table are permitted by-right in the designated zoning districts, subject to compliance with all conditions of this chapter and with all other applicable provisions of this Code.

F. Conditional Uses

Uses identified with a "C" in the use table may be allowed in the designated zoning districts if approved in accordance with the conditional use procedure of Section 470.030. Approved conditional uses are subject to compliance with all other applicable provisions of this code.

G. Prohibited Uses

Uses identified with a "–" in the use table are expressly prohibited. Uses not listed in the use table are also prohibited unless the Community Development Director determines that the use fits into an existing use category.

H. Use Standards *(Amendment 18 – Ordinance 2014-006 2.10.14)*

The "Use Standard" column in the use table provides a cross-reference to additional standards that apply to some uses, whether or not they are allowed as a permitted use, use subject to special conditions or conditional use.

Use	A	RE	RR	R-1A	R-1	R-1.5	R-2	R-3	R-3A	R-3B	PR	Use Standard
RESIDENTIAL USES												
Household Living												
Single-family Dwelling, Detached (conventional)	P	P	P	P	P	P	P	–	–	–	–	
Manufactured Home Residential – Design	S	S	S	S	S	S	S	–	–	–	–	Section 420.010D
Single-family Dwelling, Attached	–	–	–	–	–	–	–	S	S	–	–	Section 420.010A
Two-family Dwelling (Duplex)	–	–	–	–	–	–	P	P	P	–	–	
Multi-family Dwelling (3+ units)	–	–	–	–	–	–	–	–	S	–	–	Section 420.010A
Apartment Community	–	–	–	–	–	–	–	–	–	S	–	Section 420.010A
Cluster Residential Development	S	S	S	S	S	S	S	S	S	–	–	Section 420.010B
Manufactured Home Park	–	–	–	–	–	–	–	C	C	–	–	Section 420.010C
Employee Living Quarters	P	–	–	–	–	–	–	–	–	–	–	
Accessory Dwelling	P	P	P	-	-	-	-	-	-	-	-	Section 420.050E
Group Living												
Assisted Living	–	–	–	–	–	–	–	C	C	C	–	
Group Home	S	S	S	S	S	S	S	S	S	S	–	Section 420.010E
Nursing Care Facility	–	–	–	–	–	–	–	C	C	C	–	
Transitional Living	–	–	–	–	–	–	–	C	C	C	–	
Group Living Not Otherwise Classified	–	–	–	C	C	C	C	C	C	C	–	
PUBLIC AND CIVIC USES												
Cultural Exhibit or Library	C	C	C	C	C	C	C	C	C	C	C	
Government Buildings and Properties	C	C	C	C	C	C	C	C	C	C	C	
Place of Public Assembly	C	C	C	C	C	C	C	C	C	C	C	
Public Safety Services	C	C	C	C	C	C	C	C	C	C	C	
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	
School	P	P	P	P	P	P	P	P	P	P	P	
Utilities												
Major	C	C	C	C	C	C	C	C	C	C	C	
Minor	P	P	P	P	P	P	P	P	P	P	P	
COMMERCIAL USES												
Animal Services												
Kennel	C	–	–	–	–	–	–	–	–	–	–	Section 420.030E

Use	A	RE	RR	R-1A	R-1	R-1.5	R-2	R-3	R-3A	R-3B	PR	Use Standard
Day Care												
Day Care Home	S	S	S	S	S	S	S	S	S	S	–	Section 420.030C
Entertainment and Spectator Sports												
Indoor	C	–	–	–	–	–	–	–	–	–	P	
Outdoor	C	–	–	–	–	–	–	–	–	–	P	
Funeral and Interment Services												
Cemetery	C	C	C	C	C	C	C	C	C	C	–	
Funeral Home	–	–	–	–	–	–	–	–	–	–	–	
Lodging												
Bed and Breakfast	S	S	–	–	–	–	–	–	–	–	–	Section 420.030H
Sports and Recreation, Participant												
Outdoor	C	C	C	C	C	C	C	C	C	C	P	
Indoor	C	–	–	–	–	–	–	–	–	–	P	
OTHER USES												
Accessory Uses	S	S	S	S	S	S	S	S	S	S	S	Section 420.050
Agricultural Uses												
Farming	P	–	–	–	–	–	–	–	–	–	–	
Boarding Stables and Riding Schools	C	–	–	–	–	–	–	–	–	–	–	Section 420.040A
Home Occupation	S	S	S	S	S	S	S	S	S	S	–	Section 420.040B
Parking												
Accessory Parking	P	P	P	P	P	P	P	P	P	P	P	
Wireless Communication Facility												Section 420.040C
Colocated	S	S	S	S	S	S	S	S	S	S	S	

Section 405.030 Bulk and Dimensional Standards

A. Bulk and Dimensional Standards Table

The following bulk and dimensional standards apply to the agricultural and residential districts unless otherwise specifically allowed by this code. See Section 415.060 for PUD standards, Section 415.040 for Planned district standards and Section 415.070 for Parks, Recreation, and Public Use District standards.

	A	RE	RR	R-1A	R-1	R-1.5	R-2	R-3	R-3A	R-3B
Minimum Lot Area										
per lot	10 ac.	3 ac.	1 ac.	10,000 sq.ft.	8,400 sq.ft.	6,500 sq.ft.	10,000 sq.ft.	11,250 sq.ft.	12,000 sq.ft.	12,000 sq.ft.
per dwelling unit	10 ac.	3 ac.	1 ac.	10,000 sq.ft.	8,400 sq.ft.	6,500 sq.ft.	5,000 sq.ft.	3,750 sq.ft.	2,000 sq.ft.	2,000 sq.ft.
Minimum Lot Width (ft.)	330	220	125	70	70	60	70	90	90	90
Minimum Lot Depth (ft.)	100	100	100	100	100	100	100	120	120	120
Yards, Minimum (ft.)										
Front	50	50	40	30	30	30	30	30	30	30
rear	50	40	30	30	30	30	30	30	30	30
side	15	15	15	10	10	7.5	10	10	10	10
Maximum Building Height (feet)	35	35	35	35	35	35	35	50	50	50
Maximum Building Coverage (%) [1]	10	30	30	30	30	40	30	30	40	40

[1] Includes outbuildings and accessory buildings. (See also Section 420.050)

B. Exceptions to Dimensional Standards Table

1. Projections into Required Yards *(Amendment 8 – Ordinance 2011-9 2.28.11)*

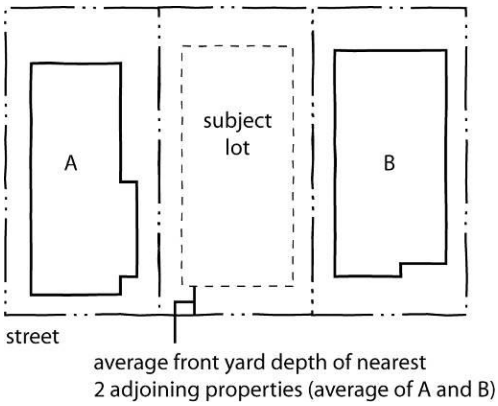
Required yards must be unobstructed and unoccupied from the ground to the sky except that certain building features and structures are allowed to project into required yards to the extent expressly indicated in the following table:

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
Air conditioning and other mechanical units projecting a distance of not more than 5 feet	Yes	Yes	Yes
Arbors, trellises, pergolas and similar customary landscape and yard improvements, set back at least 5 feet from any side or rear property line	No	Yes	Yes
Awnings and canopies projecting a distance of no more than 30% of the required yard dimension	Yes	Yes	Yes
Balconies projecting a distance of not more than 30% of the required yard dimension	No	Yes	Yes
Bay windows and dormers projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Breezeways	No	Yes	Yes
Chimneys projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Eaves and gutters projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Fences and walls, subject to Section 440.030	Yes	Yes	Yes
Flagpoles	Yes	Yes	Yes
Gazebos, setback at least 5 feet from any side or rear property line	No	Yes	Yes
Laundry drying equipment	No	No	Yes
Ornamental and security lighting	Yes	Yes	Yes
Parking spaces, unenclosed	Yes	Yes	Yes
Patios and terraces, setback at least 5 feet from any property line	Yes	Yes	Yes
Porches and decks less than 30 inches above grade, open on at least 3 sides, with no roof or cover, projecting a distance of not more than 30% of the required front yard dimension and set back at least 5 feet from side and rear property lines.	Yes	Yes	Yes
Porches and decks greater than 30 inches above grade, open on at least 3 sides, with no roof or cover, projecting a distance of not more than 30% of the required yard dimension.	No	Yes	Yes
Recreation equipment including playground equipment, play houses, and sandboxes, setback at least 5 feet from any side or rear property line	No	Yes	Yes
Satellite dish antennas, not exceeding 1 meter in diameter	Yes	Yes	Yes
Satellite dish antennas, over 1 meter but not exceeding 2.4 meters in diameter	No	No	Yes
Sheds or other accessory storage structures, setback at least 5 feet from side and rear property lines	No	Yes	Yes
Sills, belt courses, cornices, buttresses and other architectural features projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Swimming pools and bathhouses, setback at least 5 feet from side or rear property line, subject to Section 420.050B	No	Yes	Yes
Steps, stairs, stoops, landings and fire escapes (uncovered), projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Amateur radio antenna towers,	No	Yes	Yes
Utility poles and wires	Yes	Yes	Yes
Wheelchair lifts and ramps that meet federal, state and local accessibility standards	Yes	Yes	Yes

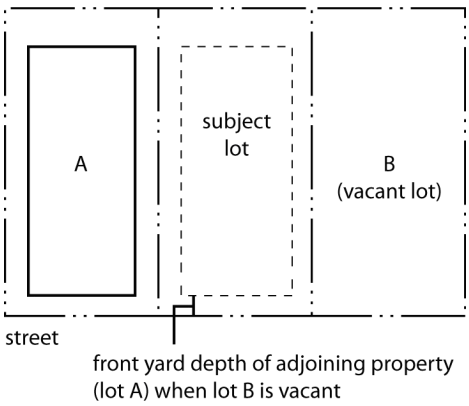
2. Exception for Lots that Utilize Average Front Yard

Where 50 percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have a front yard with less depth than required by this code, then:

a. Where a building is to be constructed on a parcel of land that is within 100 feet of the existing buildings on both sides, the minimum front yard may be an average of the front yards as measured from the two closest front corners of the adjacent buildings on the two sides; or



b. Where a building is to be erected on a parcel of land that is within 100 feet of an existing building of one side only, such building may be erected as close to the street as the existing adjacent building.



Section 405.040 Additional Regulations *(Amendment 11 – Ordinance 2011-52 8.08.11)*

A. Building Regulations

1. Only one principal building may be located, erected or moved onto any lot of record in the RE, RR, R-1, R-1A, R-1.5 or R-2 districts.

2. No portion of a principal building may be constructed, erected or located within a recorded easement, except for the following projections not to exceed twenty-four inches:

a. Awnings and canopies.

b. Bay windows and dormers.

c. Chimneys.

d. Eaves and gutters.

e. Sills, cornices or other architectural features.

B. Lot Transition Regulations

New single-family and two-family developments adjacent to existing platted single-family developments must comply with the subdivision adjacency standards of Section 445.030F.

C. Operational Performance Standards

All uses in the residential districts must comply with the operational performance standards in Section 440.020.

D. Keeping of Animals

Cattle, cows, horses, sheep, goats and similar domestic animals are permitted in the A and RE districts only. In the RE district, maximum number of animals permitted per grazing acre, excluding building coverage, ponds and yard area around the principal dwelling, are:

1. 1 head of cattle; or

2. 2 sheep; or

3. 2 goats; or

4. 2 horses.

Limits for other animals not enumerated herein shall be determined based upon type or size of animal.

E. Outdoor Storage *(Amendment 13 – Ordinance 2012-074 9.24.12)*

1. All outdoor storage areas for multi-family residential and all non-residential uses must be permanently screened from view on all sides by a fence of 100 percent opacity and a minimum height of six feet. The fence must be constructed to prevent accidental dispersal of material within the storage area.

F. Vehicle Parking (Amendment 8 – Ordinance 2011-9 2.28.11) (Amendment 11 – Ordinance 2011-52 8.08.11) (Deleted by Amendment 13 – Ordinance 2012-074 9.24.12)

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Chapter 410. Business, Commercial and Industrial Districts

Section 410.010 District Descriptions

A. PO, Professional Office District

The PO, Professional Office District is intended to accommodate professional office uses in individual buildings, not in large campus-like settings. Site design within this district must ensure that adequate access, parking and screening is provided so as not to negatively impact adjoining residential neighborhoods, and to protect the office uses from higher-intensity commercial and industrial uses.

B. C-1, Neighborhood Commercial District

The C-1, Neighborhood Commercial District is intended to accommodate small-scale professional office, service and retail uses primarily located within buildings with a design and scale that is compatible with surrounding residential development. This district is intended to provide goods and services primarily for residents in the surrounding neighborhoods. Site design within this district must ensure that adequate access, parking and screening is provided so as not to negatively impact adjoining residential neighborhoods.

C. C-2, General Commercial District

The C-2, General Commercial District is intended to accommodate mid-size retail and commercial businesses along commercial corridors. Uses in the C-2 district have the potential to generate significant automobile traffic. Therefore, care must be taken to ensure that traffic and other related impacts are minimized. Since this district is located along major arterials and collectors that serve as gateways into Raymore, quality building architecture, landscaping and other site improvements will be required to ensure development enhances Raymore's image.

D. C-3, Regional Commercial District

The C-3, Regional Commercial District is intended to provide locations along major arterials for shopping centers and business uses that draw patrons from Raymore, surrounding communities and the broader region. The C-3 district consists primarily of large-scale development that has the potential to generate significant automobile traffic. Development in this district must be designed in a coordinated manner with an interconnected street network that is consistent with the City's Growth Management Plan. Uncoordinated, piecemeal development of small parcels that do not fit into the larger context is strongly discouraged in the C-3 district. Because this district is primarily located at high-visibility locations, the building architecture, landscaping and other site improvements must be of superior aesthetic and functional quality.

E. BP, Business Park District

The BP, Business Park District is intended to accommodate office, research and development, and limited service, manufacturing and warehousing uses that are located within a campus-like setting. Site design will include larger setbacks and increased landscaping and buffering from non-related uses and public rights-of-way.

F. M-1, Light Industrial District

The M-1, Light Industrial District is intended to accommodate light manufacturing, warehousing and wholesaling operations that are compatible with more intensive commercial uses. Uses within this district require good accessibility to highways. The M-1 district should be used as a buffer or transition between industrial development and commercial or multi-family residential development.

G. M-2, General Industrial District

The M-2, General Industrial District is intended to accommodate industrial uses not otherwise permitted in other districts. The intensity of the uses in this district makes it necessary to separate it from all residential districts and most commercial districts.

H. PR, Parks, Recreation and Public Use District

The PR, Parks, Recreation and Public Use District is a special purpose district that is intended to accommodate land uses that offer a variety of active and passive recreational opportunities and other public uses. See Section 415.070.

Section 410.020 Use Table

A. Use Groups

The use table classifies land uses into five major groupings: Residential, Public and Civic, Commercial, Industrial and Other. These are referred to as "Use Groups."

B. Use Categories

Each Use Group is further divided into "Use Categories." These categories classify land uses based on common characteristics, such as the type of products sold, site conditions or the amount of activity on the site. Some use categories are further divided into specific use types, which are described in Section 485.010.

C. Determination of Land Use Category

When a land use cannot be classified into a Use Category or appears to fit into multiple categories, the Community Development Director is authorized to determine the most appropriate Use Category.

D. Permitted Uses

Uses identified with a "P" in the use table are permitted by-right in the designated zoning districts, subject to compliance with all other applicable provisions of this Code.

E. Uses Subject to Special Conditions

Uses identified with an "S" in the use table are permitted by-right in the designated zoning districts, subject to compliance with all conditions of this chapter and with all other applicable provisions of this Code.

F. Conditional Uses

Uses identified with a "C" in the use table may be allowed in the designated zoning districts if approved in accordance with the conditional use procedure of Section 470.030. Approved conditional uses are subject to compliance with all other applicable provisions of this code.

G. Prohibited Uses

Uses identified with a "–" in the use table are expressly prohibited. Uses not listed in the use table are also prohibited unless the Community Development Director determines that the use fits into an existing use category.

H. Use Standards *(Amendment 16 – Ordinance 2013-056 8.26.13)*

The "Use Standard" column in the use table provides a cross-reference to additional standards that apply to some uses, whether or not they are allowed as a permitted use, use subject to special

conditions or conditional use.

Use	PO	C-1	C-2	C-3	BP	M1	M2	PR	Use Standard
RESIDENTIAL USES									
Household Living									
Single-family Dwelling, Attached	–	–	–	–	–	–	–	–	Section 420.010A
Multi-family Dwelling (3+ units)	–	–	–	–	–	–	–	–	Section 420.010A
Cluster Residential Development	–	–	–	–	–	–	–	–	Section 420.010B
Manufactured Home Park	–	–	–	–	–	–	–	–	Section 420.010C
Dwelling Units Located Above the Ground Floor	–	P	P	P	–	–	–	–	
Group Living									
Assisted Living	–	C	P	P	–	–	–	–	
Group Home	–	–	–	–	–	–	–	–	Section 420.010E
Nursing Care Facility	–	C	P	P	–	–	–	–	
Transitional Living	–	C	C	–	–	–	–	–	
PUBLIC AND CIVIC USES									
College or University	C	–	C	C	C	C	–	C	
Cultural Exhibit or Library	C	C	C	C	C	C	–	C	
Government Buildings and Properties	C	C	C	C	C	C	C	C	
Hospital	P	C	P	P	P	P	–	C	
Place of Public Assembly	P	P	P	P	P	P	–	C	
Public Safety Services	P	P	P	P	P	P	P	C	
Religious Assembly	P	P	P	P	P	P	P	P	
School	P	P	P	P	P	P	P	P	
Social Club or Lodge	P	P	P	P	P	P	P	–	
Utilities									
Major	C	C	C	C	C	C	C	C	
Minor	P	P	P	P	P	P	P	P	
COMMERCIAL USES									
Adult Business	–	–	S	S	S	S	S	–	Section 420.030A Section 420.030B
Animal Services									
Kennel	–	–	C	C	C	C	C	–	Section 420.030E
Veterinary Services	–	P	P	P	–	–	–	–	
Art Gallery	–	P	P	P	–	–	–	–	
Banks and Financial Services									
Banks	–	P	P	P	P	–	–	–	
Payday Loan Store	–	–	C	C	C	–	–	–	Section 420.030D
Consumer Loan Establishment	–	–	C	C	C	–	–	–	Section 420.030D
Pawn Shop	–	–	C	C	–	–	–	–	
Body Art Services	–	–	C	C	–	–	–	–	
Business Support Service	P	P	P	P	P	P	P	–	
Construction Sales and Service	–	–	–	–	P	P	P	–	
Day Care									
Day Care Center	S	S	S	S	S	S	–	–	Section 420.030C
Eating and Drinking Establishment									
Restaurant	–	S	S	S	S	–	–	–	Section 420.030F
Tavern	–	C	C	C	–	–	–	–	
Entertainment and Spectator Sports									
Indoor	–	–	P	P	P	P	–	P	
Outdoor	–	–	C	C	C	C	–	P	

Use	PO	C-1	C-2	C-3	BP	M1	M2	PR	Use Standard
Funeral and Interment Services									
Cremating	–	–	C	C	C	C	C	–	
Funeral Home	-	C	P	P	P	C	–	–	
Lodging									
Bed and Breakfast	–	S	S	S	–	–	–	–	Section 420.030H
Hotel or Motel	–	–	P	P	P	–	–	–	
Medical or Dental Clinic	P	P	P	P	P	C	–	–	
Mini Warehouse	–	–	–	–	–	P	P	–	
Office	P	P	P	P	P	P	–	–	
Personal and Consumer Service	P	P	P	P	P	P	–	–	
Retail Sales									
Large (100,000+ gfa)	–	–	–	S	–	C	–	–	Section 420.030G Section 420.030B
Small (up to 100,000 gfa)	–	S	S	S	S	C	–	–	Section 420.030B
Sports and Recreation, Participant									
Outdoor	–	C	P	P	C	C	–	P	
Indoor	–	–	P	P	P	P	–	P	
Vehicle Sales and Service									
Car Wash	–	–	S	S	S	S	S	–	Section 420.030I
Gas Station	–	–	C	C	C	C	C	–	Section 420.030J
Motor Vehicle Repair	–	–	C	C	C	P	P	–	Section 420.030K
Light Equipment and Vehicle Sales or Rental	–	–	–	P	P	P	–	–	
Heavy Equipment Sales or Rental	–	–	–	C	P	P	P	–	
Vehicle, Recreational Vehicle or Boat Storage/Towing	–	–	–	–	–	P	P	–	
INDUSTRIAL USES									
Manufacturing, Production and Industrial Service									
Limited	–	–	–	–	P	P	P	–	
General	–	–	–	–	–	C	P	–	
Intensive	–	–	–	–	–	–	C	–	
Research Laboratory	–	–	–	–	P	P	P	–	
Trucking/Freight Terminal	–	–	–	–	C	P	P	–	
Warehousing and Wholesaling	–	–	–	–	C	P	P	–	
Waste-related Use									
Junkyard	–	–	–	–	–	C	C	–	
Recycling Facility	–	–	–	–	C	C	C	–	
Sanitary Landfill	–	–	–	–	–	C	C	–	
OTHER USES									
Accessory Uses	S	S	S	S	S	S	S	S	Section 420.050
Drive-through Facilities	–	–	S	S	S	S	–	–	Section 420.030L
Parking									
Accessory Parking	P	P	P	P	P	P	P	P	
Non-accessory Parking	C	C	C	C	C	C	C	C	
Wireless Communication Facility									
Freestanding	–	–	S	S	S	S	S	S	Section 420.040C
Co-located	S	S	S	S	S	S	S	S	Section 420.040C

Section 410.030 Bulk and Dimensional Standards

A. Bulk and Dimensional Standards Table

The following bulk and dimensional standards apply to the business, commercial and industrial districts unless otherwise specifically allowed by this code. See Section 415.060 for PUD standards, Section 415.040 for Planned district standards and Section 415.070 for Parks, Recreation, and Public Use District standards.

	PO	C-1	C-2	C-3	BP	M-1	M-2
Minimum Lot Area							
per lot	-	-	-	-	1 acre	None	2 acres
per dwelling unit	-	2,000 sq.ft.	2,000 sq.ft.	2,000 sq.ft.	-	-	-
Minimum Lot Width (feet)	100	100	100	100	100	100	200
Minimum Lot Depth (feet)	100	100	100	100	100	100	200
Yards, Minimum (feet)							
front	30	30	30	30	30	30	30
rear	20	20	20	20	20	20	20
side	10	10	10	10	10	10	10
side, abutting residential district	20	15	20	20	20	20	20
Maximum Building Height (feet)	35	35	80	80	80	80	80
Maximum Building Coverage (%)	30	30	40	50	50	50	50

B. Exceptions to Dimensional Standards Table

1. Projections into Required Yards *(Amendment 8 – Ordinance 2011-9 2.28.11)*

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:

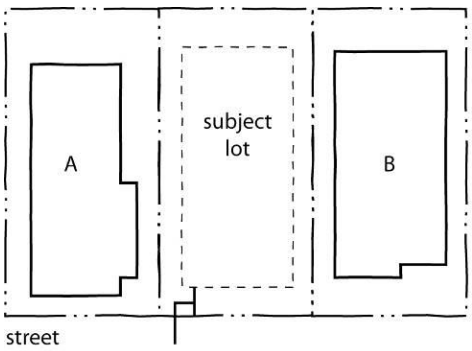
Obstruction/Projection into Required Yards	Front	Side	Rear
Accessory detached garages, sheds, and carports, set back at least 5 feet from side and rear property lines and subject to the requirements of Section 420.050	No	Yes	Yes
Air conditioning and other mechanical units projecting a distance of not more than 30% of the required yard dimension	No	Yes	Yes
Arbors, trellises, and similar customary landscape and yard improvements, set back at least 5 feet from any side or rear property line	No	Yes	Yes
Balconies, awnings and canopies projecting a distance of no more than 30% of the required yard dimension	Yes	Yes	Yes
Bay windows and dormers projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Breezeways	No	Yes	Yes
Chimneys projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Eaves and gutters projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Fences and walls, subject to Section 440.030	Yes	Yes	Yes
Flagpoles	Yes	Yes	Yes
Gazebos, setback at least 5 feet from any side or rear property line	No	Yes	Yes

Obstruction/Projection into Required Yards	Front	Side	Rear
Laundry drying equipment	No	No	Yes
Ornamental and security lighting	Yes	Yes	Yes
Parking spaces, unenclosed	Yes	Yes	Yes
Patios and terraces, setback at least 5 feet from any property line	Yes	Yes	Yes
Porches and decks less than 30 inches above grade, open on at least 3 sides, with no roof or cover, projecting a distance of not more than 30% of the required front yard dimension and set back at least 5 feet from side and rear property lines.	Yes	Yes	Yes
Porches and decks greater than 30 inches above grade, open on at least 3 sides, with no roof or cover, projecting a distance of not more than 30% of the required yard dimension.	No	Yes	Yes
Recreation equipment including playground equipment, play houses, and sandboxes, setback at least 5 feet from any side or rear property line	No	Yes	Yes
Satellite dish antennas, not exceeding 1 meter in diameter	Yes	Yes	Yes
Satellite dish antennas, over 1 meter but not exceeding 2.4 meters in diameter	No	No	Yes
Sheds or other accessory storage structures, setback at least 5 feet from side and rear property lines	No	Yes	Yes
Sills, belt courses, cornices, buttresses and other architectural features projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Swimming pools and bathhouses, setback at least 5 feet from side or rear property line	No	Yes	Yes
Steps, stairs, stoops, landings and fire escapes (uncovered), projecting a distance of not more than 30% of the required yard dimension	Yes	Yes	Yes
Amateur radio antenna towers,	No	Yes	Yes
Utility poles and wires	Yes	Yes	Yes
Wheelchair lifts and ramps that meet federal, state and local accessibility standards	Yes	Yes	Yes

2. Exception for Lots that Utilize Average Front Yard

Where 50 percent or more of the frontage on one side of a street between two intersecting streets is developed with buildings that have a front yard with less depth than required by this code, then:

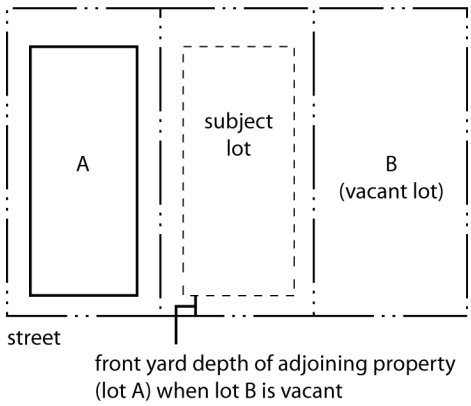
a. Where a building is to be constructed on a parcel of land that is within 100 feet of the existing buildings on both sides, the minimum front yard may be an average of the front yards as measured from the two closest front corners of the adjacent buildings on the two sides; or



average front yard depth of nearest
2 adjoining properties (average of A and B)

b. Where a building is to be erected on a parcel of land that is within 100 feet of an existing

building of one side only, such building may be erected as close to the street as the existing adjacent building.



C. Reduction to Front Yard Setback *(Amendment 13 – Ordinance 2012-074 9.24.12)*

The required front yard setback for a building located in a Business, Commercial or Industrial Zoning District may be reduced to ten (10) feet if:

1. No parking areas or access drives are installed between the building and the right-of-way line;
2. The building is not located within a sight-visibility triangle; and
3. The area between the building and the right-of-way line shall contain living landscape material.

Section 410.040 Additional Regulations *(Amendment 8 – Ordinance 2011-9 2.28.11) (Amendment 13 – Ordinance 2012-074 9.24.12)*

A. Operational Performance Standards

All uses in the business, commercial and industrial districts must comply with the operational performance standards in Section 440.020.

B. Outdoor Display or Storage of Merchandise

Outdoor display or storage of merchandise is permitted in business, commercial and industrial districts subject to the following:

1. No display or storage of merchandise shall occur within:
   - a. required parking spaces;
   - b. landscaped areas;
   - c. fire lanes;
   - d. on sidewalks if handicapped accessibility is blocked; or
   - e. building setback areas.
2. If a property has an excess of parking spaces, the excess spaces may be utilized for display or storage of merchandise.

C. All business, servicing, manufacturing or processing of materials normally allowed in commercial districts shall be conducted within a fully enclosed building.

D. Building Regulations ***(Amendment 11 – Ordinance 2011-52 8.08.11)***

No portion of a principal building may be constructed, erected or located within a recorded easement, except for the following projections not to exceed twenty-four inches:

1. Awnings and canopies.
2. Bay windows and dormers.
3. Chimneys.
4. Eaves and gutters.
5. Sills, cornices or other architectural features.

Chapter 415. Overlay and Special Purpose Districts

Section 415.010 General

A. Special Purpose Districts

Special purpose districts are established to address land uses that are not easily addressed by the agricultural, residential, business, commercial and industrial district regulations. Special purpose districts are base zoning districts, not overlays.

B. Overlay Districts

1. Overlay districts deal with special situations or accomplish specific City goals that cannot be easily or efficiently addressed through the use of "base" or regular zoning districts. As the name implies, overlay districts "overlay" applicable base district classifications to alter some or all of the zoning regulations that apply to particular sites.

2. Overlay district regulations supplement the zoning regulations of the applicable base district. When overlay district standards conflict with the applicable base district standards or other regulations of this Code, the regulations of the overlay district always govern. When no special overlay district standards are specified, the base district standards and all other applicable regulations of the Code will govern.

Section 415.020 CCO, City Center Overlay District

A. Purpose and Description

The purpose of the CCO, City Center Overlay District is to develop an identifiable center of the City of Raymore with the Municipal Center as its nucleus. Its intent is to further define a sense of community and to promote a centrally located, high-quality civic environment deemed important in the City's Growth Management Plan. A fully realized City Center concept will incorporate elements of public/quasi-public, commercial, vehicular and pedestrian environments into an integrated design which reflects the community focus of the City. The City Center concept is implemented by use of an overlay district that imposes additional criteria on the underlying zoning districts. Property developed within the District shall comply with the Raymore Municipal Center Development Criteria established by the City and incorporated into Ordinance 22062, Master Development Agreement for the Municipal Complex Property, and shall serve as the City Center Overlay Development Guidelines until such time as they are amended or rescinded by the City Council.

B. Objectives

In order to achieve the city center concept, the following objectives will be realized:

1. The pedestrian environment in the City Center Overlay District is essential for developing the sense of community desired by the City. Amenities will be provided to promote pedestrian usage.

2. Vehicular circulation and parking should be accommodated without impacting the pedestrian experience. Adequate measures will be provided to reduce vehicular and pedestrian circulation conflicts.

3. The architectural character of buildings should be harmonious with the architectural style of the municipal complex.

4. The size and scale of buildings in the City Center Overlay District should be complementary to a pedestrian environment. Buildings located near the perimeter of the City Center Overlay District should be designed to provide a harmonious transition between the commercial development and surrounding residential areas.

5. Signs will be of a scale, height, material and illumination that reflect the architectural concepts being promoted in the City Center Overlay District.

C. Permitted Uses *(Amendment 10 – Ordinance 2011-26 4.25.11)*

All uses allowed in the underlying zoning district shall be allowed in the CCO district as specified in the Use Table in Section 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. In order to promote the pedestrian intent of the CCO district, the following uses are prohibited:

1. motor vehicle repair;
2. gas stations;
3. vehicle sales;
4. accessory outdoor storage;
5. drive-thru facilities;
6. free standing fast food restaurants;
7. heavy industrial uses; and
8. bars and taverns.

D. Dimensional Standards

All dimensional requirements of the base zoning district will apply as set forth in Section 410.030 with the exception that the following front yard requirements apply:

1. Minimum front yard: 10 feet
2. Maximum front yard: 20 feet

E. District-Specific Design Standards

All uses in the City Center Overlay District must meet the development criteria contained in the City of Raymore Municipal Center Development Criteria guidebook and the following design standards. If the provisions of the guidebook conflict with the following design standards, the more restrictive provision will control.

1. Screening and Landscaping

Properties within the CCO district that are adjacent to residentially-used or zoned lots are exempt from the loading area screening requirements of Section 430.040 and instead must comply with the screening requirements of Section 430.080C.1. In addition, new development within the CCO district must include four to six foot high berms placed along the outside perimeter of the site where it is adjacent to residential uses or districts.

2. Building Orientation

All buildings must be oriented toward the public street or common access drive adjacent to each lot.

3. Building Character

Buildings must have four-sided architecture with the same quality of materials applied to all sides.

4. Sidewalks

An eight foot wide sidewalk along with a two foot wide planting strip shall be provided adjacent to the right-of-way line. Sidewalk connectivity shall be provided between this sidewalk and the principal entrance door to the building.

5. Streets

Due to the pedestrian oriented environment and the desired character of the development within the CCO district, street design may be narrower than conventional commercial streets. Alternative street designs must be approved by the Director of Public Works, provided that no street right-of-way may be less than 40 feet in width.

6. Parking

The parking requirements of Chapter 425 apply to sites located within the CCO district, with the exception that parking spaces located in front of the sites along Municipal Circle may be counted toward the total parking requirements. Off-street parking should be designed to minimize traffic and utilize space through combined access. Off-street parking must be located, when possible, behind building facades. A reduction of up to 20 percent of the total parking requirement may be approved by the Planning and Zoning Commission where shared parking among business uses is provided.

7. Parking Lot Landscaping

Landscaping shall be installed pursuant to Section 430.030.

8. Pedestrian and Streetscape Amenities

A minimum of two amenities shall be required and included on the site plan to be reviewed as part of the site plan review. Examples of amenities include, but are not limited to, benches, bike racks and trash receptacles. These amenities are to be provided on the private portion of the site plan and will be privately owned and maintained.

9. Signs

Signs shall be installed pursuant to Chapter 435.

F. Review Procedure

The review procedure for applications within the CCO district will be as set forth for site plan review in accordance with Section 470.160.

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 minimum negative effect on aesthetics and compatibility within the CCO district.

Section 415.030 GCO, Gateway Commercial Overlay District

A. General Purpose and Description

The purpose of the GCO, Gateway Commercial Overlay District is to provide for quality design and development near interstate highway interchanges in order to create a cohesive and attractive entrance to the City of Raymore.

B. Applicability

The GCO district is appropriate for parcels located within the general vicinity of an interstate highway interchange.

C. Review Procedure

The review procedure for applications within the GCO district will be as set forth for site plan review in accordance with Section 470.160.

D. Permitted Uses

All uses allowed in the underlying zoning district shall be allowed in the GCO district as specified in the Use Table in Section 410.020.

E. Dimensional Standards

All dimensional requirements of the base zoning district will apply as set forth in Section 410.030.

F. District-Specific Design Standards

1. Building Design Features

All building facades visible from adjoining streets or properties must include at least two of the following features:

a. variations in roof form and parapet heights;

b. canopies or porticos;

c. outdoor patios;

d. architectural details such as tile work and moldings that are integrated into the building structure and design; or

e. integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

2. Façade Materials

a. All buildings and other structures must be clad with brick, wood, natural stone, architectural cast stone, architectural precast concrete panels, glass or other comparable, durable materials approved during the plan review process.

b. Concrete masonry units and similar materials may be allowed in service areas and on exterior walls that are not generally visible to the public.

3. Site Design Features

All developments within the GCO district shall incorporate the following site design features:

a. A unified pedestrian access system that allows pedestrians to easily move between buildings within the development.

b. Parking areas shall be interconnected to allow the movement of vehicles from one site to another without having to drive on to a public street or access road.

c. Access to any outparcel shall be provided by frontage roads. Direct access to the outparcel from the public street providing access to the development should be avoided.

d. Lots within the development should not be isolated from the development. Vehicular and pedestrian access must be provided from any lot to the development.

e. The development shall be designed as a unified district instead of a "strip" commercial center.

f. Landscaping shall be used to help define pedestrian walks throughout the site.

g. Outdoor patios and terraces shall contain benches or seating areas.

h. The use of fountains and art sculptures are encouraged.

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 minimum negative effect on aesthetics and compatibility within the CCO district.

Section 415.040 P, Planned District Overlay

A. General Purpose and Description

1. The purpose of the P, Planned District is as an overlay district that will provide latitude and flexibility in the location of buildings, structures, open spaces, play areas and roads. The Planning and Zoning Commission and City Council will use the requirements and standards for the base zoning district as a guide in approving a "P" district and may permit deviations from these requirements where it is deemed that amenities or conditions in accordance with this section will be gained to the extent that a higher quality development is produced.

2. All R, C, BP and M districts may be designated as "planned districts,"(e.g. "RE-P or "M1-P"), as applicable, under this section. Upon approval, a planned district designation functions as an overlay zone in which standards and requirements specifically approved for the "planned district" rezoning and applicable approved site plan govern over conflicting requirements and standards of the base zoning district. Otherwise, requirements of the base zoning district remain in force.

B. Review Procedure

The procedure for review of applications for designation of a planned district will be the same as for amendments to the Unified Development Code as set forth in Section 470.020. Applications for C, BP and M planned districts must also be accompanied by a conceptual site plan.

C. Permitted Uses

Uses allowed in a planned district are those permitted in the applicable base zoning district.

D. Dimensional Standards

Dimensional standards will be the same as those for the base zoning districts unless deviations are granted pursuant to this section.

E. District-Specific Design Standards

1. In exchange for the flexibility provided under planned district zoning, applicants are required to provide high-quality design elements and amenities. Each residential and nonresidential development must provide amenities in accordance with the following menu:

Menu of Planned District Design Elements and Amenities	
Housing Diversity. Developments that include a residential component must provide ALL of the following:	
Multiple Front Elevations	At least one distinct front building elevation per 10 dwelling units for each housing type (detached single-family, attached single-family, two-family, and/or multi-family dwellings). The required number of distinct front elevations shall be rounded up to the nearest whole number (e.g. developments with 21-29 dwelling units must offer a minimum of 3 different front elevations). The maximum number of required front elevations for each housing type within a development need not exceed six.
Variety in Building Materials	More than one exterior building material must be offered for at least one housing model for single and two-family homes (e.g. vinyl siding, brick, stone, stucco, etc.)
Variety in Garage Design	Where more than one front elevation is required for developments that include detached single-family, attached single-family, and/or two-family dwelling units, a minimum of one floor plan designed with at least one of the following garage designs: • Recessed, front-loaded (a minimum 8-foot setback from front façade) • Rear-loaded • Side-loaded, or • Detached garages
Residential Amenities. Developments that include a residential component must provide at least one amenity from each group installed at the same time as the public improvements:	
Group 1 Active Recreation Amenities	Golf course
	Athletic fields, basketball court or tennis courts
	Swimming pool that is at least 1000 square feet in surface area
	Club house or community building that includes exercise rooms, meeting rooms, and/or sheltered picnic facilities
Group 2 Passive Recreation Amenities	Playground/tot lot
	Historically significant buildings, structures or other historic resource
	Bike or pedestrian pathways in addition to required public sidewalks and bike paths, in compliance with the City's Transportation Plan and Park Master Plan. Credit will be given for trails required by the Growth Management Plan.
	Nature trails, boardwalks or piers that provide access to preserved natural areas and features or historically significant resources
	Gazebo

Menu of Planned District Design Elements and Amenities	
Group 3 Natural Features and Open Space Amenities	Preservation of natural features that exceed the size of those that would be required to be preserved by other local, County, State or Federal ordinances or requirements, by at least 25 percent. Examples include wetlands, floodplains, stream corridors, steep slopes, grasslands and woodlands
	Open space in excess of one acre in area that preserves native plant communities or wildlife habitat
	Natural stormwater detention design that utilizes native plant materials
	Widened landscape buffer widths of at least 30 feet and a minimum of 50 percent increase in plant materials required by Section 445.030I.4
	Public art such as sculptures located within common open space
	Street trees
Nonresidential Amenities. Developments that include a nonresidential component must provide at least 3 of the following amenities:	
Public Enhancements and Streetscape Features	Public plaza that includes seating areas and is at least 3,000 square feet in area
	Public art such as sculptures or fountains
	Clock tower
	Bike pathways in addition to required public sidewalks and bike paths in compliance with the City's Transportation Plan and Park Master Plan
	Bike parking facilities
	Ornamental parking lot lighting
	Decorative pavers for pedestrian crosswalks

2. The planned district must include such provisions for the ownership and maintenance of the common open space and amenities as are reasonably necessary to insure its continuity, care, conservation and maintenance. In a residential planned district, such common open space and amenities that are for the use of the residents of the planned district will be owned and maintained in common by them, generally through a property owners' association. Such provisions will insure that remedial measures will be available to the entity responsible for maintaining the common open space so that it is not permitted to deteriorate and is maintained in a condition consistent with the best interests of the planned district and of the entire community.

3. 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 minimum negative effect on aesthetics and compatibility within the P district.

F. Additional Requirements

1. Operational Performance Standards

All uses in the P District must comply with the operational performance standards in Section 440.020.

2. Outdoor Storage, Display and Work Areas

a. All allowed uses in the Residential districts must comply with the requirements of Section 405.040E

b. All allowed uses in the Business, Commercial and Industrial districts must comply with the requirements of Section 410.040B-C.

Section 415.050 OT, Original Town District *(Amendment 5 – Ordinance 2010-34 4.26.10)*

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:

(1) uses prohibited in the Original Town Overlay District;

(2) adult businesses;

(3) firearms sales or instruction;

(4) pet stores, kennels, and veterinary clinics;

(5) liquor sales; and

(6) 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 *(Amendment 16 – Ordinance 2013-056 8.26.13)*

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. Garages 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, with the following exception:

(1) A non-residential use on a lot with frontage on a Major Arterial can utilize an electronic message center sign.

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 415.060 PUD, Planned Unit Development District

A. General Purpose and Description

The PUD, Planned Unit Development District is a special purpose district that is intended to encourage the unified design of residential, commercial, office, professional services, retail and institutional uses and facilities or combinations thereof in accordance with an approved

comprehensive development plan. This district provides for flexibility in the design of buildings, yards, courts and circulation in exchange for the provision of platted common open space, amenities and design excellence.

B. Review Procedure

The procedure for review of applications for planned unit developments will be as set forth in Section 470.050.

C. Allowable Uses

The Planned Unit Development District may be established exclusively for residential, commercial or industrial development or any combination of these uses. Each use category must be listed on the PUD plans and approved by the Planning and Zoning Commission and the City Council.

D. District-Specific Design Standards

1. Maintenance of Overall Density

The Planning and Zoning Commission and City Council may designate divisible geographic sections of the entire parcel to be developed as a unit, and may, in such a case, specify reasonable periods within which developments of such unit must be commenced. In the case of residential planned unit developments, the Planning and Zoning Commission may permit in each unit deviations from the number of dwelling units per acre established for the entire planned development, provided such deviation will be adjusted for in other sections of the development so that the number of dwelling units per acre authorized for the entire planned development is not increased.

2. Adequate Circulation System

a. The site must be accessible from public roads that are adequate to carry the traffic that will be imposed upon them by the proposed development, and the streets and driveways on the site of the proposed development must be adequate to serve the residents or occupants of the proposed development.

b. A traffic study shall be submitted with the rezoning application in order to determine impacts of the proposed development and necessary improvements to the transportation system. The traffic study shall take into consideration the Transportation Plan of the City of Raymore. The Director of Public Works shall review the traffic study and make a recommendation to the Planning and Zoning Commission and City Council regarding necessary improvements to the transportation system.

3. Adequate Public Services

The development must not impose an undue burden upon public services and facilities, such as fire and police protection and public infrastructure. The development must make adequate provisions for resulting additional system demands imposed by the development upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage and wastewater treatment. The developer must make arrangements and will furnish such performance bonds, escrow deposits or other guarantees as may be determined by the City to be reasonably required to assure consistency of the development with the City's Growth Management Plan and with this subsection.

4. Additional Buffering

When a commercial or industrial use within a Planned Unit Development district abuts a residential zoning district, a landscape buffer in compliance with Section 430.080C1 shall be provided. If the residential zoning district and the commercial or industrial use are separated by a street right-of-way, a 10 foot wide landscaped buffer containing trees, shrubs and evergreens must be provided along the residential side of the right-of-way line. The applicant must provide for perpetual maintenance of the landscape buffer containing trees, shrubs and evergreens.

E. Additional Requirements

1. Operational Performance Standards

All uses in the planned unit development district must comply with the operational performance standards in Section 440.020.

2. Outdoor Storage, Display and Work Areas

a. All residential uses allowed in the PUD must comply with the requirements of Section 405.040E.

b. All business, commercial or industrial uses allowed in the PUD must comply with the requirements of Section 410.040B.

3. Bulk and Dimensional Standards

Bulk and dimensional standards shall be established by the Planning and Zoning Commission and City Council as part of the zoning map amendment process.

Section 415.070 PR, Parks, Recreation and Public Use District

A. Purpose

The PR, Parks, Recreation and Public Use District is a special purpose district that is intended to accommodate land uses that offer a variety of active and passive recreational opportunities and other public uses.

B. Permitted Uses

The following uses are permitted in the PR district:

1. Public active and/or passive recreation areas and parks;

2. Activities for conservation of natural resources and the environment, such as for soil, water, vegetation and wildlife;

3. Indoor or outdoor health, recreation and exercise facilities;

4. Community centers and similar facilities; and

5. Minor utility uses as defined by this code.

C. Conditional Uses

Government buildings and properties may be allowed if approved in accordance with the conditional use procedure of Section 470.030.

D. Dimensional Requirements

1. Minimum lot size: none
2. Minimum lot width: 70 feet
3. All buildings and structures must be at least 30 feet from any property line.
4. Buildings shall not exceed 35 feet in height. The Planning and Zoning Commission may allow a maximum building height of 45 feet when necessary to accommodate special recreation needs and when the following criteria are met:
   a. That substantial architectural relief is provided to relieve the feeling of mass; and
   b. That the additional height allowance provides a recreational amenity that is unique and desired in the City of Raymore, and is supported in the Growth Management Plan.

E. Review Procedure

The review procedure for applications within the PR district will be as set forth for site plan review in accordance with Section 470.160.

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Chapter 420. Use Regulations

Section 420.010 Use-Specific Standards, Residential Uses

A. Single-Family Attached and Multiple-Family Dwellings

1. Number of Buildings per Lot

Multiple buildings containing attached single-family and multiple-family dwellings are permitted on a single zoning lot.

2. Number of Units per Building

a. No more than eight attached single-family dwelling units are permitted within a single building.

b. There is no limit on the number of multiple-family dwellings permitted within a single building.

3. Minimum Separation between Buildings

Single-family attached and multiple-family buildings situated around a courtyard will have the following minimum distance requirements as measured between exterior walls:

a. back to back, 40 feet;

b. front to front, 40 feet;

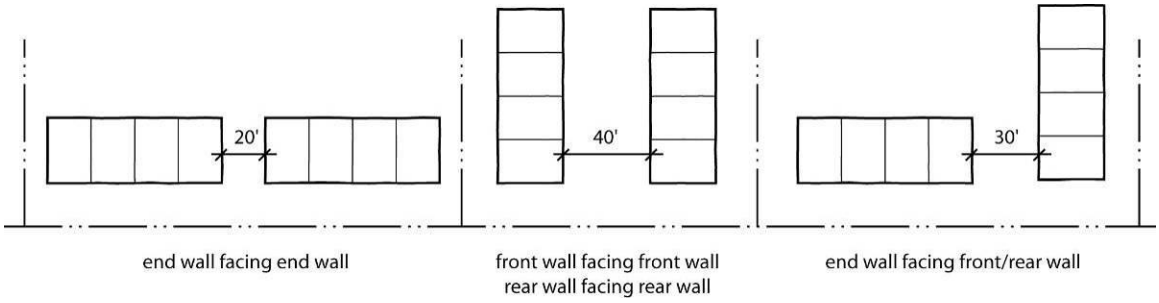
c. end to end, 20 feet;

d. end to back, 30 feet;

e. end to front, 30 feet;

f. no dwelling unit will face directly upon the rear of a building; and

g. service areas and vestibules, porches, balconies and canopies not extending more than 10 feet from the building, will be excluded from the distance requirements of this section.



4. Building Design

Attached single-family and multiple-family dwellings must:

a. be designed with windows and/or doors on all building facades that face a street to avoid the appearance of blank walls; and

b. be designed with garage doors or carports facing an alley, where there is an alley serving the site, or facing an interior driveway, whenever possible. Where attached garages face a public street, they may not extend more than five feet beyond the street-facing façade.

5. Private Yards for Attached Single-Family Dwellings

All attached single-family dwelling unit developments must include private yards space in accordance with the following:

a. attached single-family dwellings must have private yards consisting of a minimum of 200 square feet in area for each attached single-family dwelling unit;

b. a private yard may be located next to a front wall, rear wall or end wall, provided that it is immediately adjacent to the attached single-family dwelling unit it serves and is directly accessible from the unit by way of a door or steps;

c. required private yards must be landscaped with turf, groundcover, shrubs, trees or other landscape improvements, such as walkways or patios; and

d. private yards may be enclosed with fences.

6. Common Open Space for Multiple-Family Dwellings

In addition to the minimum lot area required per dwelling unit in the district, all multiple-family dwelling unit developments must include common open space in accordance with the following:

a. a minimum of 150 square feet of common open space must be provided per dwelling unit;

b. common open space must be accessible to all dwelling units and improved with landscaping, recreational facilities, and/or pedestrian walkways; and

c. common open space must be maintained by the property owners association.

B. Cluster Residential Developments

1. Description

a. The purpose of this section is to encourage subdivision design that is more efficient and provides more open space and greater natural resource protection than conventional subdivision designs. Cluster residential developments allow more compact and less costly road networks and utilities, and can also be used to preserve an area's semi-rural character.

b. The standards of this section require that a specified portion of each cluster residential development be set aside and permanently reserved as open space. The required open space may be used to provide recreational opportunities for the development's residents and/or to protect significant natural resources on the site.

2. Bulk and Dimensional Standards

a. Cluster residential developments are expressly exempt from the lot area, lot width, building coverage and yard requirements of this code. Lots must be of size and shape to allow for compliance with applicable building codes and to provide for a high-quality

living environment for subdivision residents. Lots abutting or within 150 feet of an existing or approved subdivision may be no smaller than 80 percent of the average lot size within the adjacent subdivision.

b. Cluster residential developments must comply with all other bulk and dimensional standards of Section 405.030.

c. A minimum 25-foot yard must be provided adjacent to all rights-of-way and the boundary of the development.

d. All buildings within a cluster residential development must be separated by a minimum of 15 feet, except that single-family attached and multiple-family buildings must be separated according to the requirements of Section 420.010A.3.

3. Minimum Site Area

All cluster residential developments must contain a minimum of two acres of land.

4. Maximum Density/Minimum Lot Area

a. The maximum number of dwelling units allowed within a cluster residential development is computed by dividing the overall area of the site by the applicable minimum lot area per dwelling unit standard of Section 405.030 (Bulk and Dimensional Standards).

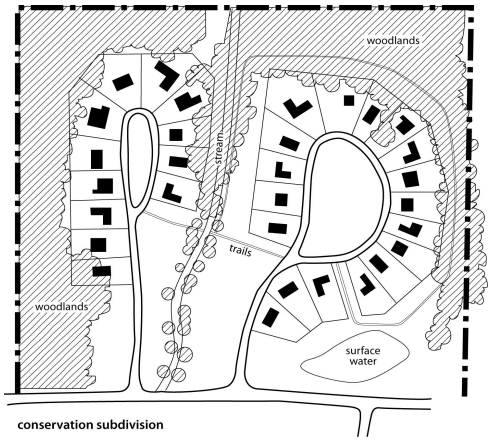
b. Individual lots in a cluster residential development are not required to comply with the minimum lot area standards of Section 405.030.

c. If the cluster residential development is located in more than one district, the maximum number of dwelling units must be calculated separately for each portion of the site lying within a different district.

5. General Design Principles

a. Cluster residential developments are subject to all other subdivision design and improvement standards of this subdivision ordinance unless otherwise expressly stated.

b. Lots and development sites within cluster residential developments must, to the maximum extent practical, be located outside of areas containing woodlands, grasslands, surface waters, steep slopes drainageways, rock outcroppings and other natural resource features.



6. Open Space

a. Amount Required

All cluster residential developments must dedicate a minimum of 30 percent of the overall site area as permanent, active or passive open space.

b. Use, Location and Design

(1) Open space must be dedicated or reserved for one or more of the following uses:

(a) conservation of, and avoidance of development in, any areas that potentially pose a significant hazard to people or property such as drainageways, wetlands and lands whose soils or slopes make them particularly unsuitable for development or susceptible to erosion;

(b) conservation and protection of any identified significant natural areas, including streams, rare plant communities, wildlife habitats, or other environmentally sensitive areas where development might threaten water quality or ecosystems; and

(c) provision of active and/or passive outdoor recreation opportunities, either for the general public or for the development's residents or employees and their guests (this requirement is not intended to preclude a membership requirement or fee for use of recreation facilities such as golf, swim, or tennis clubs, as long as residents have an opportunity to join the club or pay to use club facilities).

(2) Highest priority for the location, design and use of open space must be given to conserving and avoiding development in any natural hazard areas or significant natural areas on the site.

(3) Open space may contain active recreation areas and only those buildings, structures, accessways and parking facilities that are necessary and accessory to its principal uses (e.g., parking lots, pedestrian paths, utility lines, driveways, and club houses). All such structures and surfaces must be designed to protect and enhance the natural character and function of the open space. All active recreation areas must comply with the following:

(a) development of the area must include a tree and native vegetation preservation plan that protects mature vegetation areas and limits disturbance to the minimum required for construction;

(b) landscaping must comply with the planting list; and

(c) the location, size, character and shape of required open space must be located on portions of the site that are most appropriate for the intended use (e.g., open space proposed for ball fields must be located on land that is relatively flat, dry, and can be accessed conveniently and safely by intended users).

c. Boundary Markers

(1) Boundary markers must be put in place clearly marking required open space areas before, during and after construction.

(2) Boundary markers must be installed at the intersection of private lot lines with the outer edge of the permanent open space area before receiving final City approval of plans for clearing, grading, or sediment and erosion control.

(3) Construction fencing must be placed at the outer edge of the existing vegetation to be preserved in the permanent open space area. This fencing must be maintained throughout the construction process.

(4) Permanent signs reading "Permanent Open Space Set-Aside—Do Not Disturb" must be placed at the edge of the permanent open space as follows:

(a) For single-lot developments, signs must be posted every 100 feet along the open space boundary.

(b) For multiple lots located along an open space set-aside, signs must be located at the intersection of every other lot line along the open space.

d. Construction in Phases

A description of planned development phases must be included in the application for, and made a part of the approval of the final plat for the cluster housing development. Each scheduled phase of development must include a proportion of required common open space based on the proportion of dwelling units that are being constructed in each phase.

7. Ownership and Maintenance of Open Space

a. The applicant must identify the owner of the open space. The designated owner and the owner's successors are responsible for maintaining the open space and any associated facilities. If a property owners association is the owner, membership in the association is mandatory and automatic for all property owners of the subdivision and their successors. If a property owners association is the owner, the property owners association must have lien authority to ensure collection of dues from all members.

b. The applicant must submit a management plan for the open space and all common areas. The management plan must:

(1) allocate responsibility and guidelines for the maintenance and operation of the open space and any associated facilities, including provisions for ongoing maintenance and for long-term capital improvements;

(2) estimate the costs and staffing requirements needed for maintenance, operation and insurance and outline the means by which necessary funding will be obtained or provided;

(3) provide that any changes to the management plan be approved by the development review committee; and

(4) provide for enforcement of the management plan.

c. In the event the party responsible for maintenance of the open space fails to maintain all or any portion in reasonable order and condition, the City may assume responsibility for its maintenance and may enter the premises and take corrective action, including the provision of extended maintenance. The costs of such maintenance, plus any administrative costs and penalties, may be charged to the owner, property owner

association, or to the individual property owners that make up the property owners association. Unpaid costs will become a lien on all subdivision properties.

8. Legal Instrument for Permanent Protection

The open space must be protected in perpetuity by a binding legal instrument that is recorded with the deed. The instrument for permanent protection must include clear restrictions on the use of the open space. These restrictions must include all restrictions contained in this section, as well as any further restrictions the applicant chooses to place on the open space. The legal instrument must be one of the following:

a. a permanent conservation easement (RSMO 67.880) in favor of either:

(1) a land trust or similar conservation-oriented non-profit organization with legal authority to accept such easements. The organization must be bona fide and in perpetual existence and the conveyance instruments must contain an appropriate provision for transfer in the event the organization becomes unable to carry out its functions; or

(2) a governmental entity (if the entity accepting the easement is not the City, then a third right of enforcement favoring the City must be included in the easement);

b. an open space tract protected by a permanent restrictive covenant for conservation purposes in favor of a governmental entity; or

c. an equivalent legal tool that provides permanent protection, as approved by the City attorney.

C. Manufactured Home Parks

1. General Standards for Manufactured Home Parks

a. Manufactured home parks must contain a minimum area of 15 acres.

b. The minimum width of a manufactured home park is 300 feet.

c. A manufactured home park must be entirely owned by an individual, firm, trust, partnership, public or private association or corporation. No lots may be individually sold.

d. Manufactured home parks can only be used for residential purposes, customary and incidental accessory uses common to residential districts, and service buildings as permitted in Section 420.010C.7. Manufactured homes may be offered for sale in the park by owners selling their individual units only.

e. No manufactured home may be located for occupancy or occupied unless on a designated lot within a manufactured home park, unless otherwise expressly permitted by this Code. No manufactured home may be parked within a public right-of-way for more than 24 hours.

f. Recreational vehicles may not be occupied at any time.

2. Circulation System

a. Internal Street System

(1) Public and approved private streets must be constructed in accordance with City construction standards for primary residential streets.

(2) Manufactured home parks must have at least two permanent vehicular entrances that are at least 40 feet in width.

b. Pedestrian Circulation

A sidewalk with a width of at least four feet must be constructed along one side of each street within the manufactured home park, in accordance with City construction standards.

3. Lighting

The interior and exterior of all manufactured home parks must be constructed with sufficient exterior lighting that allow for safe movement of vehicles and pedestrians at night. Lighting of streets and community buildings must provide an average illumination level of one-half foot-candles. All exterior lighting must be installed and maintained by the operator of the park.

4. Recreation Areas

a. A minimum of 500 square feet of recreation and/or open space area must be provided per manufactured home lot. Each recreational or open space area must contain a minimum of 5,000 square feet in area and be provided with adequate recreational equipment and facilities. These include suitable landscaping, fencing and seating areas.

b. If a swimming pool is provided the pool must be constructed in accordance with City requirements. See Section 420.050B.

c. Recreation and open space areas must be centrally located and connected to pedestrian walkways and sidewalks within the park.

d. The required recreational or open space area must be fully developed before 50 percent of the lots are occupied.

5. Landscaping and Paving

a. Each manufactured home space must include on-lot landscaping consisting of at least two shade trees with a caliper of at least one and one-half inches.

b. Exposed ground surfaces in all parts of every manufactured home park must be paved, covered with stone screenings or other solid materials, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating objectionable dust.

c. All manufactured home parks and spaces shall be maintained in a neat and presentable manner. All landscaping, park and open space improvements required by the Unified Development Code must be maintained.

d. All manufactured home parks must be surrounded by a screen and/or landscape buffer in accordance with Section 430.070C1.

6. Storm Shelters

A storm shelter which is adequate to accommodate three persons per manufactured home must be provided and centrally located within the park.

7. Service Buildings and Community Facilities

Service buildings, management offices, community storage areas, indoor recreation areas and/or laundry and similar facilities that serve park residents may be provided within a manufactured home park, provided they do not occupy more than five percent of the area of the park. Service buildings and community facilities must be located, designed and intended to serve the residents of the park and present no visible evidence of their commercial character from any area outside the park.

8. Individual Storage Areas

A community storage area with a minimum of 250 square feet per manufactured home space must be provided within the park. This storage area must be fenced with a solid, visually obstructing wall or fence with a height of six feet.

9. Sanitary Sewer and Water Supply

a. Every space within a manufactured home park must be provided with public sanitary sewer and water service with all utility lines constructed in accordance with City approved plumbing and sanitary codes. All utility lines, including electrical service must be placed underground.

b. No manufactured home lot may be located farther than 300 feet from a fire hydrant.

c. Sanitary conditions within any manufactured home park must be consistent with the regulations of the Missouri Board of Health, Clean Water Commission, other State regulatory agencies and ordinances of the City.

10. Drainage Requirements

a. Manufactured home parks must be located on a well-drained site, properly graded to insure rapid drainage and freedom from stagnant pools of water.

b. No manufactured home park may be located in the 100 year floodplain.

11. Standards for Individual Manufactured Homes and Park Spaces

a. Dimensional Standards

(1) All manufactured home park spaces must meet the following dimensional requirements:

Standard	Dimension
Minimum manufactured home space area	4,000 square feet
Minimum manufactured home space width	50 feet
Minimum manufactured home dimensions	10 feet x 50 feet
Minimum setback from perimeter property lines	30 feet
Separation between manufactured homes	30 feet
Separation between manufactured homes and unattached accessory structures, on the same or another home site)	10 feet
Separation between manufactured homes and accessory structures and other manufactured home park structures, including offices, service buildings, community buildings or laundry buildings	30 feet
Separation between manufactured homes and internal street pavement, parking areas or common areas	15 feet

(2) In measuring the minimum separation between manufactured homes, measurements will be taken from the outermost projection of the manufactured home or from any attached accessory structure, such as decks, stairs, stoops, porches, attached carports, and any other structure that is not separated from the manufactured home by at least 10 feet.

b. Construction Standards

(1) All manufactured homes must be constructed according to applicable local building codes. Where the provisions of the building code conflict with the standards of this section, the more restrictive provision will control.

(2) Every manufactured home must be placed on a solid concrete slab under the entire home with a thickness adequate to support the structure.

(3) Every manufactured home must be securely skirted within 15 days after placement in a park by enclosing the open area under the unit with a material that is comparable with the exterior finish of the manufactured home and must be adequately maintained.

(4) All manufactured homes must be supported at a maximum of 10 foot centers around the perimeter of each manufactured home and this blocking must provide 16 inches by 16 inches bearing upon the stand.

(5) Tie-downs and ground anchors must secure all manufactured homes to the ground, as required by the State of Missouri.

c. Design Standards

(1) All manufactured homes must have frontage on a street within the manufactured home park.

(2) Each manufactured home lot must be provided with two paved off-street parking spaces.

(3) Each manufactured home lot must be provided with a paved patio area other than a parking space of not less than 200 square feet.

(4) Each manufactured home must be provided with a weather-tight container with a tight fitting cover for garbage disposal. The park owner must insure that containers are emptied regularly, at least weekly, and maintained in a useable sanitary condition.

d. Electrical Connections

Each manufactured home lot must be provided with an electrical source supplying at least 220 volts, in accordance with City electrical codes.

D. Manufactured Home Residential Design

A manufactured home of residential design shall comply with the following criteria:

1. minimum dimensions of 22 feet in width and 40 feet in length;

2. the pitch of the roof of the manufactured home has a minimum vertical rise of four feet for each 12 feet of horizontal run and the roof finished with a type of shingle that is commonly used in standard residential construction in the City;

3. all roof structures provide an eave projection of no less than 12 inches, exclusive of any guttering;

4. the exterior siding consists of vinyl or metal horizontal lap siding (whose reflectivity does not exceed that of low luster white paint), wood, or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction in the City;

5. is set up in accordance with the recommended installation procedures of the manufacturer and the standards set by the National Conference of States on Building Codes and Standards and published in "Manufactured Home Installations, 1987" (NCS BCS A225.1), and a continuous, permanent masonry foundation or masonry curtain wall, or poured concrete wall, unpierced except for required ventilation and access, is installed under the perimeter of the Residential-Design Manufactured Home;

6. stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home are installed or constructed in accordance with the standards set by the building code and attached firmly to the primary structure and anchored securely to the ground; and

7. has substantially the appearance of an on-site, conventionally built, single-family dwelling.

E. Group Homes

1. Group homes located within residential neighborhoods must maintain an exterior appearance in general conformance with the neighborhood.

2. Group homes must be located a minimum distance of 1,000 feet from any other group home, unless this distance requirement is waived by the City Council.

Section 420.020 Use-Specific Standards, Public and Civic Uses

Reserved

Section 420.030 Use-Specific Standards, Commercial Uses

A. Adult Business

1. Applicability

This section applies to any adult business.

2. Location Restrictions *(Amendment 8 – Ordinance 2011-9 2.28.11)*

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 pre-existing 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.

B. Businesses with Adult Media or Sexually Oriented Toys or Novelties Available

1. Applicability

a. Any bookstore, media store, video store, theater or other retail store in which adult media constitutes more than 10 percent but not more than 40 percent of:

(1) the store's inventory at any time;

(2) the merchandise displayed for sale or rental at any time; or

(3) the sales floor area of the business (not including store rooms, stock areas, bathrooms, or any portion of the business not opened to the public) at any time.

b. Any bookstore, media store, video store, theater, or other retail store, in which sexually oriented toys and novelties constitute more than five percent of:

(1) the sales (including rentals), measured in dollars over any consecutive 90-day period;

(2) the number of sales transactions, measured over any consecutive 90-day period;

(3) the dollar value of all merchandise displayed at any time;

(4) the merchandise displayed for sale at any time; or

(5) the sales floor area of the business (not including storerooms, stock areas, bathrooms, or any portion of the business not open to the public) at any time.

c. Prohibition of Public Display

The owner or operator of a store to which this section applies shall have the affirmative duty to prevent the public display of adult media or sexually oriented toys or novelties at or within the portions of the business open to the general public.

d. Display of Adult Media or Sexually Oriented Toys or Novelties

Adult media or sexually oriented toys or novelties in a store to which this section applies

shall be kept in a separate room or section of the store, which room or section shall:

(1) not be open to any person under the age of 18;

(2) be physically and visually separate from the rest of the store by an opaque wall or durable material reaching at least eight (8) feet high or to the ceiling, whichever is less;

(3) be located so that the entrance to it is as far as is reasonably practicable from media or other inventory in the store likely to be of particular interest to children;

(4) have access controlled by electronic or other means to provide assurance that persons under age 18 will not gain admission and that the general public will not accidentally enter such room or section; and

(5) provide signage at the entrance stipulating that persons under 18 are not permitted inside.

C. Day Care Homes and Centers

1. Day care homes and centers must be licensed by and in compliance with all State and local laws governing such facilities, when applicable.

2. Any outdoor areas used by the facility as recreational areas must be enclosed by a fence no less than 42 inches in height.

3. Day care homes and centers must include designated safe unloading (drop-off) and loading (pick-up) areas for children.

D. Payday Loan, Check Cashing and Title Loan Businesses

1. Businesses shall not be located within 1,500 feet of any other payday loan, check cashing service, or title loan business.

2. No vehicle, including but not limited to motor vehicles, motor homes, trucks, trailers, boats and recreational vehicles, that have been repossessed or are owned or controlled by the business shall be stored, or offered or displayed for sale, on the property upon which the business is located.

E. Kennels *(Amendment 16 – Ordinance 2013-056 8.26.13)*

All buildings, pens and runs associated with this use must be located a minimum of 200 feet from any neighboring residential structure.

F. Restaurant

1. The sale of alcoholic beverages will be permissible only as an adjunct, minor and incidental use to the primary use which is the sale and service of food.

2. Restaurants with drive-through facilities must meet the requirements of Section 420.030L.

G. Retail Sales, Large

1. Generally

This section is intended to provide additional design and character standards for all retail uses on sites that include, in aggregate, 100,000 square feet or more of gross floor area.

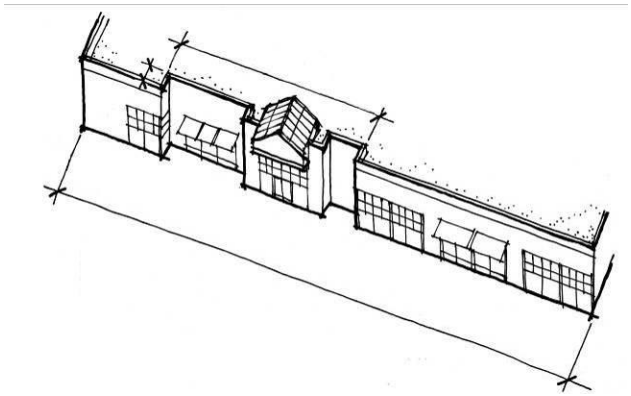
2. Outdoor Storage, Display and Sales

a. Parking lots of large retail sales uses may be used in accordance with Section 410.040B.

b. Parking lots used for seasonal outdoor sales such as plants, flowers and Christmas trees may be used in accordance with Section 420.060 A, B or C.

3. Building Design

The following standards apply to all building facades and exterior walls that are visible from adjoining streets or properties.



Example: large retail building with recesses and projections, wall plane off-sets, canopies, and a clearly defined entrance.

a. Buildings visible from public streets must include at least two of the following features:

(1) variations in roof form and parapet heights;

(2) clearly pronounced recesses and projections;

(3) wall plane off-sets (dimension established by building module);

(4) reveals and projections and changes in texture and color of wall surfaces;

(5) deep set windows with mullions;

(6) ground level arcades and second floor galleries/balconies; or

(7) other features that reduce the apparent mass of a building.

b. Buildings must have architectural features that conceal rooftop equipment, such as HVAC units, from public view.

c. Each building must have a clearly defined, highly visible customer entrance featuring at least three of the following elements:

(1) canopies or porticos;

(2) overhangs;

(3) recesses/projections;

(4) arcades;

(5) raised corniced parapets over the door;

(6) peaked roof forms;

(7) arches;

(8) outdoor patios;

(9) display windows;

(10) architectural details such as tile work and moldings that are integrated into the building structure and design; or

(11) integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

H. Bed and Breakfast

Bed and breakfast establishments must:

1. be owner-occupied;
2. have a maximum of eight guest rooms;
3. only serve meals to overnight guests, unless the bed and breakfast is located on an arterial or collector street as identified by the Growth Management Plan, then meals can be served to outside customers;
4. provide sufficient off-street parking as required by Chapter 425 in a parking area located behind the front building line; and
5. not include retail or other sales on the premises.

I. Car Wash

Automatic car washes must have vehicle stacking spaces in accordance with Section 420.030L.2.

J. Gas Station

Gas stations must:

1. have a minimum lot area of 20,000 square feet;
2. limit open storage of repair vehicles to no more than four vehicles bearing current license plates and not including any wrecked vehicles; the duration of storage must not exceed 72 hours;
3. have light fixtures that are directed downward and shielded to prevent glare on adjoining properties and roadways;
4. have canopy lighting designed with recessed fixtures to prevent glare on adjoining properties and roadways;
5. comply with all setback requirements, including canopies and other structures;
6. locate and design curb cuts to ensure they will not adversely affect the safety and efficiency of traffic and pedestrian circulation on adjoining streets. Curb cuts for new or renovated gas stations must be a minimum of 125 feet apart on each street frontage;
7. only have drive-through facilities for restaurants or other uses subject to Section 420.030L.

K. Motor Vehicle Repair

1. All motor vehicle repair operations that include body and fender repair must conduct the work within a completely enclosed building or room with stationary windows that may be opened only at intervals necessary for ingress and egress;
2. No spray painting may be done except in a building or room specially designed for that purpose; and
3. Motor vehicle repair shops cannot store vehicles on the site for longer than 30 working days.

L. Drive-through Facilities

1. General

Drive-through facilities are permitted as indicated in the use table in Section 410.020.

2. Vehicle Stacking Areas

a. Each drive-through facility must provide the minimum vehicle stacking spaces as follows:

The following requirements shall be followed in determining the minimum stacking length per lane:	
Use	**Stacking Requirement**
Financial Institution - teller lane - ATM	 3 3
Car Wash - automatic service	 4
Restaurant	4 behind menu board
Pharmacy	2
Other uses	To be determined by the Director

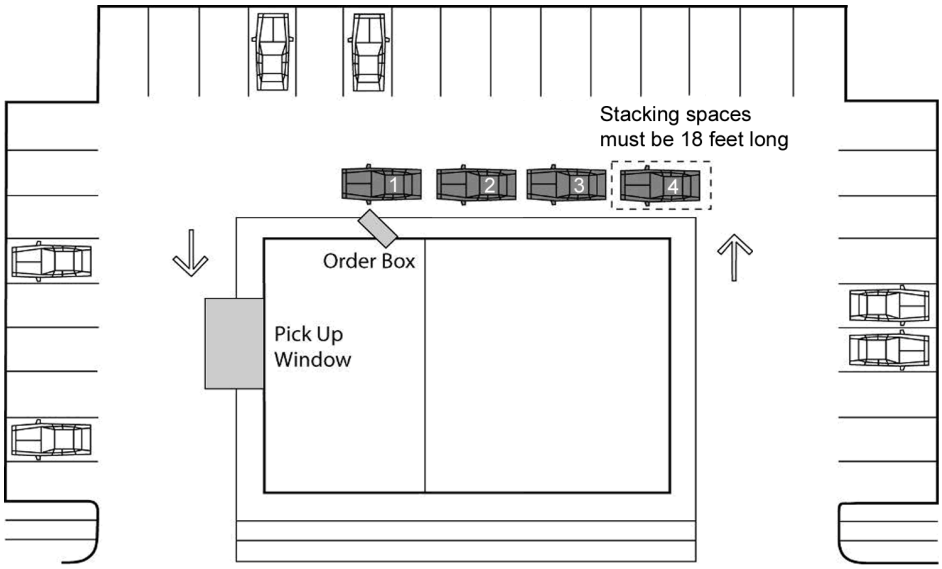
b. Vehicle stacking spaces include the space at the menu board, order box or service window.

c. Each vehicle stacking space shall be 18 feet long by 9 feet wide.

d. Each vehicle stacking lane shall be separate from any access aisle, loading space, or parking space.

e. No vehicle stacking lane shall conflict with any vehicle entrance or exit, vehicle access way or pedestrian crosswalk.

f. The Commission has the authority to allow a deviation to the stacking requirement based upon a study submitted by a traffic engineer which provides evidence to allow the reduction of these stacking requirements.



3. Adjacent to Residential Districts

a. Drive-through facilities, including stacking areas, must be separated from residentially-zoned property by at least 40 feet.

b. Speaker systems used in conjunction with drive-through facilities must be designed so that they are not audible at the property line abutting residentially-zoned property.

Section 420.040 Use-Specific Standards, Other Uses

A. Boarding Stables and Riding Schools

1. General

Stables, corrals and similar structures are permitted for the keeping of animals and other small-scale farming activities or for the operation of riding schools.

2. Location

No stable, corral or similar structure shall be closer than 20 feet of any property line.

3. Design and Construction

a. Every parcel of land upon which horses are maintained shall be well drained. The surface of all corrals and paddocks shall be graded so as to prevent the accumulation of storm water.

b. All corrals, training, show, riding, boarding and pasture areas shall be enclosed by a fence a minimum of four feet in height.

c. The minimum distance of a stable or corral from any residential structure on a neighboring lot existing at the time of issuance of the original permit shall be 200 feet.

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 *(Amendment 7 – Ordinance 2010-67 8.9.10) (Amendment 21 – Ordinance 2015-005 1.26.15)*

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 the 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 or display of commodities, products, merchandise, materials or equipment associated with or 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 neighboring 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 *(Amendment 7 – Ordinance 2010-67 8.9.10)*

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.

C. Wireless Telecommunications Facilities

The regulations contained in this section have been developed in accordance with the general guidelines set forth in the Federal Telecommunications Act of 1996.

1. Applicability

a. Pre-existing Towers and Antennas

Except as otherwise noted, the requirements of this section apply to all new wireless telecommunications facilities, any portion of which is located within the City of Raymore. Any towers and/or antennas legally existing and in use prior to adoption of this section will be allowed to continue as a nonconforming use. This section will not preclude the routine maintenance, repair and/or replacement of antennas on pre-existing towers. Any such towers or antennas will be referred to in this section as "pre-existing towers" or "pre-existing antennas."

b. District Height Limitations

The requirements set forth in this section govern the location of towers and alternative support structures and/or antennas that are installed at a height in excess of 20 feet. Zoning district height limitations as specified in bulk and dimensional standards tables do not apply.

c. Public Property

Existing antennas or towers located on property owned, leased or otherwise controlled by the City are exempt from the requirements of this section, provided a license or lease authorizing the antenna or tower has been approved by the City Council.

d. Enclosed Wireless Systems

Wireless telecommunications facilities that are completely within an existing structure, with no visible evidence of the telecommunications facilities and do not use a telecommunications tower or an alternative support structure are exempt from this section.

2. General Standards

a. Federal Requirements

All towers and antenna must meet applicable standards and regulations of the Federal Aviation Administration (FAA) , the Federal Communications Commission (FCC) and any other agency of the Federal Government with the authority to regulate towers and antennas.

b. License

Applications for required permits will only be processed when the applicant demonstrates either that it is a FCC-licensed telecommunications provider or that it has agreements with a FCC-licensed telecommunications provider for use or lease of the support structure.

c. Registration

On January first of each fifth year following the installation of the wireless telecommunications facility, the owner of such facilities must submit a letter to the Community Development Director registering the antenna(s) on forms prepared by the City and submitting information on location, type, FCC licensure, antenna operating status and any change in facility status in the previous registration period.

d. Principal or Accessory Use

Antennas and towers may be considered either principal or accessory uses. A different existing use or an existing structure on the same lot will not preclude the installation of an antenna or tower on a lot. For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to yard, lot coverage and other district requirements, the dimensions of the entire lot will control, even though the antennas or towers may be located on leased parcels within an individual lot.

e. Inventory of Existing Sites

Each applicant for an administrative approval or a conditional use permit must provide

to the Community Development Director an inventory of its existing towers that are either within the City limits or within one mile of its boundary, including specific information about the location, height and design of each tower. The Community Development Department may share such information with other applicants applying for administrative approvals or conditional use permits under this section or other organizations seeking to locate antennas within the jurisdiction of the City; provided, however, that the Community Development Department is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

f. Building Codes and Safety Standards

To ensure the structural integrity of towers, the owner of a tower must ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner will have 30 days to bring the tower into compliance with applicable codes and standards. If the owner fails to bring the tower into compliance within 30 days, the City may remove the tower at the owner's expense.

g. Inspections

The City and its agents have the authority to enter onto the property upon which a tower is located between the inspections and certifications required to inspect the tower for the purpose of determining whether it complies with the International Building Code and all other construction standards provided by the City's Code, Federal, and State law. The City reserves the right to conduct such inspections at any time, upon reasonable notice to the owner.

h. Non-Use/Abandonment

Any antenna or tower that is not operated for a continuous period of 12 months will be considered abandoned. The owner of such antenna or tower must remove it within 90 days of receipt of notice from the City notifying the owner of such abandonment. If such antenna or tower is not removed within 90 days, the City may remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, then this provision will not become effective until all users cease using the tower. It will be the duty of the telecommunications service provider and/or tower owner to provide written notice to the City when said condition exists.

i. Facilities in Agricultural Zoning Districts

For the purposes of this section, land currently zoned agricultural will be treated according to its zoning designation provided for in the "Future Land Use Plan," included as part of the City of Raymore Growth Management Plan.

j. Third Party Review

When the City staff determines that the technical information provided by the applicant warrants outside review, the applicant, in addition to the usual application fee, must reimburse the City for the actual cost to the City for the services of a technical expert to review the application and/or information submitted, up to a maximum of $5,000.00.

k. Building Permit

A building permit is required for the installation of any tower, antenna, alternate tower structure or wireless telecommunications facility.

l. Pre-application Meetings

Prior to leasing or purchasing facilities, the telecommunications service provider is encouraged to meet with the Community Development Director or his/her designee to determine if the location will require a conditional use permit or other approvals, the required submittals, and to review the merits of potential locations.

3. Submittal Requirements for All Facilities

a. Submittal requirements for all towers, alternative tower structures, antennas, equipment facilities or other telecommunications facilities include the following:

(1) legal description of the parcel, if applicable;

(2) a letter signed by the applicant stating the tower facility will comply with all applicable FAA regulations and EIA Standards and all other applicable Federal, State and local laws and regulations;

(3) a statement by the telecommunications company that it is licensed by the FCC if required to be licensed under FCC regulations;

(4) proof of lease agreements with an FCC licensed telecommunications provider if such telecommunications provider is required to be licensed by the FCC;

(5) copies of any environmental documents required by any Federal agency. These include the environmental assessment required by FCC Para. 1.1307, or, in the event that an FCC environmental assessment is not required, a statement that describes the specific factors that obviate the requirement for an environmental assessment;

(6) certification that the antenna usage will not interfere with other adjacent or neighboring transmission or reception functions;

(7) at the time of site selection, a statement that demonstrates how the proposed site fits into its overall network within the City;

(8) a site plan clearly indicating the location, type and height of the proposed tower, alternative support structure, antenna, and/or equipment facility and all other required site plan data in accordance with the City's application requirements;

(9) the approximate distance between the proposed tower and the nearest residential building, residentially zoned properties, and from any property where the future land use designation indicated by the Growth Management Plan is residential;

(10) a screening plan including the method of fencing, finished color and, if applicable, the method of illumination;

(11) a landscape plan indicating the specific placement of the facility on the site in relation to any existing landscaping and natural features on the site and all existing and proposed landscape materials to be utilized to screen the facility; and

(12) photo-simulations of the proposed facility from affected residential properties and public rights-of-way at varying distances.

b. Additional Submittal Requirements for Specific Facilities

In addition to the above listed submittal requirements for all telecommunications facilities, the following are required for proposed antenna:

(1) Antennas on Existing Towers or Alternative Support Structures

Engineering evidence of the structural capacity of the existing tower to support the proposed telecommunication facility.

(2) New Towers and Alternative Support Structures

(a) A statement by a registered professional engineer as to whether construction of the tower or alternative support structure can accommodate collocation of additional antennas for future users. If the construction of the tower or structure will accommodate the collocation of additional antennas, a signed statement indicating that:

i. the applicant and landowner agree they will diligently negotiate in good faith to facilitate collocation of additional personal wireless service facilities by other providers on the applicants structure or within the same site location; and

ii. the applicant and/or landlord agree to remove the facility within 60 days after abandonment in accordance with the abandonment regulations, herein.

(b) A map showing the locations and service areas of other adjacent telecommunications facilities operated by the applicant and those proposed by the applicant that are close enough to impact service within the City, so as to determine whether a new tower or structure is necessary.

c. Proprietary Information

In the event meeting any submission requirements of this subsection requires presentation of proprietary confidential information, the applicant may submit same under seal, which will be returned upon approval of the application and made available to the City at its request.

4. Design Standards for Antennas, Towers, and Alternative Support Structures

a. Height/Location

Any applicant proposing to construct a tower or alternative support structure must demonstrate utilizing engineering evidence that the height requested is the minimum height necessary to fulfill the site function.

b. Aesthetics and Lighting

This subsection provides standards for the appearance of all towers, alternative support structures and antennas as follows:

(1) towers must either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness;

(2) at a tower site, the design of the buildings and related structures must, to the

extent possible, use materials, colors, textures, screening, and landscaping that will blend the tower facilities with the surrounding natural setting and built environment;

(3) if an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is nearly identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible. All cables and related utility structures must be placed underground where required by the City; and

(4) towers cannot be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the City may review the available lighting alternatives allowed by the FAA and approve the design that would cause the least disturbance to surrounding property owners.

c. Setbacks and Separation

The following setbacks and separation requirements apply to all towers:

(1) towers must be set back a distance of at least four times the tower height from any residential structure and any property currently zoned or designated by the Growth Management Plan for RE, RR, R-1A, R-1, R-1.5 or R-2;

(2) towers, guys, and accessory facilities must satisfy the minimum zoning district setback requirements; and

(3) in zoning districts other than BP, M-1 or M-2 Districts, towers over 90 feet in height cannot be located within one mile of any existing tower that is over 90 feet in height.

d. Security and Fencing

Freestanding facilities must be enclosed by security fencing secured with a locked gate that is six feet in height and must also be equipped with an appropriate anti-climbing device. Chain-link or other wire fencing is only permitted where it is screened from public view by a minimum eight foot-wide landscape strip in accordance with subparagraph 5, below.

e. Landscaping

The following requirements are for landscaping around the base of towers and equipment structures:

(1) the base of tower facilities and ground level equipment buildings must be landscaped with a buffer of plant materials that effectively screens it from adjacent residential properties. The standard buffer must consist of a landscaped strip at least eight feet wide around the perimeter of the facility; and

(2) in locations where the visual impact of the tower and/or equipment building would be minimal or where the facility is adequately screened by existing vegetation, the landscaping requirement may be reduced or completely waived.

f. Equipment Structures

The standards for the design of equipment structures are as follows:

(1) equipment structures mounted on a roof must have a finish similar to the exterior building walls. Equipment for roof-mounted antenna may also be located within the building on which the antenna is mounted;

(2) in instances where equipment buildings are located in residential zoning districts, equipment buildings must comply with setback requirements and be designed to be compatible in appearance with nearby residential structures; or where feasible located underground; and

(3) if the equipment cabinets or storage buildings contain machinery that produces noise, the cabinet or building must be designed so to meet the noise regulations of the City.

g. Signs

Except as otherwise permitted in this section, no signs, lettering, symbols, images or trademarks in excess of 200 square inches may be placed on or affixed to any part of a telecommunications tower, antenna, antenna array, equipment building, or security fencing other than as required by FCC regulations or other applicable laws.

h. Access and Parking

All parcels upon which towers are located must provide at least one vehicular space on-site. The dimensions of access drives, parking aisles and spaces to meet this requirement must meet the minimum standards delineated in Chapter 425.

i. Height/Type Limitation

Guyed towers and towers over 199 feet in height will only be permitted when other options are unavailable or prove to be technically infeasible.

j. Exceptions

The City Council may reduce or waive the requirements of this subsection if the purpose of this section would be better served thereby.

5. Special Standards for Facilities in Residential Districts

In addition to all other standards and criteria provided for in this section, the following standards apply to wireless telecommunications facilities in zoning districts “RE”, “RR”, “R-1A”, “R-1”, “R-1.5”, “R-2”, “R-3”, “R-3A”, and “R-3B”:

a. Antennas and antenna support structures will only be allowed on any lot used for residential purposes as follows:

(1) support structures operated by an amateur radio operator licensed by the FCC as regulated under Section 405.030B1 and Section 410.030B1; and

(2) satellite antennas one meter or less in diameter erected on a residence or residential property.

b. Antennas will only be allowed on existing non-residential buildings within residential districts as follows:

(1) Antennas and related equipment must be concealed by the architecture of the structure such as clock towers, observation towers, church steeples, etc.

(2) Except as otherwise noted below, antennas and related equipment will only be permitted on existing non-residential structures which are 20 feet or greater in height and comply with the provisions below:

(a) all antennas and related equipment may be rooftop mounted or attached to the side of an existing structure so long as such antennas and equipment do not increase the height of the existing structure by more than 15 feet;

(b) antennas and related equipment musts be camouflaged or painted with a color which is determined to be compatible with the structure to the satisfaction of the Community Development Director;

(c) no freestanding telecommunication towers of any kind will be permitted in a residential district except as may be erected on public properties for the health and safety purposes by the City or other entity of the government; or in such a case that no other options are available or technically feasible; and

(d) in residential districts, antennas may be placed on structures used for utility transmission purposes with the permission of the utility company. Such antennas cannot increase the existing height of the support structure by more than 15 feet.

6. Special Standards for Facilities Proposed on Public Property

a. Priority

Where public property is requested to be utilized by an applicant, priority for the use of City-owned land for wireless antennas and towers will be given to the following entities in descending order:

(1) the City of Raymore;

(2) public safety agencies, including law enforcement, fire and ambulance services, which are not part of the City of Raymore and private entities with a public safety agreement with the City of Raymore;

(3) other governmental agencies, for uses which are not related to public safety; and

(4) entities providing licensed commercial wireless telecommunication services including cellular, personal communication services (PCS), specialized mobilized radio (SMR), enhanced specialized mobilized radio (ESMR), data, Internet, paging, and similar services that are marketed to the general public.

b. Minimum Requirements

The placement of wireless telecommunication facilities on City-owned or other public property must comply with the following minimum requirements, and any additional requirements as provided for in the required lease:

(1) the facilities will not interfere with the purpose for which the City-owned property is intended;

(2) the facilities will have no significant adverse impact on surrounding private property;

(3) the applicant is willing to obtain adequate liability insurance and commit to a lease

agreement that includes equitable compensation for the use of public land and other necessary provisions and safeguards. The City shall establish fees after considering comparable rates in other cities, potential expenses, risks to the City, and other appropriate factors;

(4) the applicant will submit a letter of credit, performance bond or other security acceptable to the City to cover the costs of removing the facilities;

(5) the antennas or tower will not interfere with other users who have a higher priority;

(6) the lease will provide that the applicant agrees that in the case of a declared emergency or documented threat to public health, safety or welfare and following reasonable notice, the City may require the applicant to remove the facilities at the applicant's expense;

(7) the applicant must reimburse the City for any related costs which the City incurs because of the presence of the applicant's facilities;

(8) the applicant must obtain all necessary land use approvals; and

(9) the applicant must cooperate with the City's objective to encourage collocations and thus limit the number of telecommunications sites requested or camouflage the site as necessary.

7. Review Procedures

a. Administrative Approvals

(1) General

The Community Development Director may administratively approve the telecommunications facilities as described in this subsection.

(a) Each applicant for administrative approval must apply to the Community Development Director, providing the information set forth in Section 420.040C.3 of this section, and any other information the Community Development Director deems necessary.

(b) The Community Development Director must approve, approve with conditions or disapprove complete applications within 30 days upon receipt. If the Community Development Department fails to respond to the applicant within said 30 days, then the application will be deemed to be approved.

(c) In connection with any such administrative approval, the Community Development Director may, in order to encourage shared use, administratively waive any zoning district setback requirements by up to 50 percent.

(d) If an administrative approval is denied, the applicant may appeal the denial in accordance with the provisions of Section 470.080. An applicant denied an administrative approval may also seek a conditional use permit under the provisions of Section 470.030.

(2) Authorized Administrative Approvals

The following requests for telecommunications facilities may be approved by the Community Development Director after conducting an administrative review:

(a) Antennas on Existing Towers or Structures

i. Installation of an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower or other free-standing non-residential structure), provided that the addition does not add more than 15 feet to the height of the existing structure, and that:

a) the structure is not designated as an historic structure by the City Council;

b) the antenna does not extend horizontally from the side of the structure farther than the minimum necessary for attachment; and

c) where the antenna extends horizontally from the side of a building, it is camouflaged by the use of materials, colors, textures or screening so that it will visually blend into the building.

ii. Installation of an antenna on an existing tower of any height, including a pre-existing tower and further including the placement of additional buildings or other equipment used in connection with the proposed antenna, provided that the antenna does not add more than 15 feet to the height of the existing tower.

(b) New Alternative Support Structures

Location of any alternative tower structure in any zoning district that, in the judgment of the Community Development Director, is in conformity with the purposes set forth in this section; or

(c) New Towers in Commercial, Business Park, or Industrial Districts

Location of any tower in a "C-2", "C-3", "BP", "M-1" or "M-2" zoning district provided a registered professional engineer certifies the tower can structurally accommodate the number of shared users proposed by the applicant; the Community Development Director concludes the tower is in conformity with the purposes and standards set forth in this section; and the tower meets the following criteria:

i. the tower must be less than 120 feet in height, and of a monopole design; and

ii. all towers over 60 feet in height must be designed to accommodate antennas for more than one user. The number of users accommodated must be reasonably proportional to the height of the tower.

b. Conditional Use Permits

(1) General

The following provisions, and those set forth in Section 470.030, will govern the issuance of conditional use permits:

(a) if the tower or antenna is not permitted to be approved administratively pursuant to Section 420.040C.7.a, then a conditional use permit is required for the construction of a tower or the placement of an antenna in all zoning districts;

(b) in granting a conditional use permit, the City may impose conditions to the extent the governing authority concludes such conditions are necessary to minimize any adverse effect of the proposed tower on adjoining properties; and

(c) any information of an engineering nature that the applicant submits, whether civil, mechanical or electrical must be certified by a registered professional engineer.

(2) Site Approval

The use must be approved on a site plan or final plat, as applicable, and be located on a platted lot.

(3) Term

An initial request for a conditional use permit will be limited to five years. At the time of renewal the applicant must demonstrate to the satisfaction of the City that a good-faith effort has been made to cooperate with other providers to establish collocation at the tower site. Good-faith effort must include, but is not limited to, timely response to collocation inquiries from other providers and sharing of technical information to evaluate the feasibility of establishing collocation. Failure to demonstrate that a good-faith effort has been made, or to properly register with the City according to Section 420.040C.2.c may result in the denial of the request for a renewal.

(4) Review Criteria

(a) General

The applicant must demonstrate that the proposal is consistent with the conditional use approval criteria in Section 470.030E, the following criteria, and other criteria as may be appropriate to further the purposes of this section. The governing authority may waive or reduce the burden on the applicant of one or more of these criteria, if the governing authority concludes that the purposes of this section are better served thereby:

i. minimal height of the proposed tower, consistent with technical requirements of the telecommunications service;

ii. utilization of surrounding topography to minimize visibility of the tower from existing and future residential areas and public streets;

iii. utilization of surrounding tree coverage and foliage to minimize visibility of the tower from existing and future residential areas and public streets;

iv. type and design of the tower, with particular reference to design characteristics that have the effect of camouflaging facilities or otherwise reducing or eliminating visual obtrusiveness;

v. proximity of the tower to residential structures and residential district boundaries;

vi. nature of uses on adjacent and nearby properties;

vii. mitigation of visual impact;

viii. proposed ingress and egress; and

ix. availability of suitable existing towers and other structures.

(b) Visual Impact

To the extent feasible, wireless telecommunications towers:

i. must be located where they are the least obtrusive as viewed from prominent public locations;

ii. must be placed within forested areas with antennas just above tree-line;

iii. must not be so located or be of such height as to necessitate FAA coloring or lighting;

iv. must be located in industrial or heavy commercial areas;

v. must be of the minimum height necessary for operation of the telecommunication system, considering the visual trade-off of a greater number of towers at lower heights; and

vi. must not be located and visible in historic districts or on historic structures designated by the City Council.

(c) Availability of Suitable Existing Towers or Other Structures

No new tower will be permitted unless the applicant demonstrates to the reasonable satisfaction of the City that no existing tower or structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:

i. no existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements;

ii. existing towers or structures are not of sufficient height to meet the applicant's engineering requirements;

iii. existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment;

iv. the applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing towers or structures, or the antenna on the existing towers or structures would cause interference with the applicant's proposed antenna;

v. the fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable; or

vi. the applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

D. Accessory Utility Facilities

Every public utility, cable company, video service provider and other users of the City rights-of-way or adjacent easements to provide services shall comply with the supplementary regulations in this section regarding the placement of accessory utility facilities on public or private property.

Except where limited by other provisions of City ordinance, accessory utility facilities shall be subject to the following supplementary regulations:

1. Approval; Design; Location; Application

The design, location, and nature of all accessory utility facilities on private or public property shall require approval of the City in conformance with this Section, and subject to reasonable permit conditions as may be necessary to meet the requirements of this Section. In considering individual or multiple location applications, the City shall review the request to ensure the proposed facilities do not impair public safety or significant sight-lines, or degrade the aesthetics of the adjoining properties or neighborhood. Any material expansions or extensions of new utility services to such facilities or the construction of any additional structures shall be subject to the requirements and approvals as set forth herein. Unless otherwise prohibited, utility facilities subject to this subsection may be located in minimum setback areas provided that all other requirements are met. A filing fee shall be required as may be established by the City to reimburse the City for the costs of review and inspection of accessory utility facilities as may be permitted by applicable law.

2. General Regulations

The following general regulations shall apply to all accessory utility facilities:

a. All such facilities shall be placed underground, except as otherwise provided in subsection (3) herein.

b. All such facilities shall be constructed and maintained in such a manner so as not to emit any unnecessary or intrusive noise.

c. All facilities shall be deemed abandoned after six continuous months of non-use, and shall therefore be removed within thirty (30) days thereafter at the cost of the utility.

d. Any damage to landscaping, vegetation, sidewalks, or pavement on private or public property during installation, maintenance, or removal of facilities shall be promptly remedied by the facility owner within ten (10) days of any such damage.

e. At least 48 hours prior to any non-emergency repair requiring excavation, installation,

replacement, or expansion of any facility located on private property, the facility owner shall provide notice to the property owner. Notice shall include detailed description of work to be done, the exact location of work, the time and duration when it will be undertaken, the name and telephone number of the facility owner, and if applicable, the name and telephone number of the facility owner's contractor.

f. If there is an emergency necessitating response work or repair, the utility may begin that repair or emergency response work or take any action required under the circumstances, provided that the facility owner notifies the Community Development Director promptly after beginning the work and meets any permit or other requirement had there not been such an emergency.

g. No facilities may be located so as to interfere, or be likely to interfere, with any public facilities or use of public property.

h. No facilities may be located within the required sight triangle of any driveway or intersection.

i. All utility facilities not authorized by this subsection or specifically addressed elsewhere in this Code shall be authorized only by conditional use permit.

3. Above Ground Facility Requirements

Accessory utility facilities may be installed above ground upon compliance with the following requirements:

a. In commercial or multi-family zoning districts, above ground accessory utility facilities with a height of three and one-half (3.5) feet or greater or covering an area eight (8) square feet or greater must be screened. Such screen shall be required to sufficiently conceal the facility from the public right-of-way.

b. In all zoning districts, above ground accessory utility facilities with a height of five and one half (5.5) feet or greater or covering an area twenty-five (25) square feet or greater must be screened. Such screen shall be required to sufficiently conceal the facility from the public right-of-way. When the subject facility is clustered with other accessory utility facilities, all facilities must be screened.

c. Required screening for accessory utility facilities to be installed in conjunction with new development shall be shown on the site plan or landscape plan submitted by the developer.

d. Required screening for accessory utility facilities to be installed or expanded in an existing development (i.e. where principal buildings already exist on the subject lot) shall be shown on a site plan submitted by the utility. The site plan may be approved by the Community Development Director in accordance with Section 470.160D.1. In addition to the requirements of Section 470.160C, the site plan shall include the type, height, color, and appearance of the proposed accessory utility facility, the size and species of landscaping materials to be used for screening, and the proposed means of access to the accessory utility facility. If the means of access is from an arterial or collector street, a driveway may be required by the Director of Public Works. The driveway shall be designed such that vehicles can turn around without backing onto the street.

e. All above ground facilities shall be placed in the rear yard wherever practical. If locating these facilities in the rear yard is not practical, then such facilities may be located in the

interior side yard. Such facilities shall not be located in the front yard, exterior side yard, or within the public right-of-way unless all other alternatives are not feasible.

f. Landscaping materials used for screening shall meet the standards of applicable City Ordinances. Alternative screening or concealment, such as architectural treatment compatible with surrounding development, may be approved by the Community Development Director to the extent it meets or exceeds the purposes of these requirements. The Community Development Director shall be authorized to waive screening requirements when soil conditions or other site constraints prevent strict compliance with otherwise applicable screening standards.

4. Compliance with Other Laws

All accessory utility facilities shall be subject to all other applicable regulations and standards as established as part of the City Code, including but not limited to building codes, zoning requirements and rights-of-way management regulations in addition to the supplementary regulations herein. The provisions of this Section shall not apply to any circumstance or entity in which application under such circumstances is preempted or otherwise precluded by superseding law.

Section 420.050 Accessory Uses and Structures

A. General *(Amendment 8 – Ordinance 2011-9 2.28.11) (Amendment 16 – Ordinance 2013-056 8.26.13) (Amendment 21 – Ordinance 2015-005 1.26.15)*

All accessory uses and structures must meet the following requirements:

1. unless expressly prohibited, accessory uses and structures are permitted in any zoning district in connection with any allowable principal use;

2. accessory uses and structures must be located on the same lot as the principal building or principal use served, unless two or more adjacent lots are held in common ownership and one of the lots include a principal building;

3. except in the A district, accessory uses and structures are permitted only after the principal building is present or under construction;

4. in the side yard area an accessory structure 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;

5. in the rear yard area an accessory structure must provide a minimum side and rear yard setback of five feet, except that if a detached garage or carport has a vehicular alley entrance, the setback of the structure from the alley shall not be less than 20 feet;

6. detached accessory structures must be erected a minimum of five feet from all principal buildings;

7. no accessory structure may be constructed or erected within a recorded easement;

8. the total gross floor area of all accessory structures in all districts except RE and RR shall not exceed eight percent of the lot coverage. In the RE and RR districts, the 30 percent maximum area of building coverage includes all accessory structures and there is no maximum size limit

for an accessory structure. In all zoning districts, there is no limit on the number of accessory structures allowed.

9. except in the A, RE and RR districts, no accessory structure shall exceed the size of the principal building; and

10. no accessory building or structure in a residential district except the RE and RR districts may exceed the height of the principal building.

B. Outdoor Swimming Pools, Spas and Hot Tubs

1. The standards of this section apply to pools, spas and hot tubs 24 inches or greater in depth.

2. Swimming pools, spas or hot tubs that are for the use of multi-family developments, subdivisions or homeowner's associations must be enclosed by a wall or fence six feet in height with locking gates.

3. Swimming pools, spas and hot tubs in residential districts are intended for and must be used solely for the enjoyment of the occupants of the principal use of the property on which it is located and their guests.

4. A swimming pool, spa or hot tub may be located anywhere on a premise except in the required front yard or within any easement, provided that the pump and filter installations are located no closer than five feet to any property line.

5. Swimming pools, spas or hot tubs located on single-family or two-family properties shall be enclosed by a barrier at least four feet above grade, measured on the side of the barrier which faces away from the swimming pool, spa or hot tub. The maximum vertical clearance between grade and the bottom of the barrier shall not exceed four inches measured on the side of the barrier which faces away from the pool, spa or hot tub.

   a. If the barrier is a solid barrier, such as masonry or stone walls, the barrier shall not contain indentations or protrusions except for normal construction tolerances and tooled masonry joints.

   b. If the barrier (fence) is made up of horizontal and vertical members and the distance between the tops of the horizontal members is less than thirty-six (36) inches, the spacing of the vertical members shall not exceed one and three-fourths (1¾) inches. If the barrier is made up of horizontal and vertical members and the distance between the tops of the horizontal members is more than thirty-six (36) inches, the spacing between the vertical members shall not exceed four inches. Horizontal members shall be on the pool side of the fence.

   c. If the barrier is a chain link fence, the mesh size shall not exceed one and three-fourths (1¾) inches square.

   d. If the barrier is made up of diagonal members (lattice work), the maximum opening in the lattice shall not exceed one and three-fourths (1¾) inches.

   e. Where an above ground pool structure is used as a barrier or where the barrier is mounted on top of the pool structure and the means of access is a ladder or steps, then the ladder to the pool or steps shall be capable of being secured, locked or removed to prevent access or the ladder or steps shall be surrounded by a barrier which meets the requirements of this Section as set forth above. When the ladder or steps are secured, locked or removed, any opening created shall not exceed four inches.

6. Gates in a barrier shall comply with Section 420.050B.5a-e above. Gates shall open outward, away from the pool and shall be self-closing and have a self-latching device. The self-latching device shall be on the pool side of the barrier and the release mechanism shall be located at least six inches below the top of the gate and the gate and barrier shall have no opening greater than one-half (1/2) inch within eighteen (18) inches of the release mechanism.
7. Spas or hot tubs with a locking, solid safety cover shall be exempt from the barrier requirements of this Section.

C. Accessory Private Recreation Facilities

Private recreation facilities for multi-family developments, subdivisions or homeowner's associations must meet the following requirements:

1. private recreational facilities include, but are not limited to the following: swimming pools, open game fields, golf courses, and facilities for basketball, shuffleboard, racquet ball, croquet, and tennis courts, and meeting and locker rooms;
2. private facilities in accordance with this section will be restricted to use by the occupants of the residence and their guests or by members of the homeowner's association and their guests;
3. private recreation facilities must not be located within 30 feet of any street right-of-way or within 10 feet of any abutting property line;
4. activity areas must be fenced and screened from abutting properties;
5. dispensing of food and beverages on the premises is only permitted for the benefit of users of the recreation facility and not for the general public; and
6. off-street parking is required on the basis of one parking space for each 4,000 square feet of area devoted to recreational use, with a minimum of four spaces.

D. Accessory Uses in Non-Agricultural and Non-Residential Districts *(Amendment 8 – Ordinance 2011-9 2.28.11)*

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;
7. the storage of retail merchandise when located within the same building as the principal retail business; and

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.

E. Accessory Dwelling *(Amendment 18 – Ordinance 2014-006 2.10.14)*

All accessory dwellings must meet the following requirements:

1. There shall be only one accessory dwelling per lot
2. An accessory dwelling may be located within an existing residential structure or a detached structure.
3. In RR zoning only, the accessory dwelling shall not exceed the square footage of the primary dwelling on the lot.
4. In RR zoning only, the accessory dwelling structure shall not exceed the height or size of the primary structure on the lot.
5. An accessory dwelling shall not be occupied until the primary dwelling on the lot is occupied.
6. An accessory dwelling shall comply with all requirements of the International One and Two-Family Dwelling Code adopted by the City of Raymore.
7. The accessory dwelling structure shall comply with all development standards for the applicable zoning district in which it is located.
8. Either the primary or accessory dwelling shall be occupied by the property owner at any time the accessory dwelling is occupied.
9. If the accessory dwelling is located in an accessory structure, the dwelling shall be connected to the public water main separate from the connection of the primary structure.
10. If the accessory dwelling is located in an accessory structure, and said structure is located within three hundred (300) feet of a public sanitary sewer line, then the dwelling must be connected to the sewer line.

Section 420.060 Temporary Uses

A. Temporary Outdoor Sales Events *(Amendment 6 – Ordinance 2010-50 6.14.10)*

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 *(Amendment 6 – Ordinance 2010-50 6.14.10) (Amendment 15 – Ordinance 2013-010 2.11.13)*

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 one 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.

C. Outdoor Events *(Amendment 6 – Ordinance 2010-50 6.14.10) (Amendment 15 – Ordinance 2013 – 010 2.11.13)*

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 (7) 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.

D. Contractors' 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 *(Amendment 6 – Ordinance 2010-50 6.14.10) (Amendment 16 – Ordinance 2013-056 8.26.13)*

A carnival or circus is permitted in A, C, BP, PR, 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 time 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) *(Amendment 6 – Ordinance 2010-50 6.14.10)*

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 inside 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.

J. Mobile Vendors *(Amendment 15 – Ordinance 2013 – 010 2.11.13)*

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 420.070 Renewable Energy Systems *(Amendment 3 – Ordinance 29092 9.14.09)*

A. Building Permits

Systems shall be in compliance with the standards set by the International Building Code and International Residential Code. Building permits are required for all systems.

B. Conformance to Applicable Rules and Regulations

1. Systems shall be in compliance with any applicable federal regulations and Section 386.890 of the Revised Statutes of Missouri, which mandates compliance with all applicable safety, performance, interconnection, and reliability standards established by the National Electrical Code, the National Electrical Safety Code, the Institute of Electrical and Electronics Engineers, Underwriters Laboratories, and the Federal Energy Regulatory Commission.

2. No building permits shall be issued for a system until a copy of the utility company's approval for interconnection of a customer-owned generator has been provided. Off-grid systems shall be exempt from this requirement.

C. Conditional Use Permits

A request to install a system that is not in conformance with the standards of this section may be filed as a Conditional Use Permit in accordance with Section 470.030.

D. Standards of General Applicability

1. Systems shall not be used as signs or used to support signage. Exceptions include appropriate warning signage and reasonable identification of the manufacturer, installer, or operator.

2. Systems shall not be lighted or have affixed any lights, reflectors, flashers, or any other illumination except where required by federal regulations.

3. Systems shall be a neutral, non-reflective color designed to blend with the surrounding environment.

E. Exemptions

Except as specifically required elsewhere in this section, systems are exempt from the mechanical screening requirements of Section 430.120.

F. Abandonment

Any system that is out of service for a continuous period of 12 months will be considered abandoned. The owner of such system must remove it within 90 days of receipt of notice from the City notifying the owner of such abandonment. If such system is not removed within 90 days, the City may remove such system at the owner's expense.

G. Large Wind Energy Conversion Systems

Large wind energy conversion systems must be approved in accordance with the conditional use permit procedure in Section 470.030. Conditional Use Permit applications for large wind energy conversion systems shall be accompanied by the following technical studies demonstrating compliance with the following minimum standards:

1. A shadow flicker analysis demonstrating that the proposed system is sited to minimize impact on all occupied structures. The analysis shall identify the locations of shadow flicker that may be caused by the system and the expected duration of the shadow flicker over the course of a year. The analysis shall be conducted by a qualified engineer or other qualified professional approved by the Planning and Zoning Commission and shall take into account site-specific topography.
2. A noise study from a qualified professional demonstrating that the system shall not produce noise in excess of 60 decibels or 10 decibels above ambient noise levels as measured from the property line under normal operating conditions. The study shall be conducted by an acoustical engineer or other qualified professional as approved by the Planning and Zoning Commission and shall be in compliance with IEC 61400-11 Acoustic Noise Measurement Techniques for Wind Turbines.
3. A study evaluating potential adverse impacts on avian or bat species and their critical habitats and potential mitigation measures that could be taken to minimize any such impacts. The study shall be conducted by an environmental professional with ornithological and bat ecology expertise or other qualified professional approved by the Planning and Zoning Commission.

H. Small Wind Energy Conversion Systems

Small wind energy conversion systems shall be a permitted accessory use in all districts subject to compliance with the following requirements:

1. One small wind energy conversion system shall be permitted per lot.
2. The following size and height standards apply to small wind energy conversion systems in all districts:

Lot Size	Maximum Rotor Diameter	Maximum Height
≤ 1 acre	6 feet	50 feet or maximum height allowed by zoning, whichever is greater
1 – 10 acres	12 feet	80 feet
≥ 10 acres	20 feet	100 feet

3. The height of a system shall be defined as the distance between the base of the tower and the highest point of the wind energy conversion system. For a horizontal axis wind turbine, the highest point shall be the highest vertical point of the swept rotor arc.

4. Systems shall maintain a minimum setback from all lot lines in accordance with the following:

Rotor Diameter	Minimum Setback
≤ 6 feet	Equal to that required for the principal structure
6 – 12 feet	1.1 times the height of the system
≥ 12 feet	1.5 times the height of the system

5. The minimum distance between the ground and any rotor shall be 15 feet.

6. On properties under 10 acres, commercial properties, and properties zoned PR, systems must be on a monopole tower or roof-mounted. Lattice, guyed, or tilt-up towers are only permitted on lots over 10 acres in agricultural, residential or industrial zoning districts.

7. The first twelve feet of the tower shall be unclimbable by design or the tower shall be enclosed by a six foot high, unclimbable fence with a self-locking gate. This provision does not apply to roof-mounted systems.

8. Guy cables must be visibly marked from the anchor points to a height of six feet from the ground. Guy cables must be located at least 30 feet from the nearest property line.

9. Systems must be equipped with both manual and automatic overspeed controls to prevent uncontrolled rotation, overspeeding and excessive pressure on the tower structure, rotor blades and turbine components.

10. Systems shall not emit noise that exceeds 55 decibels or 10 decibels above ambient noise levels as measured from the property line under normal operating conditions.

11. Meteorological towers shall be permitted under the same standards and permit requirements as small wind energy conversion systems. Meteorological towers and small wind energy conversion systems may be considered under a single conditional or special use permit application.

I. Solar Energy Systems

Solar energy systems shall be a permitted accessory use in all districts subject to compliance with the following requirements:

1. Roof-mounted systems located on front building roofs shall not project more than 24 inches perpendicular to the point on the roof where it is mounted.

2. Roof-mounted systems shall not project above the ridge of a gabled or gambrel roof.

3. Roof-mounted systems shall not project more than four feet above the deck or parapet of a flat or mansard roof. All mounting hardware shall be screened from view according to Section 430.120A.

4. Ground-mounted systems shall not be located in any required yard.

5. Ground-mounted systems on lots under 1 acre shall not be higher than 8 feet.

6. Solar collectors designed as part of an accessory structure such as an awning or canopy shall conform to the standards for that structure.
7. Appurtenant components must be located within an enclosed structure or screened according to Section 430.120.

Chapter 425. Parking, Loading and Access

Section 425.010 Applicability

A. New Development

The requirements of this chapter apply to all new buildings, structures and uses established in all zoning districts.

B. Expansion of Residential Development

The requirements of this chapter apply whenever additional dwelling units are added to an existing building or use.

C. Expansion of Non-Residential Development

If an addition is proposed to a building; an additional building is proposed for a lot; or if an expansion is proposed to an existing parking lot, the existing and expanded parking lot shall comply with the provisions of this chapter.

D. Change of Use

The requirements of this chapter apply to a change of use of an existing building or lot.

E. Existing Parking and Loading Areas

Existing required parking and loading areas may not be used to satisfy required off-street parking or loading areas for new or expanded buildings, structures or uses. Existing parking and loading spaces must be maintained and may not be reduced as long as the main building, structure or use remains, unless an equivalent number of spaces are provided elsewhere as permitted by this chapter.

Section 425.020 Off-Street Parking Requirements

A. Parking Spaces Required

Off-street parking spaces are required as specified in the table below.

Use	Minimum Parking Spaces Required
RESIDENTIAL USES	
Household Living	
Single-family Dwelling, Detached (conventional)	2 per dwelling unit
Single-family Dwelling, Attached	2 per dwelling unit
Two-family Dwelling (Duplex)	2 per dwelling unit
Multi-family Dwelling (3+ units)	1.5 per dwelling unit
Cluster Residential Development	2 per dwelling unit
Manufactured Home Park	2 per manufactured home
Dwelling Units Located Above the Ground Floor	1.5 per dwelling unit
Employee Living Quarters	2 per dwelling unit
Group Living	
Assisted Living	1 per dwelling unit
Community Residence, Small	1 per 2 residents
Community Residence, Large	1 per 3 residents
Nursing Care Facility	1 per 1,000 square feet
Transitional Living	1 per dwelling unit
Group Living Not Otherwise Classified	1 per 1.5 beds or 1 per 1,000 square feet, whichever is greater
PUBLIC AND CIVIC USES	
College or University	1 per 4 students or 1 per 4 seats in main auditorium, whichever is greater

Use	Minimum Parking Spaces Required
PUBLIC AND CIVIC USES	
Cultural Exhibit or Library	1 per 500 square feet
Hospital	To be determined by the Community Development Director
Parks and Recreation	To be determined by the Community Development director
Place of Public Assembly	1 per 4 seats in the largest auditorium or 1 per 800 square feet, whichever is greater.
Post Office	1 per 1,000 square feet
Public Safety Services	1 per 1,000 square feet
Religious Assembly	1 per 4 seats
School	Elementary/Middle: 3 per classroom or 1 per 4 seats in auditorium, whichever is greater, + 15 vehicle stacking spaces for drop-off/pickup High School: 8 spaces per classroom + 15 vehicle stacking spaces for drop-off/pickup
Social Club or Lodge	1 per 200 square feet
Utilities	1 per 5,000 square feet of lot area
COMMERCIAL USES	
Adult Business	1 per 300 square feet
Animal Services	
Kennel	1 per 1,000 square feet of non-office floor area plus 1 per 300 square feet of office area
Veterinary Services	1 per 200 square feet
Art Gallery	1 per 500 square feet
Banks and Financial Services	1 per 200 square feet
Day Care	1 per 600 square feet; there must be a minimum of 2 spaces.+ 2 spaces for drop-off/pick-up.
Body Art Services	1 per 500 square feet
Business Support Service	1 per 600 square feet
Construction Sales and Service	1 per 1,000 square feet of non-office floor area plus 1 per 300 square feet of office floor area
Eating and Drinking Establishment	1 per 4 seats or 1 per 50 square feet of customer service area, whichever is greater
Entertainment and Spectator Sports	
Indoor	1 per 4 seats in the largest auditorium or 1 per 800 square feet, whichever is greater
Outdoor	To be determined by the Community Development Director
Funeral and Interment Services	
Cemetery	1 per 5,000 square feet
Cremating	1 per 200 square feet
Funeral Home	1 per 4 seats
Gas Station	1 per bay plus 1 per pump island, minimum 6 spaces
Lodging	1 per 1.5 beds
Medical or Dental Clinic	1 per 600 square feet
Mini Warehouse	1 per 1,000 square feet of non-office area + 1 per 300 square feet of office/administrative area
Office	1 per 300 square feet
Personal and Consumer Service	1 space per 300 square feet
Retail Sales	1 space per 300 square feet
Sports and Recreation, Participant	
Outdoor	1 per 2,000 square feet of lot area
Indoor	1 per 200 square feet
Vehicle Sales and Service	
Car Wash	1 per bay

Use	Minimum Parking Spaces Required
Vehicle Sales and Service	
Motor Vehicle Repair	1 per bay plus 1 per pump island; minimum 6 spaces
Light Equipment and Vehicle Sales or Rental	1 per 1,000 square feet of non-office area plus 1 per 300 square feet of office area
Heavy Equipment Sales or Rental	1 per 600 square feet, minimum 2 spaces
Vehicle, Recreational Vehicle or Boat Storage/Towing	1 per 2,000 square feet of non-office area plus 1 per 300 square feet of office area
INDUSTRIAL USES	
Manufacturing, Production and Industrial Service	1 per 1,000 square feet of non-office floor area plus 1 per 300 square feet of office area
Research Laboratory	1 per 500 square feet
Trucking/Freight Terminal	1 per 1,000 square feet
Warehousing and Wholesaling	1 per 1,000 square feet
Waste-related Use	1 per 2,000 square feet of lot area

B. Rules for Computing Requirements

1. Multiple Uses

When a building or development contains multiple uses, the off-street parking requirement shall be calculated for each individual use and the total parking requirement shall be the sum of the individual parking requirements unless shared parking is provided according to Section 425.060.

2. Fractions

When determination of the number of off-street parking spaces required by this chapter results in a requirement of a fractional space, the fraction of less than one-half may be disregarded, and a fraction of one-half or more shall be counted as one parking space.

3. Area Measurements

All square-footage-based parking requirements are based on gross floor area.

4. Occupancy- or Capacity-based Standards

All occupancy- or capacity-based parking requirements are based on the largest number of individuals working on a single shift, the maximum enrollment or the maximum occupancy based on the building code, whichever is applicable and whichever results in the greater number of spaces. For uses with benches or similar seating, one seat consists of 22 linear inches of bench length.

5. Uses Not Listed

In the case of buildings or uses not mentioned in this chapter, the Community Development Director must determine which standard is most appropriate. The Community Development Director may require the applicant to submit a parking study or other evidence to help determine the most appropriate parking standard for the proposed use.

C. Parking Area Design and Construction *(Amendment 13 – Ordinance 2012-074 9.24.12)*

1. Parking Area Location

a. Off-street parking is considered an accessory use to the use for which the parking is provided. Parking not located on the same tract as the principal use shall not be located within a residential zoning district.

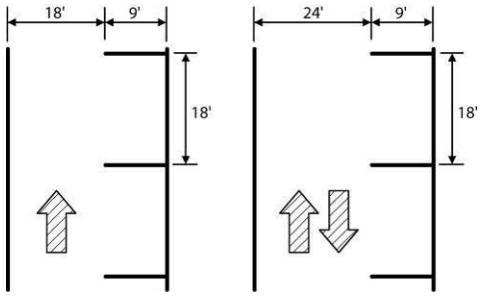
b. Off-street parking required by this chapter must be located within 600 feet of the use it serves, measured along lines of public access. Parking for non-residential uses may not be located in a residential zoning district.

2. Dimensions

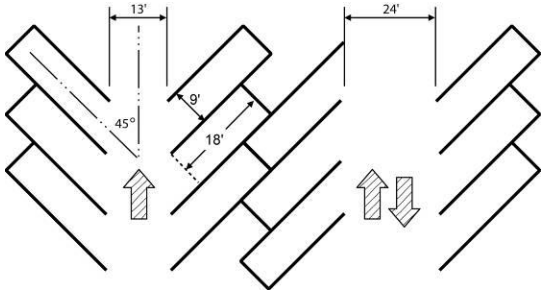
Off-street parking areas must comply with the following standards:

Dimensions (in feet)	Parking Angle			
	0° (parallel)	45°	60°	90°
Minimum space width	9	9	9	9
Minimum space length	18	18	18	18
Minimum one-way aisle width	18	13	18	18
Minimum two-way aisle width	24	24	24	24

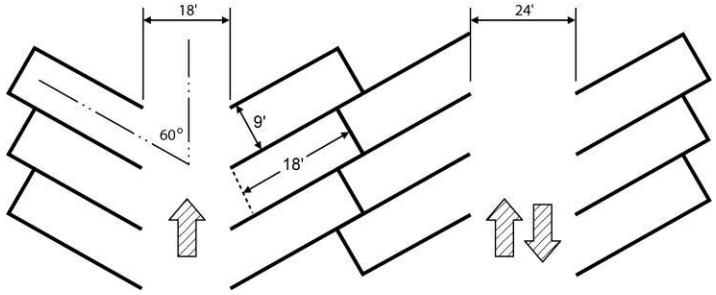
Parallel Parking



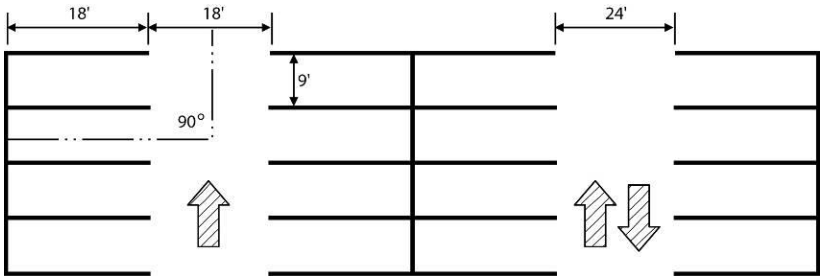
45-Degree Parking



60-Degree Parking



90-Degree Parking



3. Parking Space Access

a. Each off-street parking space must open directly onto an aisle that complies with the aisle width standards of this chapter.

b. Direct access to parking spaces from a primary access drive is prohibited.

c. Direct access to off-street parking spaces from the street is prohibited.

d. No parking spaces shall be accessible from an access driveway within 20 feet of the street right-of-way line.

4. Wheel Stops

a. Parking spaces abutting an adjoining property line or street right-of-way shall be provided with wheel guards or bumper guards located so that no part of a normally parked vehicle will extend beyond the property line. When wheel guards are used, they must be centered two and one-half feet from the property line for 90-degree parking; 2.3 feet for 60-degree parking, and two feet for 45-degree and 30-degree parking.

b. Plant material, fences, walls and berms must be protected from damage by motor vehicles through the use of concrete curbing or wheel stops. Plant material must be installed in a manner that is not intrusive to utilities or pavement.

5. Curb and Gutter

a. All off-street parking areas are required to have concrete curbs and gutter.

b. Temporary asphalt curbs may be used in areas to be expanded only as shown and approved on the site plan.

6. Surfacing

All required off-street parking and loading areas shall be surfaced with a permanent material such as asphalt, concrete, paving blocks, or other approved material meeting the standards of the City.

7. Parking Lot Striping

a. Every parking space shall be clearly demarcated by lines painted on or otherwise applied to the parking lot surface.

b. One-way access aisles shall be clearly marked with arrows painted or otherwise applied to the parking lot surface.

c. If right-turn or left-turn lanes are provided for vehicles exiting the parking area, arrows shall be painted or otherwise applied to the parking lot surface to demarcate appropriate turn lanes.

d. No wording, markings, pictures or other means of advertisement shall be painted on or otherwise applied to the parking lot stripes or surface.

e. Striping shall be maintained in a manner that the lines remain clearly demarcated on the parking lot surface.

8. Pedestrian Access

a. Pedestrian access to buildings shall be provided from rights-of-way and parking areas by means of a pathway leading to the principal public entrance. The pathway must be clear of all obstructions related to construction activity prior to the opening of the building to the general public.

b. Parking areas must be distributed around large retail uses on not less than two sides in order to shorten the distance to other buildings and public sidewalks and to reduce the perceived scale of parking areas and paved surfaces.

c. Walkways, no less than eight feet in width, must be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas.

d. Where curbs exist along the pathway, approaches or curb cuts a minimum of four feet wide and not exceeding a slope of 1:12 must be provided for access by wheelchairs.

9. Drive-thru Facilities

Permitted drive-thru facilities shall be designed in accordance with Section 420.030L.

Section 425.030 Residential Driveways *(Amendment 2 – Ordinance 29073 7.27.09) (Amendment 11 – Ordinance 2011-52 8.08.11) (Amendment 16 – Ordinance 2013-056 8.26.13)*

The following standards apply to all residential driveways providing ingress or egress to a public or private street.

A. One driveway opening is permitted to a lot from any street frontage provided that access is not otherwise controlled or restricted.

B. On corner lots one driveway is permitted per street frontage provided that no off-street parking areas are located in the sight triangle area as described by this code.

C. A second driveway opening on the same street frontage is permitted for a lot in the A, RE and RR districts, provided that the lot area is one acre or greater.

D. All residential driveways except those in the A and RE districts must be constructed with materials that create a hard surface, such as asphalt pavement or concrete. In the A and RE districts, gravel may be used for driveway surfacing.

E. All multi-family dwellings and apartment communities abutting arterial or collector streets as identified in the Growth Management Plan must comply with the commercial and industrial driveway standards of Section 425.040.

F. The minimum width of a single car driveway shall be 10 feet and the minimum width of a two-car driveway shall be 18 feet, measured at the property line.

G. Attached single-family and multiple-family dwellings should be served by a common access drive whenever possible and curb cuts must be minimized.

H. Individual driveways leading from a street to an attached garage must be of sufficient depth to ensure that parked vehicles do not overhang the sidewalk or public street. The distance between the sidewalk and the garage must be at least 20 feet.

I. If concrete material is utilized on a driveway that is constructed in accordance with Section 425.030D, then the driveway and driveway approach shall utilize the Kansas City Metro Materials Board (KCMMB) 4K concrete material specification.

J. No residential driveway shall encroach upon, or be located within, a sight triangle.

Section 425.040 Commercial and Industrial Driveways

The following standards apply to all commercial and industrial driveways providing ingress or egress to a public or private street.

A. General Performance Standards *(Amendment 8 – Ordinance 2011-9 2.28.11)*

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.

B. Standards for Right Turn Lanes and Tapers

Right turn lanes and tapers are required when:

1. expected right-turn ingress movements meet or exceed 50 vehicles per hour during a typical weekday peak traffic period;
2. driveway volumes are expected to meet or exceed 1,000 vehicles per day calculated using Institute of Transportation Engineers site generated traffic standards for the closest matching land use category as set forth in the Trip Generation Manual;
3. the Director of Public Works can document through traffic analysis that such treatment is necessary to avoid congestion and /or unsafe conditions on the public street; or
4. identified as necessary by a submitted traffic study.

C. Driveway Profiles

Driveway profiles must be determined based upon the grade of a two-way, one-way or divided commercial driveway and shall not exceed two percent for a minimum distance of 25 feet from the edge of the pavement.

D. Driveway Spacing

Driveways must be spaced at least 125 feet apart, whether they are on a single lot or adjoining lots. Spacing is to be measured from the center of the driveway throat to the center of the adjoining driveway throat.

E. Number of Driveways per Parcel

1. One driveway opening is permitted to a parcel from any abutting street provided that access is not otherwise controlled or restricted.
2. Additional driveways may be permitted as part of site plan review.
3. Parcels with 200 feet of frontage or less may apply for a second driveway if it will be shared with an adjoining parcel, provided that minimum driveway spacing required by this chapter is maintained, and subject to the approval of the Director of Public Works.
4. For purposes of this provision, a "parcel" is defined as a piece of land that contains one business or is owned by one owner even though the land may have been subdivided into smaller lots.

F. Corner Clearance

All direct-access driveways must be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 120 feet from the curb face of the intersecting street. Using a 15-foot driveway radius, the edge of the driveway throat must be 135 feet from the curb face of the intersecting street. The driveway radius may not compound with the intersection corner radius.

G. Driveway Width

Except for dual driveways approved by the Director of Public Works, the width of the driveway throat may not exceed 35 feet in width.

H. Failure to Comply

Failure to comply with any of the requirements of this chapter will be grounds for disapproval of the proposed plan or application for a building permit.

Section 425.050 Accessible Parking (for People with Disabilities)

A. Applicability

The accessible parking standards of this section apply to all new parking lots for nonresidential uses and multi-family dwellings.

B. Spaces Required

Accessible parking spaces are required as specified in Chapter 11 of the International Building Code.

C. Layout and Design *(Amendment 13 – Ordinance 2012-074 9.24.12)*

1. Location

Accessible parking spaces must be located on the shortest possible route of travel between the parking area and an accessible building entrance.

2. Access Aisles

a. Access aisles must be included to provide space adjacent to vehicles for passenger loading and unloading. All access aisles must:

(1) be at least five feet wide;

(2) extend the full length of the parking space; and

(3) be marked to indicate that parking in the access aisle is prohibited.

b. One in every four accessible spaces, but not less than one, must be served by an access aisle that is a minimum of ninety-six inches wide and must be designated as "lift van accessible only" with signs that meet the requirements of the federal Americans with Disabilities Act.

3. Slope

Accessible spaces and access aisles may not have a slope greater than two percent. Access aisles must be at the same level as the parking space.

4. Vertical Clearance

Accessible parking spaces must have a vertical clearance of eight feet two inches.

5. Signs and Identification

All accessible parking spaces must be identified by signs complying with the Manual of Uniform Traffic Control Devices and the Department of Justice, Code of Federal Regulation 28 CFR Part 36, ADA Standards for Accessible Design. The sign must be vertically mounted on a post or wall no more than five feet from the space and centered on the width of the space.

Section 425.060 Shared Parking

Within a C-2 or C-3 district, the Planning Commission may approve a reduction of up to 20 percent of the total parking required when a shared parking agreement between two or more lots is provided.

Section 425.070 Off-Street Loading Requirements

A. Applicability

Off-street loading spaces must be provided on the same lot as any new or expanded use, building, structure or part thereof that is involved in the receipt or distribution of materials, merchandise or other items by motor vehicle. Off-street loading spaces must be located and configured to avoid undue interference with public use of streets, alleys and walkways. No part of any vehicle may extend into a public right-of-way while being loaded or unloaded.

B. Spaces Required

1. For all commercial uses except office uses in all Commercial Districts (PO, C-1, C-2 and C-3), off-street loading spaces must be provided as specified in the following table:

Gross Floor Area of Establishments (Square Feet)	Required Number and Size of Loading Berths
1,000-10,000	1 - (10 feet x 25 feet)
10,000-25,000	1 - (10 feet x 60 feet)
25,000-40,000	2 - (10 feet x 70 feet each)
40,000-100,000	3 - (10 feet x 70 feet each)
Over 100,000	3 + 1 per additional 100,000 square feet or fraction thereof (10 feet x 70 feet each)

2. For all uses in the Business Park and Industrial Districts (BP, M-1 and M-2), off-street loading spaces must be provided as specified in the following table:

Gross Floor Area of Establishments (Square Feet)	Required Number and Size of Loading Berths
1,000-10,000	1 - (10 feet x 25 feet)
10,000-40,000	1 - (10 feet x 70 feet)
40,000-100,000	2 - (10 feet x 70 feet each)
Over 100,000	3 + 1 per additional 100,000 square feet or fraction thereof (10 feet x 70 feet each)

Chapter 430. Landscaping and Screening

Section 430.010 Applicability

A. All new structures, buildings and parking lots must comply with the landscaping and screening standards of this chapter.

B. If an addition is proposed to a building; an additional building is proposed for a lot; or if an expansion is proposed to an existing parking lot, the existing and expanded parking lot shall comply with the provisions of this chapter.

Section 430.020 Landscaped Area Requirements

A. Where Required

All uses must provide and maintain a landscaped area as provided in this section. Landscaped areas may not include rights-of-way and accessory uses, and must be maintained as a permeable and uncovered surface that contains living material. No more than 20 percent of the required landscaped area may consist of porous non-living materials.

Use Type	Required Landscaped Area (% of Lot Area)
Detached single-family dwellings	50%
Attached single-family dwellings	30%
Two-family dwellings	30%
Multi-family dwellings	30%
Commercial and industrial uses	20%

B. Placement of Landscaped Areas

Landscaping in the following areas shall be provided:

1. landscaped area a minimum of six feet in width along street frontages; and

2. landscaped area a minimum of six feet in width along all perimeter property lines.

This required landscape area may be utilized in conjunction with the screening requirements of this chapter. This requirement does not apply to single-family detached dwellings.

C. Foundation Landscaping

A landscaped area a minimum of five feet wide must be provided along the foundation of all commercial and industrial buildings, excluding building entrances, loading areas and areas where an eight foot sidewalk is required adjacent to the building. This landscaped area may count toward the required landscape area for the lot.

Section 430.030 Parking Area Landscaping

A. Interior Parking Lot Landscaping

1. Landscape islands with at least one shade tree and three shrubs must be provided at a minimum of one for every 10 parking spaces in all off-street parking areas. Flexibility in placement of landscape islands may be allowed for creative parking lot design and preservation of existing trees and vegetation. Landscape islands that include a light pole may eliminate the required shade tree provided the shade tree is included elsewhere in the required landscaped area.

2. Landscape islands include those areas that are a minimum of eight feet wide and 128 square feet in area, and are open to the parking area on at least three sides. "Bump-out" landscape areas will be considered landscape islands if they meet these criteria.

B. Perimeter Parking Lot Landscaping

1. Applicability

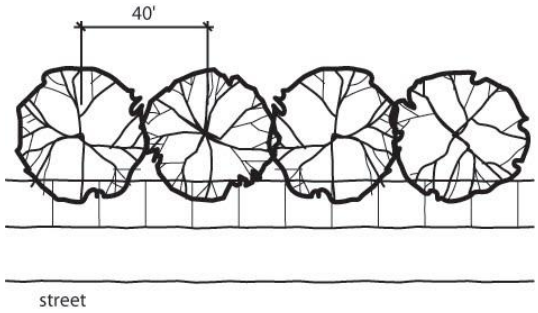
All new off-street parking areas must install perimeter parking lot landscaping. Areas counted toward interior parking lot landscaping requirements (such as bump-outs) may not be counted as perimeter parking lot landscaping.

2. Parking Areas Abutting Residential Districts

When a parking area abuts a residential district, a Type A opaque landscape screen must be provided to shield the parking area from view at any point within the residential district, as described in Section 430.080C.1.

3. Parking Areas Abutting Public Streets

a. When an off-street parking area abuts a public street, a minimum landscape strip at least six feet wide must be provided along the length of the right-of-way, excluding driveways. One shade tree must also be provided per 40 linear feet along the portion of the parking area that abuts a public street. These trees may be clustered or spaced linearly.



b. When a parking area is separated from a residential district by a public street right-of-way, screening to shield vehicle headlights shall be provided along the length of the right-of-way.

Section 430.040 Loading Areas

All loading areas abutting a residential district must be permanently screened from view along the abutting property line(s) by a Type A opaque landscape screen, as described in Section 430.080C.1.

Section 430.050 Monument Signs

Landscape material must be installed around the base of the monument signs consisting of shrubs, perennial/annual flowers, and/or ground cover. The required landscaping area must be a minimum of three feet wide on all sides of the sign base. Where the area around the base of the sign is insufficient in size for all of the required landscaping, the Community Development Director may permit installation of a portion of the required landscaping at an alternate location on the site.

Section 430.060 Site Trees

A. One tree must be planted along street frontages between the front building line and the front lot line

of each lot in a subdivision. Said tree shall be of a size in accordance with Section 430.130B1 and beof a species type listed in Section 430.090A. On lots with two street frontages one site tree is required on each frontage. Once planted, the maintenance of these trees is the responsibility of the property owner. Required site trees must be installed on an individual lot prior to issuance of a certificate of occupancy.

B. To reduce the risk of disease and/or insect infestation, no more than 50 percent of the site trees in a subdivision may be of one species.

Section 430.070 Street Trees

A. Applicability

Street trees are required on any street designated as a greenway on the Transportation Plan. Where street trees are provided on other streets, they must comply with this section.

B. Planting Requirements

1. Where required, street trees must be planted at a rate of one tree for every 50 linear feet. Driveway widths may be excluded from the calculation of the required number of street trees. Flexibility in locating trees is provided where it is not possible to locate trees every 50 feet due to the location of driveways.

2. To reduce the risk of disease and/or insect infestation, no more than 25 percent of the street trees in any individual development or subdivision may be of one species.

3. Species of street trees to be utilized shall comply with this section and be chosen from the list of allowable species for street trees referenced in Section 430.090 and shall be approved by the City prior to installation.

4. Required street trees must be installed within the street right-of-way or within 10 feet of the street right-of-way. If street trees are to be located outside of the right-of-way, the City is authorized to require the establishment of a 15-foot landscape maintenance easement.

Section 430.080 Screening Requirements

A. Applicability

All uses must provide and maintain screening as required by this section. In cases where a use would be required to provide both landscaping and screening at the same location, the two requirements may overlap; however, the most restrictive requirement applies. Additionally, screening requirements may be counted toward the percent of landscaped area required by Section 430.020.

B. Screening Table

The following table establishes which type of screen is required. To determine the type required, first identify the zoning of the subject lot (the new or expanded use). Then identify the zoning of each adjacent lot. Types of screens are labeled A, B and C; these are described in Section 430.080C.

Zoning of Subject Lot	Zoning of Adjacent Lot																	
	A	RE	RR	R1-A	R-1	R-1.5	R-2	R-3	R-3A	R-3B	PO	C-1	C-2	C-3	BP	M-1	M-2	PUD
A	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
RE	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
RR	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R-1	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R-1.5	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R-2	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R-3	B	B	A	A	A	A	A	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R-3A	B	B	A	A	A	A	A	A	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R-3B	B	B	A	A	A	A	A	A	A	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
PO	B	B	A	A	A	A	A	A	A	A	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
C-1	B	B	A	A	A	A	A	A	A	A	C	+	n/a	n/a	n/a	n/a	n/a	n/a
C-2	B	B	A	A	A	A	A	A	A	A	C	C	+	n/a	n/a	n/a	n/a	n/a
C-3	B	B	A	A	A	A	A	A	A	A	B	C	+	+	+	n/a	n/a	n/a
BP	B	B	A	A	A	A	A	A	A	A	B	B	C	C	+	n/a	n/a	n/a
M-1	B	B	A	A	A	A	A	A	A	A	B	B	B	C	C	+	n/a	n/a
M-2	B	B	A	A	A	A	A	A	A	A	A	A	A	A	B	C	+	n/a
PUD	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

NOTE: Where two requirements overlap, the most restrictive shall apply.

+ Six foot minimum landscaping area is required as in Section 430.020.

* As determined on approved plan.

C. Types of Screens

1. Opaque Screen, Type A

An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of special separation.

a. Height

Type A screens must be opaque from the ground to a height of at least six feet, with intermittent visual obstructions to a height of at least 12 feet.

b. Materials and Installation

(1) The opaque screen may be composed of wall, vinyl fence, landscaped earth berm, planted vegetation or existing vegetation. When a wall or fence is used, it must be articulated every 50 feet.

(2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species or field observation of existing vegetation.

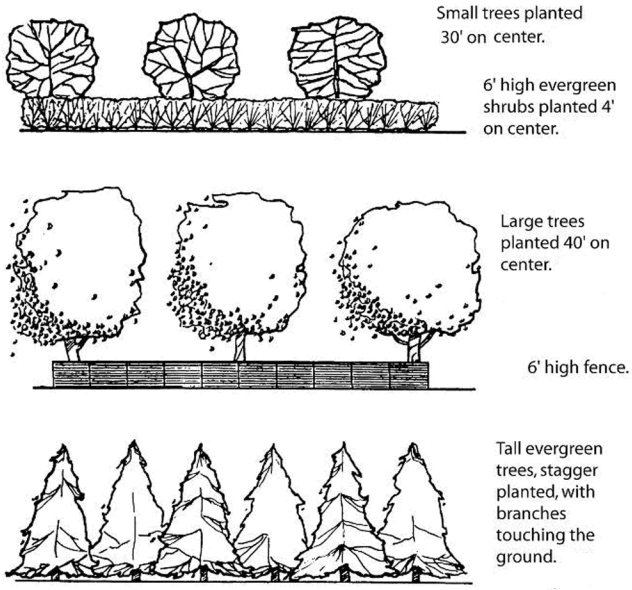
(3) The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstructions may not contain any

completely unobstructed openings more than 10 feet wide. The portion of intermittent visual obstructions may contain deciduous plants.

(4) Planting areas for the placement of these screens must be a minimum of five feet wide.

c. Example

Suggested planting patterns that will achieve this standard are included in the following diagram. See Section 430.090 for lists of suggested plant materials.



2. Semi-Opaque Screen, Type B

The semi-opaque screen is intended to partially block visual contact between uses and create a strong impression of the separation of spaces.

a. Height

Type B screens must be opaque from the ground to a height of three feet, with intermittent visual obstructions to a height of at least 12 feet.

b. Materials and Installation

(1) The semi-opaque screen may be composed of a wall, vinyl fence, landscaped earth berm, planted vegetation or existing vegetation.

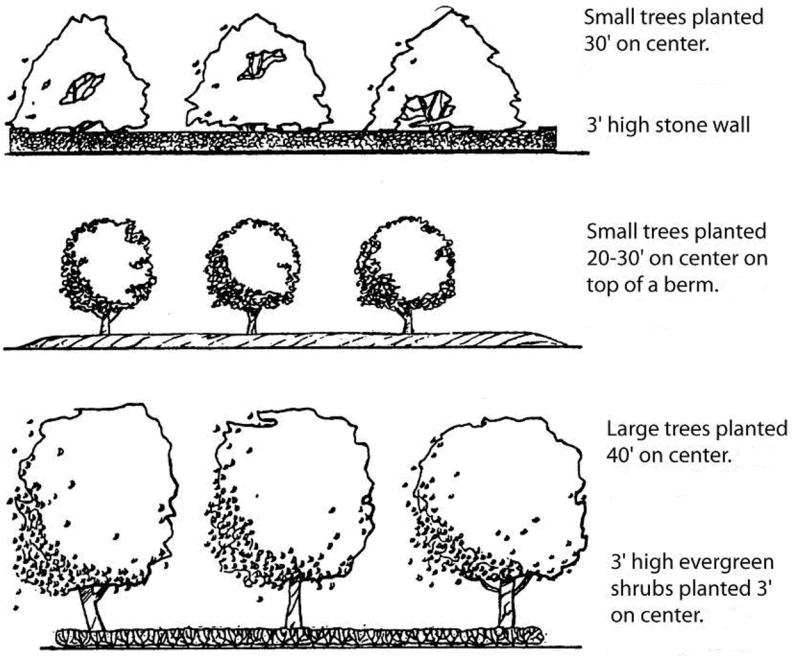
(2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species or field observation of existing vegetation.

(3) At maturity, the portion of intermittent visual obstructions may not contain any completely unobstructed openings more than 10 feet wide. The zone of intermittent visual obstruction may contain deciduous plants.

(4) Planting areas for the placement of these screens must be a minimum of five feet wide.

c. Example

Suggested planting patterns that will achieve this standard are included in the following diagram. See Section 430.090 for lists of suggested plant materials.



3. Broken Screen, Type C

The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces.

a. Height

Type C screens must be composed of intermittent visual obstructions from the ground to a height of at least 12 feet.

b. Materials

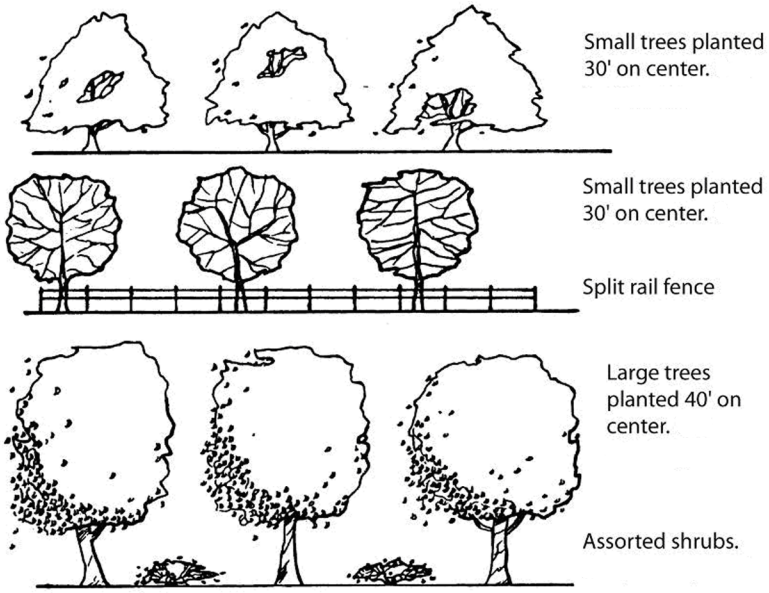
(1) The broken screen may be composed of a wall, vinyl fence, landscaped earth berm, planted vegetation or existing vegetation.

(2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of the foliage of the subject species or field observation of existing vegetation. The screen may contain deciduous plants.

(3) Planting areas for the placement of these screens must be a minimum of five feet wide.

c. Example

Suggested planting patterns which will achieve this standard are included in the following diagrams. See Section 430.090 for lists of suggested plant materials.



4. Location of Screens

Screening required by this section must be located along the common lot line(s) of adjacent uses. Where uses are separated by an intervening right-of-way, screening is not required. In its review of a site plan, the Planning and Zoning Commission may require the location or dimensions to be modified to better achieve the desired level of screening on a particular site.

Section 430.090 Planting List

A. Required Species

All required trees and shrubs shall be of a species identified in the planting list. The planting list shall be maintained by the Community Development Director and made available to all applicants and to any other person who requests a copy.

B. Prohibited Plants

Plants listed as nuisance species or prohibited plants in the planting list are prohibited in required landscape areas. Prohibited plants include those that are invasive, potentially damaging to streets, sidewalks, utilities, drainage improvements, and foundations.

Section 430.100 Tree Preservation and Existing Vegetation

A. The City may require the preservation of existing trees and/or vegetation on a property as part of a rezoning, conditional use permit, preliminary plat, final plat or site plan application.

B. Existing vegetation may be used to satisfy the landscaping and screening requirements of this code if protected and maintained during site development and construction phases of work and if such trees or plants are not otherwise prohibited.

C. Preserved trees will be credited toward satisfying the tree planting requirements of this chapter if they meet the minimum size and species requirements of this chapter. Tree credits will be granted by the

Community Development Director. Multiple credits may be given to encourage preservation of existing mature trees.

Section 430.110 Trash Receptacle Screening

A. All outdoor trash receptacles, garbage areas, grease traps and trash compactors for multifamily residential and all nonresidential uses must be permanently screened from view on all sides by a fence of 100 percent opacity and a minimum height of six feet. The fence must be constructed to prevent accidental dispersal of material within the storage area.

B. Where commercial trash receptacles are used and where allowed by City codes, such receptacles must be screened as follows:

1. all screens for trash receptacles that are part of new construction projects must match the primary color and material of the structure served;

2. doors accessing storage areas must remain closed at all times when not being accessed;

3. existing trash receptacles of any size within 150 feet of an arterial street must be screened from view of the arterial street. The screen may not require full enclosure to accomplish screening; and

4. chain link and slat screening is only allowed in industrial zones. The screen must be opaque and include substantial masonry pillars every 30 feet.

C. No trash receptacle may be located in a required front or side yard unless located in an existing enclosure or if the existing developed site does not afford any other option; in such a case, the trash receptacle should be located in the side yard if possible and must comply with the screening requirements of this section. The Community Development Director will have the authority to grant an administrative variance where it is demonstrated that screening is impossible. After a request for such relief, the Community Development Director will notify the applicant of the determination in writing within 30 days.

D. Temporary trash receptacles are not required to comply with this section and shall comply with the requirements of Section 420.060I.

Section 430.120 Screening of Mechanical Equipment

A. Rooftop equipment shall be screened from view from adjacent properties and any adjacent street, to be measured at a height of four feet above the ground. The equipment shall be screened with vertical extensions of the building walls or with parapets or other architectural design features of the same materials used on the walls of the building. Where the topography permits, it is desirable to screen such equipment from adjacent property, but it is not the intent of this requirement to increase the height of the screening significantly above that of the equipment in order to screen it from view from tall buildings or from higher ground.

B. Raised exterior walls or screen walls must be designed to enclose groups of equipment. Wall material should be compatible with or identical to the predominant opaque material on the exterior of the building.

C. All electrical and mechanical equipment located adjacent to the building shall be screened from view from adjacent properties and any adjacent street. Such screens and enclosures shall be treated as integral elements of the building's appearance.

D. Accessory utility facilities shall be screened in accordance with Section 420.040D.

Section 430.130 Plant Materials

A. Plant Selection

All plant materials used to satisfy the requirements of this chapter must conform with the plant quality standards of the American Association of Nurserymen.

B. Minimum Planting Sizes

1. Trees

a. Deciduous shade trees shall be two and one-half (2½) to three inch caliper as measured six inches above ground.

b. Evergreen trees shall be six to eight (8) feet in height.

c. Ornamental trees shall be one to one and one-half (1½) inch caliper as measured six inches above ground. The smallest trunk of multi-trunk clusters (three or more trunks) shall be three-quarters (¾) inch.

2. Shrubs and Hedges

a. Deciduous and evergreen shrubs must have a minimum container size of three to five gallons depending upon species and spacing.

b. Hedges, where required, must be planted and maintained to form a continuous, visual screen within a maximum of one year after time of planting.

3. Vines

Vines must be a minimum of 30 inches in height immediately after planting and may be used in conjunction with fences, screens or walls to meet physical barrier requirements as specified.

4. Ground Covers

Ground covers used in lieu of grass in whole or in part must have a finished appearance and reasonably complete coverage within three months after planting.

5. Grass

a. Land Disturbance Activities

When a land disturbance permit has been issued, seeding may be utilized for erosion and sediment control when completed in accordance with Chapter 455. Seeding is also an acceptable grass cover for any land awaiting development.

b. Building Permits

When a building permit has been issued for a principal structure upon a lot, the lot must either have sod or hydroseeding installed wherever grass is required to be installed. The hydroseeding or sod must be installed prior to the issuance of any permanent certificate of occupancy.

C. Installation

The Building Inspector will inspect all landscaping and no certificates of occupancy or similar authorization will be issued unless the landscaping is completely installed in compliance with the approved landscape plan and this chapter.

1. All landscaping materials must be installed according to current accepted good planting procedures and in compliance with all applicable ordinances and code requirements.
2. Plant materials must be free from disease and installed in a fashion that ensures the availability of sufficient soil and water to sustain healthy growth.

D. Maintenance

1. All landscaping materials must be maintained in good condition so as to present a healthy, neat and orderly appearance and must be kept free from refuse and debris.
2. All landscaping must be periodically trimmed so that it does not obstruct a public right-of-way.
3. Diseased and dead landscape material and damaged non-living materials must be replaced within 60 days of receipt of notice from the City by materials equal in size, density and appearance as originally required at the time of site plan approval.
4. The owner, tenant and their agent, if any, will be jointly and severally responsible for the maintenance of all landscaping.
5. Irrigation systems for all areas of turf, trees, shrubs, annual gardens or perennial gardens are required in the R-3B, C-1, C-2, C-3, PO, and BP districts and must be shown on the landscape plan. All irrigation systems must be maintained in proper working condition.

Section 430.140 Right-of-way Ground Surface

No plant material or barrier, except as specified in Section 430.070 or elsewhere in this code, may be located in a public right-of-way. The ground surface within the public right-of-way must be planted with sod or hydroseeded, with the exception of driveways, sidewalks and paths. Materials prohibited in the public right-of-way, unless required by this code or specifically approved by the City, include other groundcovers, shrubs, brick pavers, gravel, stone, asphalt and concrete; except those used for driveways, sidewalks and paths.

Chapter 435. Signs

Section 435.010 Purpose *(Amendment 9 – Ordinance 2011-22 4.11.11)*

The purpose of this chapter is to achieve balance among the following differing, and at times, competing goals:

A. to encourage the effective use of signs as a means of communication for businesses, organizations and individuals in Raymore;

B. to provide a means of way-finding in the community, thus reducing traffic confusion and congestion;

C. to provide for adequate business identification, advertising, and communication;

D. to prohibit signs of such excessive size and number that they obscure one another to the detriment of the economic and social well-being of the City of Raymore;

E. to protect the safety and welfare of the public by minimizing hazards to pedestrian and vehicular traffic;

F. to preserve property values by preventing unsightly and chaotic development that has a blighting influence upon the community;

G. to differentiate among those signs that, because of their location, may distract drivers on public streets and those that may provide information to them while they remain in their cars but out of active traffic;

H. to minimize the possible adverse effects of signs on nearby public and private property; and

I. to implement the goals and objectives of the Growth Management Plan.

Section 435.020 Applicability

A. Generally

The regulations of this chapter apply to all signs within the corporate limits of Raymore unless otherwise expressly stated.

B. Permits Required *(Amendment 9 – Ordinance 2011-22 4.11.11)*

1. Except as otherwise provided in this chapter, it is unlawful for any person to erect, construct, enlarge, move or convert any sign in the City of Raymore, Missouri or cause the same to be done without first obtaining a sign permit from the Community Development Director.

2. Permits are not required for:

a. replacing or altering the message on a changeable copy sign; or

b. painting, repairing, cleaning or maintaining a sign unless a structural change is made; or

c. non-commercial message signs.

3. Permits will be issued in accordance with the sign permit procedures of Section 470.190.

C. Signs Exempt from Regulation *(Amendment 9 – Ordinance 2011-22 4.11.11)*

1. The following signs are exempt from regulation under this chapter:

a. signs placed by a governmental body, governmental agency, or public authority, such as traffic signs, signals or regulatory devices or warnings; public notices; signs of historical interest; or other similar signs or devices;

b. memorial signs or tablets, names of buildings and date of construction or establishment when cut into any masonry surface;

c. signs inside buildings, inside windows or painted on windows or on glass portions of doors of buildings;

d. banners on public utility pole brackets placed by public entities for public events or campaigns, such as "Welcome to Raymore" banners; and

e. signs carried by a person; and

f. temporary event signs for public, charitable, religious or fraternal organizations, subject to the following limitations:

(1) maximize copy area of thirty-two (32) square feet;

(2) installed no sooner than thirty (30) days prior to the event and removed within five (5) days of the event.

D. Prohibited Signs

The following signs are prohibited:

1. snipe signs;

2. vehicle signs;

3. portable signs;

4. any sign or other advertising structure displaying any obscene, indecent or immoral matter;

5. any sign that obstructs or is attached to a fire escape;

6. any sign that obstructs a window, door, opening required for legal ventilation, or any other opening; or prevents free passage from one part of the roof to another;

7. attention-attracting devices, electrical signs, displays or illuminated signs that may impair night vision, are a hazard to traffic or interfere with or conflict with traffic signals, whether inside or outside the building;

8. all signs in the public right-of-way or on public property, whether permanent or temporary, except signs installed by a government entity;

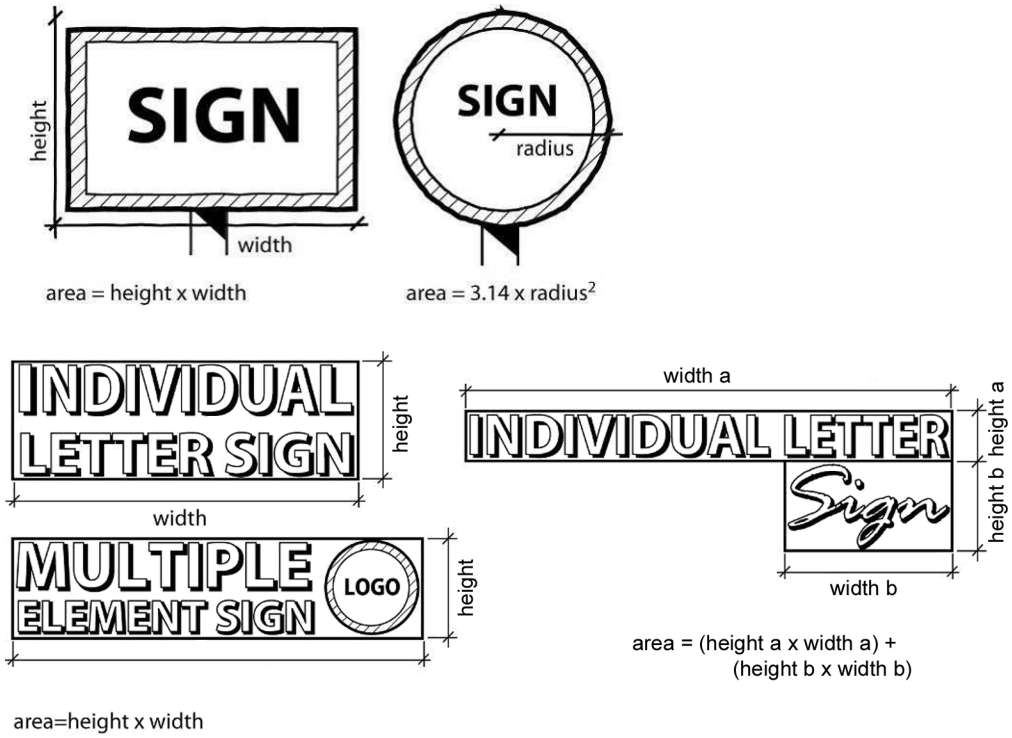
9. pole signs; and

10. roof signs.

Section 435.030 Sign Measurement and Interpretation

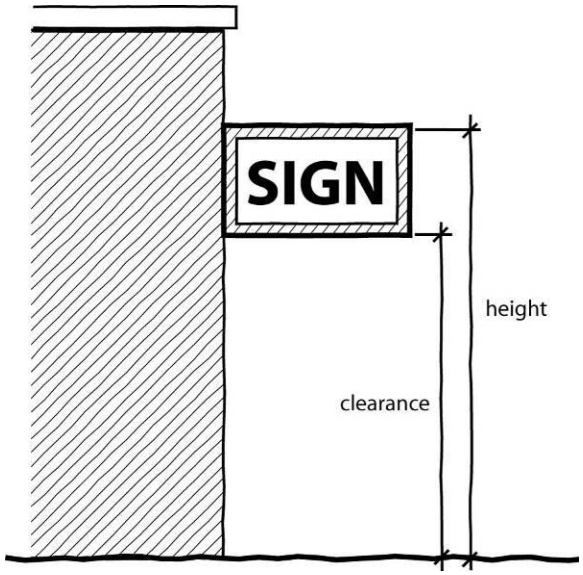
A. Measurement of Area of Individual Signs

The area of a sign face will be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing, representation, emblem or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed. The area of a sign face does not include any supporting framework, bracing or decorative fence or wall when the fence or wall otherwise meets the regulations of this chapter and is clearly incidental to the display itself.

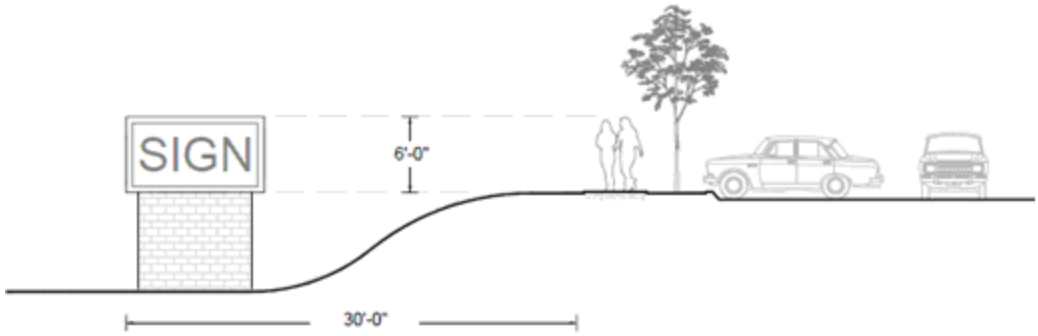


B. Sign Height Measurement *(Amendment 21 – Ordinance 2015-005 1.26.15)*

For projecting and under canopy signs, the height of a sign will be computed as the distance from the highest point of the sign structure to the lowest point on the ground directly below the sign.

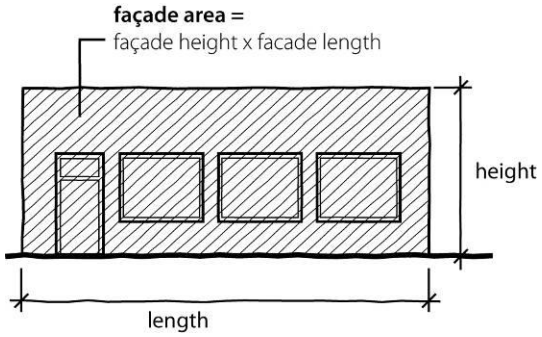


For freestanding signs, the height of a sign will be computed as the distance from the highest point of the sign structure to the lowest point on the ground directly below the sign. For lots with an elevation below the adjacent street, the height of the sign will be computed as the distance from the highest point of the sign structure to the height of the sidewalk, or curb line of street if no sidewalk exists, adjacent to the property, provided the sign is installed within thirty (30) feet of the street right-of-way line.



C. Building Façade Area Measurement

Building façade area includes the entire area of a building wall, including doors, windows, recessed and projecting areas, and all other features, measured from the ground to the top of the roof, including architectural features.



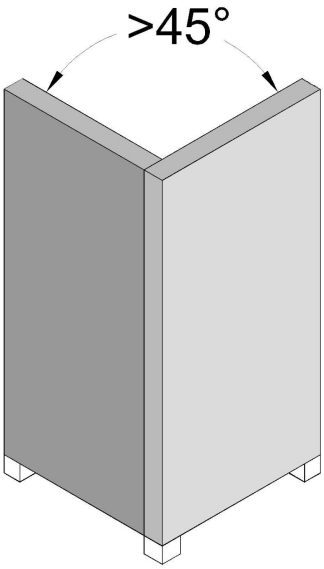
D. Determination of Visibility or Legibility

1. Where this chapter requires a determination of "visibility" or "legibility," the standard will be based on the eyesight of an adult eligible to receive a Missouri driver's license (wearing any corrective lenses required by the license). Where the height of the person is material to the determination, the person will be presumed to be more than five feet and less than six feet tall.

2. In determining visibility of a sign from a residential property, it will be assumed that a two-story residence will occupy the property with second-story windows facing toward the sign.

E. Sign Face Separation

For the purposes of computing sign area, a single sign becomes two signs if there is an angle created between the two outer surfaces of the sign greater than forty five (45) degrees.



Section 435.040 Standards of General Applicability *(Amendment 9 – Ordinance 2011-22 4.11.11)*

A. Materials and Construction

1. Except as otherwise expressly stated in this chapter, all permanent signs, sign structures and non-structural trim must be constructed of approved combustible or non-combustible materials.
2. Letters, figures, characters or representations in cutout or irregular form maintained in conjunction with, attached to or superimposed upon any sign must be safely and securely built or attached to the sign structure.
3. Illuminated signs produced in quantity (as opposed to signs custom-built for specific locations) must be constructed in accordance with the "Standards for Electric Signs" (U.L. 48) of the Underwriters' Laboratories, Inc.
4. All electrical signs must be connected to permanent electrical service installed according to the requirements of the electrical code. All wiring for newly constructed detached signs must be underground.
5. Any sign, other advertising structure, marquee, canopy or awning as defined in this chapter must be designed and constructed to withstand a wind pressure of not less than 25 pounds per square foot of net surface area; and must be constructed to receive dead loads as required in the building code and/or other City ordinances.
6. Any sign drawing submitted with a sign permit application for a monument or projecting sign shall include the signature and seal of an engineer or architect registered in the State of Missouri.

B. Obstructions

1. All signs must comply with the intersection visibility standards of Section 440.040.
2. No sign may interfere with, block or obstruct:

a. any vehicular entrance or exit to a parking lot;

b. any vehicular access way;

c. any parking space; or

d. any pedestrian sidewalk, path or crosswalk.

C. Landscaping

All monument signs for new developments must be landscaped according to Section 430.050.

D. Noncommercial Messages

Any sign allowed under this chapter may contain, in lieu of any other message or copy, any lawful noncommercial message, so long as the sign complies with the size, height and other requirements of this chapter.

E. Master Signage Plan

A master signage plan shall be submitted with any site plan application for new developments. The signage plan should generally depict location and design of monument and wall signs. The actual tenant name does not need to be identified on the signage plan.

Section 435.050 Sign Types Permitted *(Amendment 2 – Ordinance 29073 7.27.09) (Amendment 9 – Ordinance 2011-22 4.11.11)*

Signs are permitted in each zoning district as follows:

Zoning District	Sign Type		Max Number Permitted	Maximum Size (sq ft)	Maximum Height	Illumination Permitted	Additional Requirements
A	Monument		1	64	12	direct or indirect	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use or as permitted in Section 435.070A2. See Sections 435.060 A,B,C, &D; 435.070
	Wall		3 per establishment	10% of façade area	n/a	direct or indirect	
	Temporary Event	Noncommercial Message	1 per street frontage for each event, issue, candidate or belief	64	12	not permitted	
		Commercial Message	1 per street frontage				
RE, RR, R-3, R-3A, R-3B, PUD and PR	Monument		1	32	6	direct or indirect	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use or as permitted in Section 435.070A2. See Sections 435.060 A,B,C, &D; 435.070
	Wall		3 per establishment	10% of facade area	n/a	direct or indirect	
	Temporary Event	Noncommercial Message	1 per street frontage for each event, issue, candidate or belief	32	6	not permitted	
		Commercial Message	1 per street frontage				

Zoning District	Sign Type		Max Number Permitted	Maximum Size (sq ft)	Maximum Height	Illumination Permitted	Additional Requirements
R-1A, R-1, R-1.5, and R-2	Monument		1	32	6	direct or indirect	Signs with a commercial message are only permitted upon property that has approval for a public, civic or commercial use or as permitted in Section 435.070A2. See Sections 435.060 A,B,C, &D; 435.070
	Wall		3 per establishment	10% of façade area	n/a	direct or indirect	
	Temporary Event	Noncommercial Message	1 per street frontage for each event, issue, candidate or belief	16	6	not permitted	
		Commercial Message	1 per street frontage				
PO & C-1	Monument		1	32	6	direct or indirect	See Section 435.070
	Wall		3 per establishment plus one under canopy	10% of facade area	n/a	direct or indirect	
	Temporary Event	Noncommercial Message	1 per establishment per street frontage for each event, issue candidate or belief	32	6	not permitted	
		Commercial Message	1 per establishment per street frontage				
C-2, C-3, BP, M-1 and M-2	Monument Sign	Individual building 2-4 tenants or less	1	32	6	direct or indirect	See also Section 435.060D
		1 per street frontage for each event, issue, candidate or belief	1	48	6	direct or indirect	See also Section 435.060
		Shopping center under 100,000 square feet	1	80	15	direct or indirect	See also Section 4
		Shopping center 100,000 square feet or more	1 per street frontage	300	30	direct or indirect	See also Section 435.060

Zoning District	Sign Type		Max Number Permitted	Maximum Size (sq ft)	Maximum Height	Illumination Permitted	Additional Requirements
C-2, C-3, BP, M-1 and M-2	Monument Sign	Individual building 2-4 tenants or less	1	32	6	direct or indirect	See also Section 435.060D
		1 per street frontage for each event, issue, candidate or belief	1	48	6	direct or indirect	See also Section 435.060
		Shopping center under 100,000 square feet	1	80	15	direct or indirect	See also Section 435.060
		Shopping center 100,000 square feet or more	1 per street frontage	300	30	direct or indirect	See also Section 435.060
	Monument or Ground	Billboard on lot under 2 ac	1	32	6	direct or indirect	See also Section 435.060D & E
		Billboard on lot 2-5 ac	1	48	6	direct or indirect	See also Section 435.060D & E
		Billboard on lot greater than 5 ac	1	80	15	direct or indirect	See also Section 435.060D & E
	Wall		3 per establishment plus 1 under canopy	10% of facade area	n/a	direct or indirect	See also Section 435.060A, B, C
	Temporary Event	Noncommercial Message	1 per establishment per street frontage for each event, issue, candidate or belief	32	6	not permitted	See Section 435.070
		Commercial Message	1 per establishment per street frontage				

Section 435.060 Additional Standards for Specific Sign Types *(Amendment 9 – Ordinance 2011-22 4.11.11)*

The following standards are in addition to the applicable standards as specified in Section 435.050.

A. Wall Signs

1. A wall sign that is attached to a masonry wall shall be secured by means of anchors, bolts and expansion screws, masonry nails or similar connectors. A wall sign that is attached to a wall of wood may be anchored with wood blocks and screws.

2. Signs advertising special services count against the allowable total number of signs and sign area (e.g. pharmacy sign on a discount store).

3. Wall signs are permitted on any side of a building.

B. Projecting Signs

1. Projecting signs may not project more than five-and-a-half feet beyond the face of the building.
2. Projecting signs must be a minimum of 10 feet above the level of any sidewalk from the bottom of the sign.
3. Any projecting sign within 25 feet of a street or alley intersection must be a minimum of 14 feet above the sidewalk from the bottom of the sign.

C. Under Canopy Signs

Under canopy signs of greater than four (4) square feet must be rigidly mounted, and there must be 10 feet clearance between the base of any under canopy sign and the sidewalk.

D. Freestanding Signs

1. A freestanding monument sign shall be supported with a base that is at least 80 percent of the width of the sign at its widest point.
2. A freestanding ground sign shall be supported by two or more posts or supports.
3. Permanent freestanding signs are not permitted within any utility or drainage easement.
4. Freestanding signs shall be set back a minimum of five feet from all property lines.

E. Billboard Signs

1. Billboard signs are permitted only along Interstate 49, U.S. Highway 71 or Missouri 58.
2. No billboard sign may be located within 1,000 feet of any existing billboard sign.
3. A letter of authorization by the property owner is required for application of any billboard sign.
4. Billboard signs shall be set back a minimum of five feet from all property lines.

F. Subdivision Entrance Signs

Subdivision entrance signs may be located at entrances to the subdivision and shall be within a sign easement, common area, or private property. The developer or property owners association is responsible for the maintenance and upkeep of the subdivision identification signs. Location of signs shall be subject to the provisions of this chapter as well as other applicable ordinances. Such signs shall be monument signs.

G. Incidental Signs

Incidental signs are permitted subject to the following limitations:

1. Incidental signs used for directing traffic shall be monument signs and are subject to the following limitations:
   a. are only allowed for businesses with drive-thru facilities;
   b. shall not exceed nine square feet in area or three feet in height; and
   c. the maximum number and location of signs shall be determined by the Planning and Zoning Commission.

2. An incidental sign that is used for ordering products, such as a drive-thru menu board, shall not exceed 16 square feet in area or eight feet in height.
3. No commercial message shall be included on any incidental sign, except upon a drive-thru menu board.
4. All other incidental signs must be wall signs and shall not exceed nine square feet in area.

H. Electronic Message Center Signs

Electronic message center signs are permitted subject to the following limitations:

1. Not allowed as part of a temporary event sign.
2. Any portion of the message or image must have a minimum duration on screen of eight seconds. Exception to this requirement is made for a sign that displays time and temperature.
3. The change from one message to the next shall not take more than one second and shall not involve flashing or movement of text or images.
4. In case of malfunction, the sign display shall be defaulted to a blank screen.
5. Prior to the issuance of a sign permit, the applicant shall provide written certification from the sign manufacturer that the light intensity has been factory pre-set not to exceed 7,000 NITS during daylight hours and 2,500 NITS between dusk and dawn and that the intensity level is protected from end-user manipulation.
6. The sign shall not display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver, or result in a nuisance to the driver.

Section 435.070 Temporary Event Signs *(Amendment 9 – Ordinance 2011-22 4.11.11)*

A. General *(Amendment 2 – Ordinance 29073 7.27.09)*

1. Temporary event signs may be installed as a freestanding sign or a wall sign.
2. The only commercial messages allowed on temporary event signs on residential property are a message pertaining to the sale or lease of the premises; a message for a business that is completing construction, remodeling or home improvement work upon the property; or a message related to an occasional sale (such as a garage sale or yard sale), held in compliance with all applicable city ordinances.

B. Permits

1. A temporary event sign permit and applicable fee is required prior to the placement of any temporary event sign that contains a commercial message and is located on a non-residential zoned property.
2. A maximum of four temporary event sign permits will be issued per establishment per calendar year.
3. A temporary event sign permit is initiated upon the placement or installation of the sign and expires upon the termination of the event as defined in Section 435.070F.
4. A period of 10 days must elapse between the time a prior temporary event sign is removed and another temporary event sign permit is issued for the same establishment.
5. A temporary event sign permit is not required for a real estate sale or lease sign.

C. Size

The maximum size and height of any temporary event sign is specified in Section 435.050.

D. Location

Temporary event signs must be located entirely on private property. Temporary event signs that contain a commercial message shall be located on the parcel where the advertised goods, service or event is available.

E. Number

The maximum number of temporary event signs per parcel is specified in Section 435.050.

F. Duration

Temporary event signs may be placed upon initiation of the temporary event, and must be removed within five (5) days of the termination of the event. Initiation and termination of particular events shall be interpreted as follows:

1. Election. Initiation thirty (30) days prior to the election of candidates or decision of a ballot question and termination upon the election of a candidate to office; resolution of a ballot question; or defeat of a candidate in a primary or general election event, as applicable.
2. Real Estate Sale or Lease. Initiation upon the actual availability of the parcel for sale or lease, and termination upon execution and acceptance of a final contract for the real estate transaction.
3. Building Construction or Remodeling. Initiation upon issuance of a building permit or commencement of the construction or remodeling work and termination upon issuance of a certificate of occupancy or completion of the construction or remodeling work.
4. Sales or Promotional Event. Initiation upon installation of the temporary event sign and termination upon the ending of the sales or promotional event. For the purposes of this sub-section, under no circumstance shall a sales or promotional event exceed thirty (30) days.

Section 435.080 Illumination of Signs *(Amendment 6 – Ordinance 2010-50 6.14.10) (Amendment 13 – Ordinance 2012-074 9.24.12)*

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.

Section 435.090 Removal of Abandoned and Illegal Signs *(Amendment 9 – Ordinance 2011-22 4.11.11)*

A. Any temporary event sign for which a permit has expired shall be considered an illegal sign.

B. Any sign that fails to meet the maintenance requirements of this chapter shall be deemed to be abandoned.

C. Except as specifically provided elsewhere in this chapter, any sign placed within the City right-of-way shall be considered an illegal sign.

D. Abandoned and illegal signs shall be subject to the enforcement provisions of Chapter 480.

Section 435.100 Conditional Use Permits *(Amendment 21 – Ordinance 2015-005 1.26.15)*

A request to install a sign that is not allowed by this chapter or a request to install a sign that is not in conformance with the standards of this chapter may be filed as a Conditional Use Permit in accordance with Section 470.030.

Section 435.110 Inflatable Sign Permit

In order to install an inflatable sign, an application shall be filed for an Inflatable Sign Permit. Applications for an Inflatable Sign Permit shall be filed in accordance with Section 470.240.

Chapter 440. General Development and Performance Standards

Section 440.010 Building Design Standards *(Amendment 13 – Ordinance 2012-074 9.24.12)*

A. Applicability

1. The regulations of this section apply to all commercial uses regardless of location, and to industrial uses within 300 feet of any street designated by the City as a collector, minor arterial or major arterial, or are within 500 feet of any residentially zoned property.

2. Large retail sales uses (on sites that include, in aggregate, 100,000 square feet or more of gross floor area) shall also comply with the regulations of Section 420.030G. Where the regulations conflict with the requirements of this section, the more restrictive requirement will control.

3. The standards of this section apply to all walls of buildings. For purposes of this section, the front wall is the wall most parallel to the adjacent right-of-way. Where uncertainty exists as to the applicability of these regulations, a determination will be made by the Community Development Director.

4. Additions to existing buildings may be permitted by the Planning and Zoning Commission where the addition does not meet strict compliance to this section. The purpose of this section is to continue a similar exterior architectural treatment where appropriate, and to reduce the appearance of an addition being added to the building.

B. Building Location and Design

1. Relationship to Adjacent Development

a. The form and proportion of buildings shall be consistent or compatible with the scale, form and proportion of existing development in the immediate area.

b. The rhythm of structural mass to voids, such as windows and glass doors, of a front facade should relate to the rhythms established in adjacent buildings.

2. Façade Articulation

a. A façade consisting of a single undifferentiated plane with a single texture or color, excluding windows, doors or overhead doors, is prohibited.

b. A minimum of 15 percent of the area of each façade shall be recessed, projected, or alternately staggered from the primary plane of the wall not less than one foot in depth or projection, excluding windows, doors or overhead doors.

c. Where large structures are proposed with overly long facades (walls), where one dimension exceeds the length of the perpendicular dimension, such as warehouses, building mass shall be articulated with variations of a depth to create shadows visible from the nearest adjacent street in the building plane and parapet height and through the use of other unique design, landscape or site plan features.

d. Overly long horizontal facades shall be articulated. Variation in the building plane, parapet height, materials, colors, entrance canopies and landscaping can be used to add articulation and variation to a facade. Parking lots along the facade can also relieve the plane horizontally through the use of landscaped fingers and islands containing trees and shrubs.

e. Monotony of design in single or multiple building projects shall be avoided. Variation of detail, form and siting shall be used to provide visual interest.

f. Long expanses of overhead doors should be relieved by matching their color to the wall or trim, recessing the doors, or adding architectural details to diminish the dominance of the doors.

C. Building Materials

1. Masonry Construction

A minimum of 50 percent of front and side façades shall consist of materials described by this sub-section.

a. Masonry construction shall include all masonry construction which is composed of solid, cavity, faced or veneered-wall construction, or similar materials approved by the Planning and Zoning Commission.

b. Stone materials used for masonry construction may consist of granite, sandstone, slate, limestone, marble or other hard and durable all-weather stone. Ashlar, cut stone and dimensioned stone construction techniques are acceptable.

c. Brick material used for masonry construction shall be composed of hard-fired (kiln-fired), all weather common brick or other all-weather common brick or all-weather-facing brick.

d. Concrete finish or precast concrete panel (tilt wall) construction shall be exposed or aggregate, hammered, sandblasted or other finish as approved by the Planning and Zoning Commission.

e. Stucco or approved gypsum concrete/plaster materials are also permitted.

2. Glass Walls

Glass walls shall include glass-curtain walls or glass-block construction. A glass-curtain wall shall be defined as an exterior wall which carries no floor or roof loads and which may consist of a combination of metal, glass and other surfacing materials supported in a metal frame.

3. Metal Walls

a. The use of metal siding is permitted only in industrial districts and only for side and rear façades. The materials used on the front façade shall be incorporated into any façade visible from a public street to break up the monotony of those facades.

b. The use of corrugated panels, with a depth of less than three-quarter inch or a thickness less than U.S. Standard 26 gauge is prohibited.

c. The use of unpainted metal panels, excluding panels made from copper, weathering steel, or stainless steel, is prohibited. The color finish of metal panels and exposed fasteners shall have extended durability with high resistance to fade and chalk.

d. Corrugated metal facades shall be complemented with masonry, whether brick, stone, stucco or split-face block. Architectural metal panels may be an acceptable substitute for masonry. Appropriate landscaping shall be used to complement and enhance a building's design, color and material.

D. Building Form

1. The use of unusual shapes, color and other characteristics that cause new buildings to call excessive attention to them and create disharmony shall not be allowed.
2. Architectural design shall create visual interest through the use of different textures, complementary colors, shadow lines and contrasting shapes. The use of walls in a single color, with little detailing or completely blank, is discouraged;
3. Careful consideration of durable materials, proportions and shapes, emphasizing the importance of roofs as integral and embracing elements of the over-all design, is particularly important;
4. Evaluation of building materials shall be based on the quality of its design and relationship and compatibility to building materials in the immediate neighborhood; and
5. Architectural treatments (e.g., building materials, colors, facade design, roof lines, screening) shall be consistent and compatible on all sides. Treatment that is uniform on all sides will be deemed to meet the requirements of this principle. Adjacent land uses, visibility from public streets, use of screening devices (walls, fences, berms, landscaping) are criteria to be considered when varying this treatment. The applicant will have the burden of demonstrating the reasons for differing treatment on different sides (e.g., the need for truck access on one side and pedestrian access on another).

E. Mechanical Equipment Screening Requirements

Mechanical equipment shall be screened according to the requirements of Section 430.120.

F. Site Design

1. The form and proportion of buildings shall be consistent or compatible in scale, form, proportion, and design with others on the site.
2. Buildings shall connect to sidewalks and other pedestrian connections within the site and to adjacent sites.
3. Other site features must be reasonably compatible within the development, including signage materials or design and landscape location and design.
4. Parking must be arranged within the site in such a way that all areas of the site may be accessed safely by pedestrians.

Section 440.020 Performance Standards

A. Compliance Required

Except as otherwise provided herein, no land, building or structure in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise or vibration; smoke, dust or other form of air pollution; heat, cold, dampness, electrical or other substance, condition or dangerous element in such a manner or in such amount as to adversely effect the surrounding area or adjoining premises. Permitted uses as set forth in this chapter shall be undertaken and maintained only if they conform to the regulations of this section.

B. Exterior Noise

All uses in all zoning districts shall comply with the noise and peace disturbance regulations of the City code.

C. Vibration

No vibration from any use within any zoning district shall be permitted which is perceptible without instruments at any residential property line within any residential zoning district. For the purpose of determining compliance with this standard, vibration is to be measured at residential property lines within residential zoning districts.

D. Glare

Primary and secondary glare (both direct and reflective glare) having a source on private property shall not be permitted to produce visual discomfort for viewers on other property in a residential zoning district on an adjacent street rights-of-way. Direct glare which produces visual discomfort is to be corrected or avoided by reducing the intensity of the light source and/or the uses of directional lighting or shading devices.

E. Particulate Matter

No emissions, dust, fumes, vapors, gases or other forms of air pollution shall be permitted in violation of the rules and regulations of the Environmental Protection Agency.

F. Outdoor Lighting *(Amendment 17 – Ordinance 2014-005 2.10.14)*

1. Purpose and Applicability

a. The purpose of this section is to regulate the spill over of light and glare on operators of motor vehicles, pedestrians, and land uses in the proximity of the light source. With respect to motor vehicles in particular, safety considerations form the basis of the regulations contained herein. In other cases, both the nuisance and hazard aspects of glare are regulated.

b. The following standards are required of all outdoor lighting except the outdoor recreational uses specifically exempted below. This section is not intended to apply to public street lighting.

2. Maximum Height and Illumination

a. The maximum permitted light post height is dependent on amount of cutoff provided. This is designed as a protection against excessive glare and light spilling over to neighboring properties. The exceptions which are permitted provide adequate protection for neighboring residential property.

b. Light level at the property line may not exceed one foot-candle except as otherwise specified by this chapter.

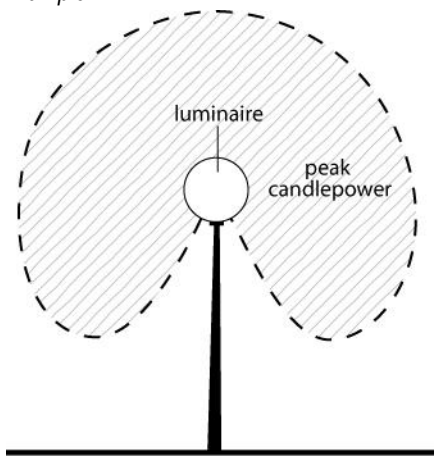
c. Outdoor lighting shall meet one of the following standards:

(1) No Cutoff

Luminaires with no cutoff must incorporate decorative design elements such as globes, finials, finished posts, pedestals, crossarms, scrolls, or other decorative embellishments. When a luminaire has no cutoff, the maximum permitted luminaire height shall be:

Underlying Zoning District	Maximum Height of Luminaire (feet)
A, RE, RR, R-1A, R-1, R-1.5, R-2, R-3	10
PO, C-1, C-2, R-3A, R-3B	15
C-3, BP, M-1, M-2	20

Example:

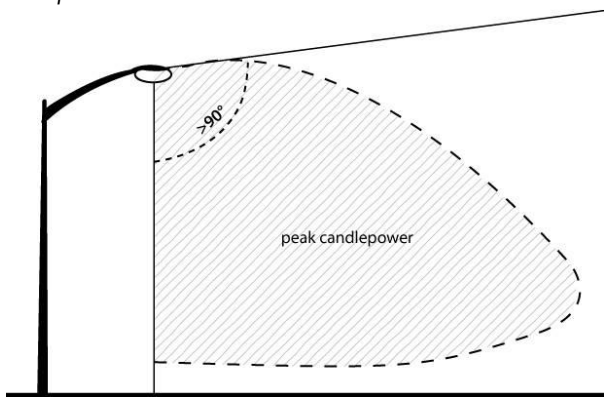


(2) Total Cutoff 90 Degrees or More

When a luminaire has total cutoff of an angle equal or greater than 90 degrees, the maximum permitted luminaire height shall be:

Base Zoning District	Maximum Height of Luminaire (feet)
A, R-1, R-1A, R-1.5, R-2, R-3, RE, RR	20
PO, C-1, C-2, R-3A, R-3B	25
C-3, M-1, BP	30
M-2	35

Example:



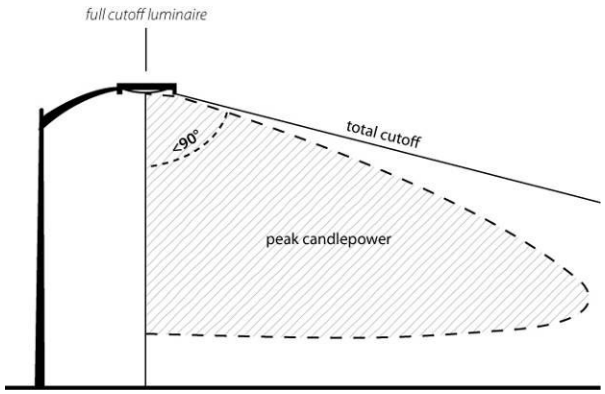
(3) Total Cutoff Less than 90 Degrees

When a luminaire has total cutoff of light at an angle less than 90 degrees and is

located so that the bare light bulb, lamp or light source is completely shielded from the direct view of an observer five feet above the ground at the point where the cutoff angle intersects the ground, then the maximum permitted height of the luminaire shall be:

Base Zoning District	Maximum Height of Luminaire (feet)
A, R-1, R-1A, R-1.5, R-2, R-3, RE, RR	20
PO, C-1, C-2, R-3A, R-3B	35
C-3, M-1, BP	40
M-2	50

Example:



(4) Outdoor Recreational Uses

(a) Because of their unique requirements for nighttime visibility and their limited hours of operation, public ball diamonds, playing fields, and tennis courts are exempted from the Maximum Height standards of this section. These outdoor recreational uses must meet all other requirements of this section and of this chapter.

(b) The outdoor recreational uses specified above may not exceed a maximum permitted post height of 80 feet.

(c) The outdoor recreational uses specified above may exceed a total cutoff angle of 90 degrees, provided that the luminaire is shielded to prevent light and glare spill over to adjacent residential property. The maximum permitted illumination at the lot line shall not exceed two foot candles.

3. Flashing Lights

No flickering or flashing lights shall be permitted.

4. Parking and Loading Areas

a. Any lighting used to illuminate off-street parking or loading areas must be directed away from residential properties in such a way as not to interfere with the residential use.

b. Light poles shall be located within perimeter landscaped areas, landscaped islands and/or made part of cart return bays.

5. Measurement

Lighting levels shall be measured in foot candles with a direct-reading, portable light meter.

6. Exterior Lighting Plan

At the time any exterior lighting is installed or substantially modified, and whenever a building permit is sought, an exterior lighting plan shall be submitted to the Community Development Director in order to determine whether the requirements of this section have been met.

7. Canopy Lighting

a. Any facility utilizing a canopy shall comply with the following requirements:

(1) Any light fixture secured to the canopy shall be recessed so that the lens cover is flush with the bottom surface of the canopy.

(2) No light fixture shall be secured to the sides or top of the canopy structure.

(3) Maximum illumination under the canopy structure shall be 30.0 footcandles.

G. Exceptions from Performance Standards

The owner or operator of any building, structure, operation or use which violates any performance standard may file an application for a variance from the provisions thereof wherein the applicant shall set forth all actions taken to comply with said provisions and the reasons why immediate compliance cannot be achieved. The Board of Adjustment may grant exceptions with respect to time of compliance, subject to such terms, conditions and requirements as it may deem reasonable to achieve maximum feasible compliance with the provisions of this section. In its determinations, the Board of Adjustment shall consider the following:

1. the magnitude of any potential impacts caused by the exception;

2. the uses of property within the area of impingement by the violation;

3. the economic factors related to age and useful life of the equipment; and

4. the general public interest, welfare and safety.

Section 440.030 Fences

A. General Standards

The following standards apply to all fences in all districts:

1. Construction

All fences and walls shall be constructed with a finished surface facing outward from the property. Posts and support beams shall be on the inside of the finished surface.

2. Fence Location

a. No fence shall be constructed within the sight triangle.

b. Fences are permitted within a platted easement provided that:

(1) There are no plat restrictions prohibiting fences in an easement

(2) The property owner removes the fence, or portion thereof, necessary for the City or utility company to gain access to the easement for maintenance purposes.

Should the property owner fail to remove the fence sections located within the easement, the City or utility company may do so.

c. No fence shall be installed or maintained within any drainage way, detention facility, or engineered swale which will create ponding on adjacent property, divert water onto the adjoining property, or impede drainage.

3. Retaining Walls

In all zoning districts, a retaining wall may be permitted where it is reasonably necessary due to the changes in the slope on the site and where the wall is located at least two feet from any street right-of-way. Where the wall extends more than 30 inches above the ground level, a guardrail must be installed for safety purposes if required by the building code.

4. Materials

a. Privacy Fences

Materials allowed for construction of a privacy fence include wood (maximum board width of twelve inches), vinyl, or similar material. In commercial and industrial districts, privacy fences shall not be constructed of wood.

b. Decorative Fences

Materials allowed for construction of a decorative fence include wood, vinyl, galvanized or wrought iron, or similar materials.

5. Nonconforming Fences

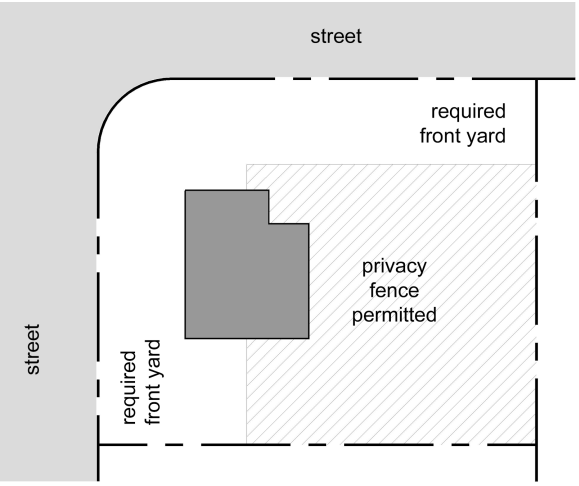
Any fence legally erected prior to the date of adoption of this code, and not in compliance with the provisions of this section, shall be considered a non-conforming structure. Repairs to a non-conforming structure shall only be made in compliance with Chapter 475 of this code.

B. Agricultural Districts

1. In agricultural districts the following standards apply:

Type	Maximum Height	Permitted Location
Privacy fences, walls or hedges	6 feet	on any portion of the lot, provided a minimum setback of 50 feet from all street right-of-way lines is maintained
Chain link fences	6 feet	on any portion of the lot
Decorative fences	6 feet	on any portion of the lot
Barbed wire	n/a	on any portion of the lot
Electric fences (above ground)	n/a	on any portion of the lot

2. On corner lots, a privacy fence, chain link fence, decorative fence, wall or hedge may be constructed or planted to a maximum height of six feet up to the front yard setback line in the rear yard of the home. For the purposes of this Section, the rear yard is defined as the side of the house opposite the front door.

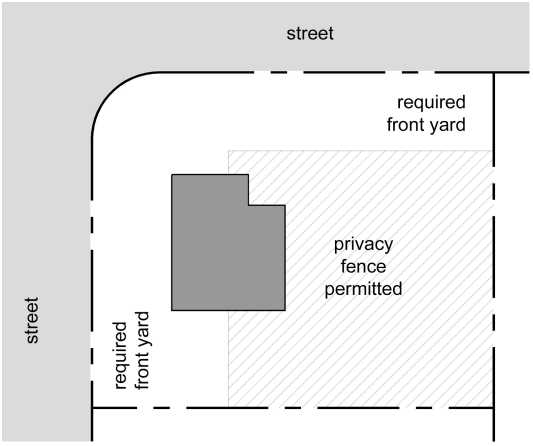


C. Residential Districts *(Amendment 13 – Ordinance 2012-074 9.24.12) (Amendment 16 – Ordinance 2013-056 8.26.13)*

1. In residential districts, the following standards apply:

Type	Maximum Height	Permitted Location
Privacy fences, walls or hedges	6 feet	in the side and rear yard provided no portion extends within ten (10) feet of the front corner of the house.
Chain link fences	6 feet	in the side and rear yard provided no portion extends within ten (10) feet of the front corner of the house; on any portion of a lot in an RE district
Decorative fences	4 feet	on any portion of the lot
Decorative fences	6 feet	in the side and rear yard provided no portion extends within ten (10) feet of the front corner of the house; on any portion of a lot in an RE district
Barbed wire	n/a	prohibited
Electric fences (above ground)	n/a	allowed in RE districts only on any portion of the lot

2. On corner lots, a privacy fence, chain link fence, decorative fence, wall or hedge may be constructed or planted to a maximum height of six feet up to the front yard setback line in the rear yard of the structure. For the purposes of this Section, the rear yard is defined as the side of the structure opposite the front door.

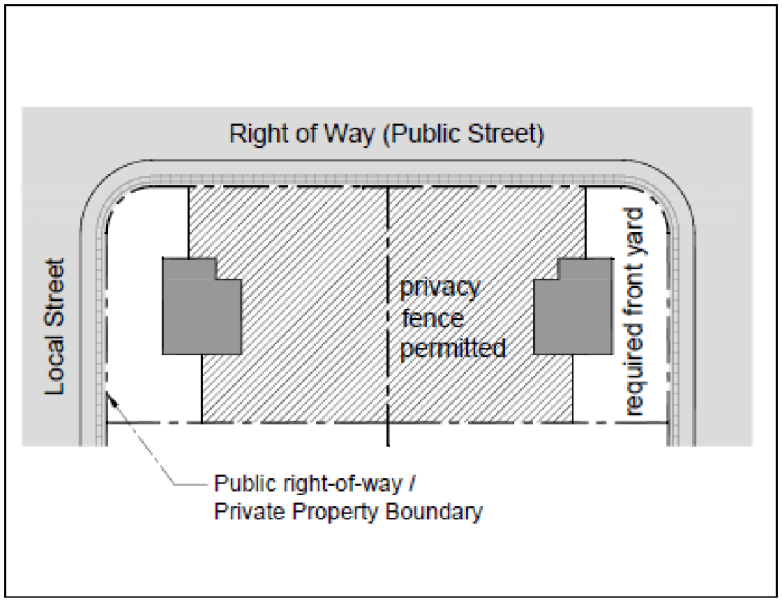


If the following conditions apply to a corner lot, then the privacy fence, chain link fence, decorative fence, wall or hedge may be installed to a height of six feet up to the property line in the rear yard of the structure as illustrated below:

a. If the rear yard of a corner lot is adjacent to the rear yard of another corner lot; and

b. The front of each home on each lot faces in opposite directions; and

c. There is no driveway to either home from the street adjacent to the side yard of both lots.



3. On double-frontage lots whose rear yard abuts an arterial, collector or local street, a privacy fence, chain link fence, decorative fence, wall or hedge may be constructed or planted to a maximum height of six feet on the rear property line provided the fence, wall or hedge does not encroach into a platted landscape buffer or easement and there is no direct access to the arterial or collector road.

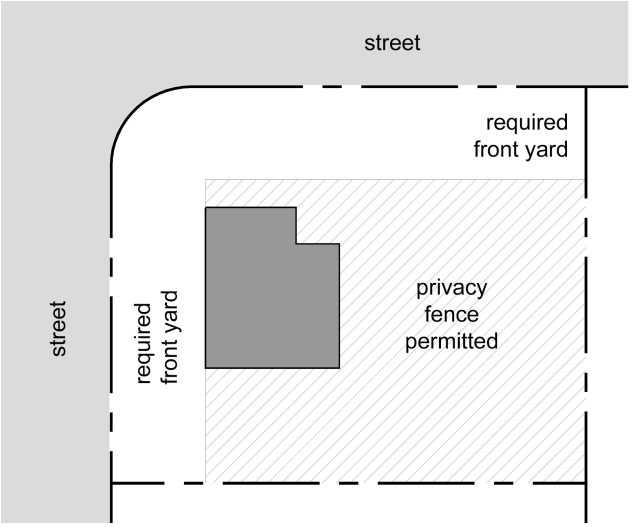
4. A decorative fence constructed to a maximum height of six feet may be erected along an arterial, collector or local road as an integrated feature of an overall subdivision or development design. Said fence may enclose the entire perimeter of the subdivision, provided there are no individual driveway openings through the fence.

D. Commercial and Industrial Districts

1. In commercial, business and industrial districts the following standards apply:

Type	Maximum Height	Permitted Location
Privacy fences, walls or hedges	6 feet	in the side and rear yard provided no portion extends closer to the front property line than the front corner of the structure
Chain link fences	6 feet	in the side and rear yard provided no portion extends closer to the front property line than the front corner of the structure
Security fences	8 feet	in industrially zoned districts only. No portion may extend closer to the front property line than the front corner of the structure
Decorative fences	4 feet	on any portion of the lot
Decorative fences	6 feet	in the side and rear yard provided no portion extends closer to the front property line than the front corner of the structure
Barbed wire	n/a	prohibited
Electric fencing (above ground)	n/a	allowed in RE districts only on any portion of the lot

2. On corner lots, a privacy fence, chain link fence, decorative fence, wall or hedge may be constructed or planted to a maximum height of six feet up to the front yard setback line in the rear yard of the structure. For the purposes of this Section, the rear yard is defined as the side of the structure opposite the front door.



3. On double-frontage lots whose rear yard abuts an arterial, collector or local street, a privacy fence, chain link fence, decorative fence, wall or hedge may be constructed or planted to a maximum height of six feet on the rear property line provided the fence, wall or hedge does not encroach into a platted landscape buffer or easement and there is no direct access to the arterial or collector road.

4. A decorative fence constructed to a maximum height of six feet may be erected along an arterial, collector or local road as an integrated feature of an overall subdivision or development design. Said fence may enclose the entire perimeter of the subdivision.

Section 440.040 Intersection Visibility

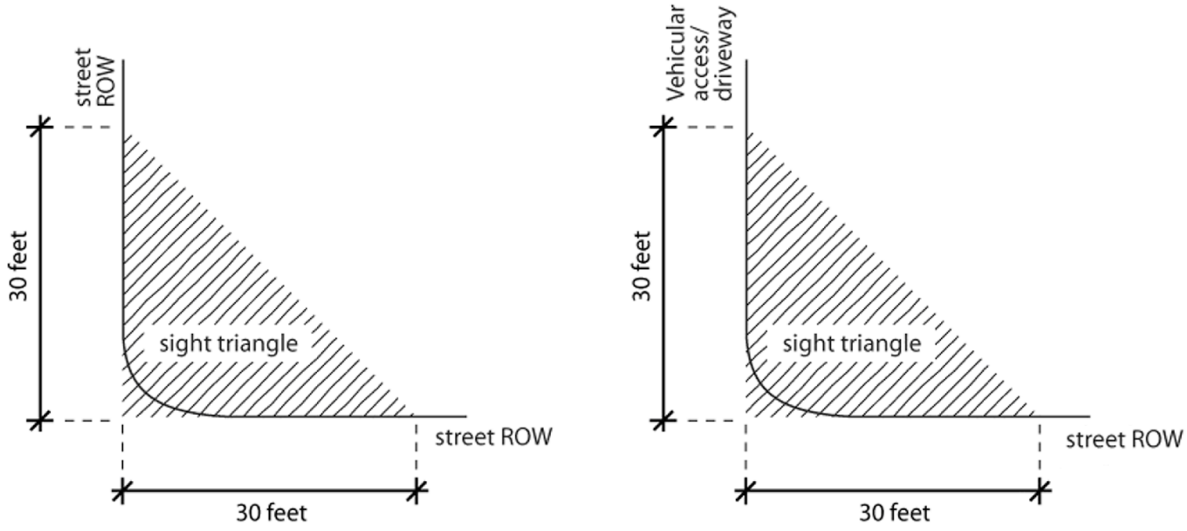
A. No sign, fence, wall, shrub or other obstruction with a height between two and one-half and eight feet shall be located in a sight triangle.

B. Sight triangles must be provided at:

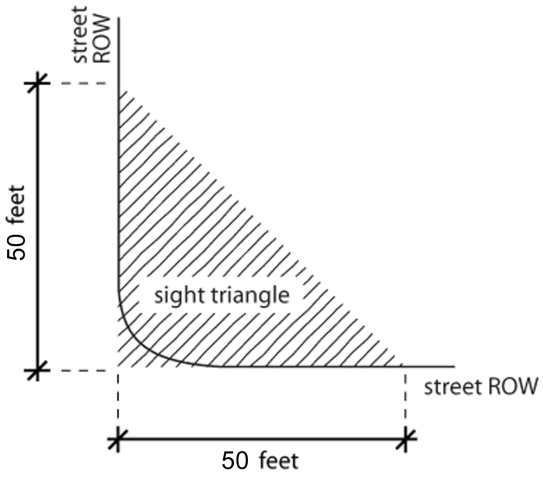
1. all street intersections; and

2. the intersection of a vehicular access way or driveway and a street, except for single-family and two-family dwellings.

C. The sight triangle includes the area created by the street right-of-way lines extending 30 feet from their intersection. Where a street right-of-way intersects a vehicular access way or driveway, the sight triangle includes the area created by the street right-of-way line and the edge of the drive extending 30 feet from their intersection.



D. When an arterial street intersects another arterial street or railway, the sight triangle is increased to 50 feet from the intersection of the right-of-way lines.



E. The City of Raymore is authorized to trim, remove or order removal of structures, signs, landscaping, or other materials that violate this section.

Chapter 445. Subdivision Design and Improvements

Section 445.010 General

A. Applicability

Except as otherwise noted, the regulations contained in this chapter apply to the division of a lot, tract or parcel of land into two or more lots, tracts, parcels or other divisions of land for the purpose of sale, transfer or building development, whether immediate or future, including the re-subdivision or re-platting of land or lots.

B. Conformance to Applicable Rules and Regulations

1. In addition to the regulations established by this chapter, all subdivision plats must comply with the following laws, rules and regulations:
   a. all applicable provisions of the Missouri Statutes;
   b. the City of Raymore Unified Development Code, Building and Housing Codes, and all other applicable laws;
   c. the Growth Management Plan, as adopted;
   d. any adopted policies and rules of the Director of Public Works, and the Department of Natural Resources of the State of Missouri;
   e. the rules of the Missouri Highway and Transportation Department if the subdivision of any lot contained therein abuts a State highway; and
   f. the standards and regulations adopted by the Director of Public Works and all Boards, Commissions, Departments, Agencies and Officials of the City adopted pursuant to any law or ordinance.
2. Plat approval may be withheld if a subdivision is not in conformity with any of the above or the intent and purposes of this Code.

C. Exemptions; Activities that do not Constitute a Subdivision

The following activities do not constitute a subdivision and are expressly exempt from the design and improvement standards of this chapter:

1. the division or further division of land into lots or parcels, each of which contains more than 40 acres, where no new streets or easements of access are created;
2. a transaction between owners of adjoining land that involves only a change in the boundary between the land owned by such persons, and does not create an additional lot or nonconformity;
3. a conveyance of land or interest therein for use as right-of-way or other public utilities subject to State or Federal regulation, where no new lot is created;
4. a conveyance made to correct a description in a prior conveyance; and
5. any transfer by operation of law.

D. Subdivision Review and Approval

1. No plat of a land division may be accepted for recordation or recorded with the Recorder of Deeds until the Community Development Director has either:

a. certified in writing that the proposed land division does not constitute a subdivision; or

b. determined that the land division constitutes a subdivision and has been reviewed and approved in accordance with the applicable procedures of Section 470.090 through Section 470.150.

2. No subdivision or exempt land division may be executed solely by deed instrument. All applications for subdivisions or exempt land division must bear the signature of the owner of the property for which the application is being made.

Section 445.020 Improvements

A. Improvements Required

Subdividers are responsible for the construction, installation and maintenance of the following improvements according to the standards of this Code in addition to any federal, state or local standards:

1. all roads and sidewalks within the subdivision and improvements to existing roads required for safe and adequate access to the subdivision as may be required by this chapter;
2. water supply and wastewater systems;
3. stormwater management facilities;
4. sewage disposal facilities;
5. other private utilities;
6. street lighting; and
7. any other improvements required by this Code or required at the time of preliminary plat approval.

B. Development Agreements

Prior to the approval of a final plat for a subdivision in which improvements are required to be installed, the subdivider shall enter into a written development agreement with the City, in which all required improvements are specified, together with method of construction and provisions for payment of the cost thereof.

C. Performance Guarantees

1. Forms and Conditions

a. Performance guarantees must be made payable to the City before a construction permit will be issued. The guarantee must be conditioned on the faithful performance of all the obligations under the Development Agreement. Should the developer fail to properly install all improvements within the term of the guarantee, the City may draw on the funds to complete the improvements.

b. The guarantee must be in the form of a bond, escrow deposit or other surety instrument acceptable to the City Council.

c. The regulations may provide for the dedication, reservation or acquisition of lands and open spaces necessary for public uses indicated in the City Growth Management Plan and for appropriate means of providing for the compensation, including reasonable

charges against the subdivision, if any, and over a period of time and in a manner as is in the public interest.

2. Amount

The amount of the guarantee must be in an amount at least equal to the contract price for the public infrastructure.

3. Term

Guarantees must be posted for a time period acceptable to the City Council.

4. Release of Guarantee

The performance guarantee will be released when:

a. all improvements are completed according to approved plans and the requirements of the Unified Development Code, and are certified by all appropriate agencies;

b. as-built plans have been submitted as required by this chapter;

c. final acceptance of improvements has been made by the City Council; and

d. two year maintenance bond is received.

D. Certificate of Insurance

1. The contractors shall indemnify the City, with Certificate of Insurance with the City named as co-insured. Certificate of Insurance shall be on a form furnished by the City. The contractor shall secure and maintain throughout the duration of construction, insurance of types and in amounts as may be necessary to protect himself/herself and the interest of the City against all hazards or risk of loss. The form and limits of such insurance together with each underwriter, shall be acceptable to the City, but regardless of such acceptance it shall be the responsibility of the contractor to maintain adequate insurance coverage at all times.

2. The contractor may satisfy the liability limits required for each type of insurance by securing and maintaining an umbrella excess liability type policy.

3. Satisfactory Certificates of Insurance shall be filed with the City before a construction permit will be issued. The liability limits shall not be less than:

Workers Compensation	Statutory
Automobile Liability--Bodily Injury	$500,000.00 each person
Bodily Injury	$2,000,000.00 each occurrence
Property or Combined Single Limit	$300,000.00 each occurrence $2,000,000.00 each occurrence
Comprehensive General Liability (including products & completed operations)	$500,000.00 each occurrence $2,000,000.00 aggregate

E. Construction Permits

Construction permits shall only be issued to the contractor completing the work. No improvements shall be constructed nor shall any preliminary work thereto be done until such time as a preliminary plat has been approved and the engineering drawings and construction plans have been approved and a construction permit issued. Improvements shall be in compliance with all of the requirements relating to the agreement specified in Section 445.020B of this Code. Improvements installed must be

consistent with, and in compliance with, the approved preliminary plat. Preliminary grading may take place if a grading and erosion control plan has been approved by the Director of Public Works and a land disturbance permit has been issued.

F. Mud Deposit

1. Each builder working within the City limits of Raymore must deposit a sum approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerk's office at the time of issuing individual building permits. The deposit will be a guarantee that the permit applicant and any subcontractors or employees will keep streets and sidewalks in the area in which they are working free and clear of dirt, gravel, rubbish or other construction debris. The Director of Public Works may waive the deposit required by this section when the applicant is an individual home owner. *(Amendment 4 – Ordinance 29137 11.9.2009)*

2. No person, firm or corporation may dump or deposit or cause to be dumped or deposited any dirt, gravel, rubbish, leaves or other debris; including, but not limited to, lumber; paper; trash; concrete or metal in any street, right-of-way, gutter, storm sewer, waterway or drainage way or erosion of soil that flows onto any street, right-of-way, gutter, storm sewer, waterway or drainage way abutting property from property before or during construction.

3. If upon inspection by the Building Official, Director of Public Works or any of their designated representatives, it is determined that dirt, gravel, rubbish, leaves or other debris has been dumped or deposited in any street, right-of-way, gutter, storm sewer, waterway or drainage way in violation of the provisions of this section, he/she will then notify the responsible permittee and establish a 24 hour period to make the affected area free and clear of said dirt, gravel or debris. If the City's representative cannot determine which permittee is responsible for cleaning the street's right-of-way, the developer of the land will be given 24 hours' notice to make the affected area free of said dirt, gravel or debris. If within the 24 hour period the said area is not clear, the Director of Public Works or his/her designate may authorize the City to take necessary action to clean up the said area and assess all charges at an established hourly rate, but in no case will the charges be less than two hours for labor, materials and equipment.

G. Construction of Improvements *(Amendment 11 – Ordinance 2011-52 8.08.11) (Amendment 22 - Ordinance 2015-068 - 9.14.15)*

1. The subdivision survey shall conform to the procedures as defined in an official document adopted by the Director of Public Works and shall be based on the current Minimum Standards for Property Boundary Surveys 10 CSR 30-2, Missouri Code of State Regulations.

2. All required improvements shall be designed and built according to the latest edition of the Kansas City Metropolitan A.P.W.A. and City of Raymore criteria unless otherwise noted in this chapter.

3. Prior to approval of the final plat, the developer shall submit to the City a cost estimate of the public improvements as specified by the Engineer's plans and specifications.

4. All public and private utilities must be installed underground. Plans for underground facilities shall be prepared by, or at the direction of, the agency involved.

5. All public and private improvements shall be completed according to the plans and specifications approved by the Director of Public Works.

6. All private utilities that have a surface access point for equipment shall be located within recorded easements in the rear yard area of lots. If location in a rear yard easement is impractical due to topography or other physical features of a lot, then the Public Works Director may allow the installation of private utilities in a recorded easement in the front yard area of a lot.

H. Inspection of Improvements *(Amendment 6 – Ordinance 2010-50 6.14.10)*

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.

I. Acceptance of Improvements

Upon receipt by the City Council of a certification from the Director of Public Works, stating that all improvements have been installed in reasonable conformity with the approved engineering drawings and in reasonable conformity with the requirements of this chapter and all other applicable statutes, ordinances, and regulations, that all "as built" drawings have been furnished as required and that all survey monuments are in place, the City Council will thereupon, by resolution, formally accept such improvements. The improvements shall become the property of the City. This acceptance does not relieve the developer of any obligation to maintain these facilities as may be required by the two year Maintenance Bond.

J. As-Built Drawings

Upon completion of the work, or any phases thereof, the developer shall furnish permanent reproducible "as-built" drawings of the work to the Director of Public Works.

K. Vacation of Undeveloped Subdivision

When no lots on a plat of subdivision have been sold, the subdivider may request the vacation of the plat prior to the time that the improvements covered by the bond are installed, and when such plat is vacated, all financial guarantees shall be returned to the subdivider.

L. Maintenance Bond and Maintenance of Improvements

1. When all or parts of required improvements in a subdivision are installed, and required inspections have been made, the developer and/or its contractor or designee shall furnish to the City a maintenance bond naming the City and developer as additional insureds equal to 50 percent of the construction cost of said improvements, said maintenance bond shall be conditioned that improvements shall endure without need of repairs for a period of two years, said maintenance bond shall be on the form as required and approved by the City of Raymore.

2. Within the time period prescribed by the bond, the developer and contractor, as ordered by the Director of Public Works, shall repair, replace or rebuild such portions of the work which are found to be faulty because of materials or workmanship. The developer or its contractor shall begin the remedial work no less than five days after order from the Director of Public Works. In case the developer or its contractor does not start the remedial work within the above time limit, or in case of an emergency condition caused by faulty work, the City may take remedial action and charge the costs thereof against the developer, contractor and their surety.

3. If the developer and/or its contractor or designee does not start or finish the remedial work within the established time frame, the City may suspend the issuance of any building permits within the subdivision.

4. Prior to the expiration of the Maintenance Bond, an inspection of the bonded improvements shall be made by the City and if improvements are without need of repairs, the City shall release the Maintenance Bond and assume the responsibility of maintenance of the improvements.

M. Property Owners Associations

1. Establishment

If a property owners association is to be responsible for the maintenance and control of roads, open space, recreational facilities or other common areas and facilities within a subdivision, that association must have legal authority to maintain and exercise control over the common areas and facilities, including the power to compel contributions from residents or property owners to cover their proportionate share of the costs associated with the maintenance of the common areas and facilities.

2. Documentation

a. Documents providing for the establishment of a property owners association must be submitted to the Community Development Director before approval of a final plat.

b. The City's review is limited to ensuring that the property owners association has clear legal authority to maintain and exercise control over the common areas and facilities, including the power to compel contributions from residents and property owners to cover their proportionate share of the costs associated with the maintenance of the common areas and facilities.

3. Responsibilities

Property owners associations must be established and approved as a condition of plat or development approval. They are responsible for the cost and maintenance of all common open

space, private streets, landscape areas (including those within cul-de-sac islands, and around identification signs), trails, subdivision identification signs, utilities, and other facilities that are not dedicated to the public.

Section 445.030 Subdivision Design and Layout

A. Compliance with Growth Management Plan

No subdivision may conflict with the Growth Management Plan of the City of Raymore, Missouri.

B. Conditions

The subdivision of land is a privilege conferred upon the developer by the laws of the State of Missouri and through these subdivision regulations. It is the developer who is seeking to acquire the advantages of lot subdivision and upon him/her rests the duty of compliance with reasonable conditions laid down by the Planning and Zoning Commission and the City Council for design, dedication, improvement and restrictive use of the land so as to conform to the physical and economical development of the City and to the safety and general welfare of the future plot owners in the subdivision and of the community at large.

C. Design Principles and Guidelines

1. Traffic Movement and Pedestrian Circulation

a. Subdivisions shall be designed to create an integrated system of lots, streets, trails, and infrastructure that provides for efficient movement of people, bicycles, and automobiles within the subdivision and to and from adjacent development.

b. Subdivisions shall provide for the efficient movement of through traffic by providing a completely interconnected hierarchy of streets and roads in order to avoid isolation of residential areas and over-reliance on arterial roads.

c. All subdivisions shall be designed to provide safe and attractive pedestrian routes to nearby commercial centers, as well as nearby public/civic, employment and recreation uses.

d. Street layouts shall be uncomplicated, so that emergency services, public services, and visitors can find their way to their destinations.

e. Residential driveways shall not directly access arterial or collector roads.

f. Residential subdivisions involving three or more lots shall be served by internal street systems rather than relying on direct access from existing arterial and collector streets. When direct access from arterial and collector streets is allowed, the City Council shall be authorized to require shared access drives and other mitigation measures to reduce the number of access points on major roads and thereby promote public safety and efficient movement of traffic.

2. Open Space

a. Open spaces shall be integrated into and throughout subdivisions, should be connected with one another and with open spaces in adjacent developments, and should include trails that connect to pedestrian routes in the subdivision and to regional trail systems.

b. Open spaces anticipated for use as active or developed parks shall be located on relatively flat, well-drained terrain.

c. Open spaces not anticipated for use as active or developed parks shall be located on prominent high points with significant views or along significant and interesting geological features or wooded areas or along significant drainages.

d. Open spaces that are anticipated to serve as trail corridors shall be continuous with anticipated trail corridors on adjacent properties.

e. Subdivisions shall be designed and laid out in a manner that creates the least damage to the natural environment, avoids to the maximum extent feasible significant natural resources such as prime agricultural lands, wooded areas and wetlands.

3. Natural Hazards

Lands subject to flooding, excessive erosion, and subsidence because of soil types or groups, water courses and other drainageways, steep slopes or other natural hazards may not be platted for residential or other uses in such a way as to present a danger to life or property or to the public health, safety or general welfare.

4. Natural and Cultural Resources

a. Subdivisions shall be designed to preserve trees and native vegetation, ponds, streams, rivers, lakes, hillsides and other natural resources that exist on a site.

b. Subdivisions shall be designed to preserve cultural and historic resources.

D. Blocks

1. The lengths, widths, and shape of blocks must be suited for the planned use of the land, zoning requirements, and need for convenient access, control and safety of street traffic and the limitations and opportunities to the terrain.

2. Blocks shall have sufficient width to provide for two tiers of lots of appropriate depth except where otherwise required to separate residential development from through traffic.

3. Blocks may not exceed 1,000 feet in length. Pedestrian ways of not less than 10 feet in width must be provided near the center of any block that is 600 feet or more in length where deemed necessary in the opinion of the Planning and Zoning Commission to provide adequate pedestrian circulation or access to schools, shopping center, churches, parks or transportation facilities.

E. Lots

1. The lot size, width, depth, shape and orientation, and the minimum setback lines must be appropriate for the location of the subdivision and for the type of development and use contemplated.

2. Lot dimensions, including width, depth, area and setbacks, must conform to the requirements of the Unified Development Code unless otherwise expressly stated in this section.

3. Corner lots for residential use must have extra width to permit appropriate building setback from, and orientation to both streets.

4. The area of the street right-of-way shall not be included and calculated in the area of the lot with respect to minimum lot area requirements of the Unified Development Code.

5. Double frontage and reverse frontage lots may be approved at the time of preliminary plat approval where necessary to provide separation of residential development from through

traffic or overcome specific disadvantages of terrain and orientation. No access shall be allowed onto a collector or arterial road.

6. The depth and width of properties reserved or laid out for commercial and industrial purposes shall be adequate to provide for the off-street service and parking facilities required by the type of use and development contemplated.

7. Unless otherwise approved by the Director of Public Works, the minimum finished floor elevation for the garage slab shall be one and one-half feet above the top of curb. The maximum finished garage floor elevation shall be such as to provide a maximum driveway slope of eight percent.

8. When land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged in such a manner as to allow for the opening of future streets and logical further re-subdividing of the parcel.

F. Subdivision Adjacency Standards

The following subdivision adjacency standards are intended to provide adequate transition between new single-family and two-family developments adjoining recorded platted single-family subdivisions in the City.

1. Applicability

For preliminary or final plat applications, if the median lot area per dwelling unit of proposed lots is less than 75 percent of the median lot of the adjacent existing platted lots, the requirements of this section shall apply.

2. Exempted Subdivisions

a. New subdivisions separated from existing recorded platted subdivisions in the City by a right-of-way for the entire length of the new subdivision shall be exempt from the requirements of this section. If the right-of-way only extends for a portion of the distance between the two subdivisions, then one of the adjacency options shall be utilized along the remaining common lot line.

b. An application for final plat approval that is part of a subdivision that obtained preliminary plat approval prior to January 22, 2007 shall be exempt from the provisions of this section.

c. An application for preliminary plat or final plat approval that is part of a subdivision that has an approved Memorandum of Understanding regarding development of the entire subdivision shall be exempt from the requirements of this section.

3. Standards

New residential subdivisions subject to the requirements of this section must provide one of the following lot compatibility techniques along the common property line:

a. Landscape Buffer with Berm

(1) Shall have a minimum width of 25 feet;

(2) Shall have a minimum height of four feet;

(3) Evergreens shrubs, trees or other landscape plantings shall be utilized to create a Type A opaque buffer as defined in Section 430.080C1;

(4) Perimeter barriers, including fencing or walls, may be utilized within the landscape buffer; and

(5) The buffer shall be part of an open space or landscape tract.

b. Landscape Buffer without Berm

(1) Shall have a minimum width of 30 feet;

(2) Evergreens, shrubs, trees, or other landscape plantings shall be utilized to create a Type A opaque buffer as defined in Section 430.080C1;

(3) Perimeter barriers, including fencing or walls may be utilized within the landscape buffer; and

(4) The buffer shall be part of an open space or landscape tract.

c. Open Space Buffer

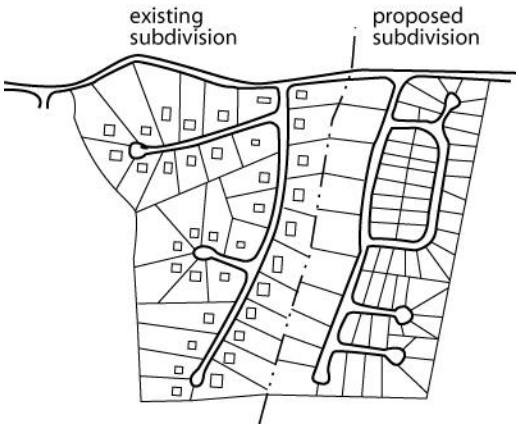
(1) Shall have a minimum width of 50 feet;

(2) Shall contain a 10 foot wide trail, pedestrian or bike path that provides pedestrian connectivity; and

(3) The buffer shall be part of an open space or landscape tract.

d. Yard Matching

The rear yard widths of the proposed development shall match the rear yard widths of the existing adjacent development.



e. Parkland

Dedication of City parkland accepted by the Raymore Parks and Recreation Board.

4. Combination of Options

A combination of options may be utilized to fulfill the adjacency requirement along the entire length of the common property line between the proposed lots and existing platted lots.

G. Monuments

1. The subdivider shall cause a registered land surveyor to install permanent reference points on all perimeter corners of the property.

2. All required monuments disturbed, destroyed, obliterated or lost during construction shall be replaced upon completion of the work by the developer or his/her contractors at the cost of the developer.

H. Easements *(Amendment 13 – Ordinance 2012-074 9.24.12)*

1. Utility Easements

The Director of Public Works may require general utility easements of adequate width along lot lines where necessary or advisable for poles, wires, conduits, sanitary sewers, gas, water, power, and other utility lines as dictated by the plans of the developer to provide utility connections. The following are established as minimum width for any general utility easements on all lots:

a. front line easements--10 feet;

b. side line easements--five feet;

c. rear line easements--seven and one-half feet if adjacent to a general utility easement of at least five feet in width otherwise, 10 feet.

2. Drainage Easements

a. Suitable drainage easements as required by the Director of Public Works must be dedicated on the subdivision plat to provide for the natural drainage of storm water through the plat and in consideration of proposed improvements.

b. The minimum width for drainage easements shall not be less than 15 feet for closed conduits and 20 feet for open channels, but, in any case, must provide for conveyance of a 100 year storm flow with additional width of not less than 10 feet for construction and maintenance equipment and operations. Any variations to these standards should be noted on the final plat certified by the Director of Public Works.

c. These drainage ways must be improved to the extent necessary to properly accommodate storm flows in a manner to eliminate erosion and possible loss and damage to life, land and property. The location, width and alignment of such drainage easements and the improvements shall be subject to the approval of the Director of Public Works.

3. Private Easements

a. A proposed subdivision plat shall not dedicate any private utility easement in the public rights-of-way.

b. Dedication of rights-of-way as part of a subdivision plat shall be free and clear of private easements.

I. Streets

1. Street Access

All lots located in any subdivision must provide direct access to a dedicated public street, except that private streets may be permitted as a part of a Planned Unit Development or as otherwise permitted by this chapter.

2. Arrangement, Width and Location

In any new subdivision, the street layout must conform to the arrangement, width, and location indicated on the Transportation Plan. Streets shall be designed and located in proper relation to existing and proposed streets; to the terrain; to natural features such as streams and tree growth; to public convenience and safety; to the proposed use of the land served by such streets; and to the most advantageous development of the adjoining area.

3. Connectivity

a. Proposed streets must extend to the boundary line of the tract being subdivided unless prevented by topography or other physical conditions; or unless in the opinion of the Planning and Zoning Commission such extension is not necessary or desirable for the coordination of the layout of the subdivision or for the advantageous development of the adjacent tracts.

b. Streets within new subdivisions shall be connected with existing streets in adjacent subdivisions to provide connectivity between subdivisions.

4. Buffer Strips

a. Whenever a proposed residential subdivision contains lots that back onto an arterial or major collector, a buffer strip must be provided, according to one of the following two options:

	Option A	Option B
Buffer strip width	30 feet	20 feet
Canopy trees	1 deciduous shade tree every 60 feet	1 deciduous shade tree or 2 evergreens every 60 feet
Understory trees	Allowed, not required	3 ornamental and 1 evergreen tree every 100 feet
Large flowering shrubs	4 clustered every 150 feet	4 every 30 feet
Berm	Allowed, not required	Allowed, not required

b. All trees and shrubs must be set back from the right-of-way line at least five feet.

c. The buffer may not be a part of the platted lots and must have the following restriction lettered on the plat:

> "This buffer reserved for the planting of trees or shrubs by the developer; the building of structures and fences hereon is prohibited."

d. At the time of final plat, the developer must provide a landscape plan for the buffer strip area.

e. A wall or fence consisting of a unified and consistent design and materials may be installed within the buffer area. The wall or fence must be included in the landscape plan submitted to the Planning and Zoning Commission.

5. Intersections

Streets must intersect at right angles unless otherwise dictated by topography or other factors of good design.

a. The number of intersections along arterial and collector streets shall be held to a minimum. Wherever practical the distance between such intersections shall not be less than 1000 feet.

b. Property lines at street intersections shall be rounded with a minimum radius of 15 feet. A greater radius may be required by the Director of Public Works where anticipated traffic justifies such a requirement.

c. Streets parallel to a limited access highway shall, when intersecting an arterial or collector street, highway or a collector street be located at a minimum distance of 250 feet from said right-of-way, highway or collector street. Such distance, when desirable and practical, shall be determined with due consideration of the minimum distance required for the future separation of grades by means of appropriate approach gradients.

d. Local streets need not continue across major or collector streets; but, if the centerline of such local street approach the arterial or collector streets from opposite sides thereof within 150 feet, however, the Director of Public Works may require an appropriate easement to accommodate drainage facilities, pedestrian traffic or utilities.

6. Street Dimensions

a. All streets must conform to the following requirements:

	Major Arterial	Minor Arterial	Major Collector	Minor Collector	Local	Cul-de-sac	Alley	Pedestrian Way
Minimum right-of-way width (feet)	100	80	80	60	50	100 (diameter)		
Maximum grade[1] (%)	6	6	6	8	10	15 (10 for turnaround only)	10	15
Minimum curve radius (feet)	500	250	250	200	150			
Minimum tangents between reverse curves (road centerline dimension, in feet)	100	100	100	100				

[1] Unless necessitated by exceptional terrain and subject to the approval of the Director of Public Works.

b. All changes in street grade shall be connected by vertical curves and be designed for safe stopping sight distance as determined by the project engineer. Wherever practical, street grades shall be established in such a manner to avoid excessive grading or promiscuous removal of ground cover and tree growth, and a general leveling of the terrain. Grades so established will reduce hazards by maintaining adequate sight distance for classification of streets and design speeds.

c. The developer may request a variance to the above curve and tangent requirements based on engineering considerations of topography, length of street, number of curves and other factors which may dictate a lesser radius. Such request may be approved by the Director of Public Works.

7. Standard Street Sections and Details

The City of Raymore Technical Specifications and Design Criteria Manual shall be used for future residential, minor collector and arterial streets, and major collector and arterial streets constructed within the City of Raymore. The following additional standards are also required.

a. Design for Persons with Disabilities

Access ramps for disabled persons must be installed whenever new curbing or sidewalksare constructed or reconstructed in the City of Raymore. Such ramps must conform to Americans with Disabilities Act (ADA) standards subject to review and approval by the Director of Public Works. These standards apply to any City street or connecting street for which curbs and sidewalks are required by this chapter, on which curb and sidewalk have been prescribed by the City Council or where sidewalks have been provided by the developer.

b. Approval of Grades

Profiles of streets must be submitted to and approved by the Director of Public Works. Submittal information required for review of the preliminary plat must include preliminary street profiles. Final calculated street profiles will be required in submittal of construction plans required during review of the final plat.

c. Maximum and Minimum Grades

The grades of all streets may not be greater than the maximum grades for each classification as set forth in this section, except where topographical conditions unquestionably justify a departure from this maximum, as determined by the Director of Public Works. The minimum grade for all streets must be eight-tenths percent. The minimum grade must be at least one percent wherever possible.

d. Approval of Subgrade

The Director of Public Works must approve the subgrade before any base course or surface is placed thereon. The subgrade must be constructed to be uniform in density throughout. The entire width and length shall conform to line, grade, and typical cross-section shown on the plans or as established by the Director of Public Works. If any settling or washing occurs or where hauling results in ruts or other objectionable irregularities, the contractor must re-shape and re-roll the subgrade before the base or surfacing is placed.

e. Sewer and Water Work Before Base Construction

No base course work may proceed on any street until all trenching for storm and sanitary sewers and for water lines within an area extending one foot behind curbs has been properly backfilled satisfactory to the Director of Public Works. Wherever possible, the developer must schedule installation of gas or buried electric utility lines so that trenches for such lines can be properly backfilled before street base course construction.

f. Storm Sewers and Inlets

Manholes, storm sewers, inlets and utility valves shall be adjusted to meet the proper grade of street or yard areas to the satisfaction of the Director of Public Works.

8. Half Streets

Where an existing dedicated or platted half street is adjacent to the tract being subdivided, the other half of the street right-of-way must be dedicated by the subdivider. Half street dedications are not permitted, unless there is satisfactory agreement with the City that both adjacent developers agree to dedicate and construct one-half of the street. All internal local and collector streets shall be constructed.

9. Suburban Estate Streets

Streets in subdivisions with lots two and one-half acres in area or larger and with frontages of 200 feet or greater, or any streets in subdivisions in the RE district, may be designed in accordance with the cross section as shown in the City specification for streets, subbase and base for residential lots larger than two and one-half acres.

10. Cul-de-sac Streets *(Amendment 22 – Ordinance 2015-068 - 9.14.15)*

a. Cul-de-sac streets may not be longer than 600 feet, measured from the centerline of the cul-de-sac to the centerline of the connecting street. In subdivisions with lots one-half acre or larger, cul-de-sac streets may be up to 800 feet in length. Exceptions may be made where topographic or other unusual existing conditions so require, subject to the approval of the Director of Public Works and the Planning and Zoning Commission.

b. Turnaround design must be submitted to and approved by the Director of Public Works in accordance with the City of Raymore Technical Specifications and Design Criteria Manual.

c. A decorative island shall be required at the center of a cul-de-sac turnaround to provide for stormwater treatment. Decorative islands must be designed and maintained in accordance with Section 450.020 of the Unified Development Code.

11. Private Streets

Private streets are permitted subject to the approval of the City Council. A homeowner's association or business district association must be formed to maintain any private street.

12. Street Classification

Street classification in new subdivisions must first be determined by the Director of Public Works when the Preliminary Plat of a subdivision is submitted. The final classification will be determined by the City Council as approval of the final plat is made by that Council.

13. Street Names and Signs

a. Street names must be suggested by the developer and approved by the Planning and Zoning Commission at the time of the preliminary plat approval.

b. Street names may not duplicate names of any existing street in Raymore and adjacent communities except where a new street is a continuation of an existing street. Street names that are spelled differently but sound the same shall be avoided. The street name pattern established by Raymore must be continued except as approved by the Planning and Zoning Commission.

c. Generally no street should change direction by more than 90 degrees without a change in street name.

d. Reflective street signs, approved by the Director of Public Works, will be provided and installed by the developer at all street intersections at the developer's expense.

J. Street Lighting *(Amendment 8 – Ordinance 2011-9 2.28.11)*

1. 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:

a. On any collector or arterial street immediately adjacent to the subdivision wherein street lights are not currently installed; and

b. 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.

2. 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 an engineer registered in the State of Missouri, submitted by the subdivider, and approved by the Director of Public Works.

3. 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.

4. 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.

5. 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.

K. Sidewalks *(Amendment 17 – Ordinance 2014-005 2.10.14)*

1. Requirement

a. Residential developments

(1) Sidewalks shall be installed on both sides of all public streets except upon lots greater than 3 acres in size, or in the case of a residential subdivision, when the average lot size is greater than 3 acres.

(2) Sidewalks shall be installed in the right-of-way, 1 foot from the property line adjacent to the street, along the street frontage of all lots.

(3) Sidewalks along private streets shall be determined as part of preliminary plat review.

b. Commercial, Industrial and all other developments

(1) Sidewalks shall be installed on both sides of all public streets.

(2) Sidewalks shall be installed in the right-of-way, 1 foot from the property line adjacent to the street, along the street frontage of all lots.

(3) Sidewalks shall be provided along one side of access drives and shall connect to sidewalks along all public streets adjacent to the development.

2. Installation of Sidewalks

a. Residential developments *(Amendment 8 – Ordinance 2011-9 2.28.11) (Amendment 12 – Ordinance 2012-050 6.25.12) (Amendment 22 - Ordinance 2015-068 - 9.14.15) (Amendment 23 - Ordinance 2015-091 - 12.28.15)*

(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 that are not adjacent to any lot(s) shall be installed at the time public improvements are installed. All other sidewalk in common areas shall be installed by the owner of the common area at the time adjacent lot(s) are developed.

(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:

(a) 66% or more of the lots on the same side of the street in the same block already have a sidewalk; and

(b) it has been 3 years from the date the first Certificate of Occupancy was issued in the subdivision or subdivision phase that contains the undeveloped lot.

(6) If any portion of a corner lot has frontage along a street that meets the threshold of sub-section 5 above then sidewalk is required to be installed on all street frontages of the corner lot.

(7) 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.

(8) 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.

(9) After holding a public hearing, the City Council shall consider the following factors in its deliberation to determine if the City is to install a sidewalk on an undeveloped lot and levy a special assessment against the property owner for the costs thereof:

(a) Whether the sidewalk segment is necessary to create a continuous sidewalk from the subdivision to a school.

(b) Whether the sidewalk segment is necessary to create a continuous sidewalk from the subdivision to a sidewalk or trail on an arterial street.

(c) Whether installation of the sidewalk segment eliminates a safety concern.

(d) The percentage of the developed lots (degree of completion) in the

subdivision or subdivision phase is high enough to warrant the installation of the sidewalk segment.

(e) The likelihood that the lot would be developed within the next year.

(f) Whether the sidewalk segment is necessary to create a continuous sidewalk to a park or subdivision amenity such as a pool.

(g) Whether the sidewalk segment is necessary to create a continuous sidewalk between subdivisions.

(h) Whether the sidewalk was required under a previously adopted City Code provision.

b. Commercial, Industrial and all other developments

(1) All required sidewalks shall be installed upon the lot under development prior to the issuance of a certificate of occupancy for any building upon the lot.

c. Construction Standards *(Amendment 11 – Ordinance 2011-52 8.08.11)*

All sidewalks shall be constructed according to the Kansas City Metro Materials Board (KCMMB) 4K concrete material specification and City of Raymore Standard Specifications and Design Criteria.

3. Sidewalk width

a. Sidewalks along any street classified in the Transportation Master Plan as a collector or arterial shall be at least 5 feet in width.

b. Sidewalks along any other public street shall be at least 4 feet in width.

c. Sidewalks along any access drive shall be at least 4 feet in width.

L. Trails

Trails shall be provided in accordance with Section 445.040C.

M. Dedications of Rights-of-Way

1. When a land use permit or building permit is requested on a lot or tract abutting a public street, the Community Development Director must determine that adequate right-of-way exists on that portion of the public street abutting the property. The minimum right-of-way, measured from the centerline of the street of the property line of the lot or tract, will be determined based upon the classification of the abutting street. Classification of the abutting street shall be determined by reference to the Transportation Plan; or, if the classification is not designated on any of such documents, the Director of Public Works shall determine the street classification by reference to existing or planned land uses of abutting properties and the Transportation Plan.

2. Once the street classification has been determined, right-of-way requirements shall be calculated in an amount equal to one-half of the total right-of-way requirement established for such street classification in the Transportation Plan. Where the property lies on both sides of the public street, the right-of-way requirement must equal the amount set forth in the plan.

3. No land use permit or building permit will be issued for any lot or tract where the abutting right-of-way does not clearly comply with the right-of-way requirements until title for the

additional required right-of-way has been conveyed to the City by plat or deed and accepted by the City Council.

4. Any requirement for dedication of right-of-way pursuant to this section may be waived by the Community Development Director where the permit being requested does not result in a change or expansion of use of the property or an increase in the square footage of any building.

5. Where development or construction will require easements and right-of-way dedications outside subdivision plat boundaries, no approval of construction plans for developments will be granted until verification of the recording of all easements and right-of-way dedications has been received.

N. Exceptions for Existing Improvements

1. Where the proposed subdivision is a resubdivision or concerns an area presently having any or all required improvements as previously set out, and where such improvements meet the requirements of this section and are in good condition as determined by the City Council upon its consideration of the opinion of the Director of Public Works, no further provision need be made by the subdivider to duplicate such improvements. However, where such existing improvements do not meet said requirements as determined by the City Council upon its consideration of the opinion of the Director of Public Works, the subdivider shall provide for the repair, correction or replacement of such improvements so that all final improvements will then meet said requirements as determined by the City Council upon its consideration of the opinion of the Director of Public Works.

2. Where the proposed subdivision is a resubdivision or concerns an area presently abutting or continuing any existing public street of less than the minimum required right-of-way width or roadway width, land shall be dedicated so as to provide a minimum street right-of-way width established by this Code or by the policy of the City Council; and the subdivider of such proposed subdivision shall provide an additional roadway pavement meeting the minimum standards set by this Code and the City Council. The City Council shall determine what adjustment to make where the aforesaid widening merges with existing streets which are of smaller width at the boundary of such proposed subdivision. The City Council may reduce the minimum roadway system in the proposed subdivision if the extension of such roadway is already improved at each end of such roadway in the subdivision and the roadway in the proposed subdivision is two blocks or less in length.

O. Street Trees

Where street trees are provided within a subdivision, they must comply with the requirements of Section 430.070.

P. Stormwater Drainage Systems

1. Storm drainage systems must be designed by a registered professional engineer, approved by the Director of Public Works and installed by the subdivider.

2. Reinforced concrete pipe (RCP) must be installed at street crossings for storm sewers.

Q. Sewage Disposal Systems

1. Sanitary sewers must be designed by a registered professional engineer, approved by the Missouri Department of Natural Resources, approved by the Director of Public Works and installed by the subdivider.

2. The minimum requirement for sewer lines is the installation of eight inch sewer line and service connection to all adjacent lots.

3. Sewage treatment plants and pumping stations, if approved, must be constructed according to the specifications and standards of the Missouri Department of Natural Resources.

4. All new homes shall be connected to a public sanitary sewer system.

   a. In the RE district, any new subdivision development not connecting to a public sanitary sewer system shall utilize a common sewage collection and treatment system, with provisions made for future connection to a public sanitary sewer system.

   b. Existing lots that are a minimum of three acres in size and are not within 300 feet of a public sanitary sewer system may utilize an individual sewage disposal system.

5. Existing residences with an individual sewage disposal system that is properly functioning are not required to connect to a public sanitary sewer system. Should the individual sewage disposal system fail, connection shall be made to a public sanitary sewer system. If no public sanitary sewer system is available within 300 feet of the primary structure, then the individual sewage disposal system may be repaired or replaced.

R. Water Distribution Systems

1. Water distribution system, including the number and location of fire hydrants, shall be designed by a registered professional engineer and approved by the Missouri Department of Natural Resources and Director of Public Works and installed by the subdivider.

2. The minimum requirement for water systems is the extension of eight inch water distribution mains and service connections to all adjacent lots according to the City's minimum specifications.

Section 445.040 Park Land Dedication

A. Purpose

It is the purpose of this section to:

1. define the obligation of developers to meet the park and open space needs generated by new development;

2. encourage the provision of adequate park and open space in higher density developments through a graduated scale for parkland dedication;

3. encourage the inclusion of neighborhood parks within larger residential developments in an effort to achieve a parkland goal of 100 percent service area coverage of all areas within the City limits of the City of Raymore;

4. encourage the development of larger neighborhood and regional parks by encouraging cash payment in lieu of parkland dedication in smaller residential developments. These cash payments will be applied to the acquisition of larger parks serving multiple neighborhoods within the impact area of the proposed development; and

5. require the development of a linkage system throughout the City of Raymore.

B. Applicability

The provisions of this section apply to all new subdividing and platting activities.

C. Community Open Space Network/Trails System

1. Developments planned for land on which a trail segment is identified on the Growth Management Plan Update Open Space Corridor Plan must provide such trail segment. Trail segments with a minimum width of 10 feet shall be constructed at the time of infrastructure improvement and must be constructed to meet or exceed the standards set forth by the MetroGreen Plan adopted by the Mid-America Regional Council. A public access easement 15 feet in width is required over the entire length of the trail segment. The property owners' association established for the development must maintain the trails along with all other common areas in their development.

2. The trail system is considered integral to the parks and recreation system and all developers required to construct a segment of a required trail will be awarded credit against the land dedication requirement. The developer will be awarded credit both for the property acreage within the public access easement and for the cost of the trail improvement. Trail construction cost credits will be determined by the Director of Public Works using AASHTO standard costs for asphalt installation for the year in which the construction takes place.

D. Form of Dedication

1. It shall be a condition of preliminary plat and final plat approval of a subdivision, PUD (Planned Unit Developments) or other residential property improvement that each subdivider, developer or owner will be required to make, at the discretion of the Raymore Parks and Recreation Board either:

   a. a land donation;

   b. cash in lieu of land donation; or

   c. a combination of both.

2. The method selected will be recommended by the Parks and Recreation Board. The Planning and Zoning Commission shall review the method selected according to this chapter and Unified Development Code as well as the Growth Management Plan in their regular manner of consideration. The final approval shall be by the City Council prior to acceptance of the preliminary plat of the subdivision. All final plats submitted shall incorporate any park land dedication requirement approved as part of the preliminary plat. This provision applies to the development of all lands in the City of Raymore, including all subdivisions, lots, tracts and parcels of land regardless of intended use.

E. Formula for Park Land Dedication

1. If dedication of land is selected, the dedication shall be by plat and deed. The amount of dedication required shall correspond to the density of the subdivision and shall be calculated off of the following formula:

   DLR = DU x D x 0.02

   DLR = Dedicated land requirement.
   DU = Number of dwelling units.
   D = Number of people per dwelling unit per the most recent U.S. Census figures for Cass County.
   0.02 = Required acres per person based on 20 acres per 1,000 people.

2. The projected population at full development shall be the criteria used to determine the amount of land to be donated. A formula of 20 acres per 1,000 people (projected full development) will be used, which is the standard set forth by the Missouri Statewide Comprehensive Outdoor Recreation Plan.

F. Suitability Criteria

All designated open space, parks or recreational facilities must be of suitable size, location, dimension, topography and general character and shall have proper road and/or pedestrian access, as may be appropriate, to be usable open space, as follows:

1. The minimum land area for a dedicated parkland tract shall be five acres. Parkland shall be in a single parcel unless there are physical features, such as a railroad or water, separating the proposed tracts provided that neither tract is smaller than five acres. Two or more tracts may be considered for subdivisions including at least 500 dwelling units, provided that neither tract is smaller than eight acres.
2. Retention areas or detention basins which are required as by the Unified Development Code will not qualify as a public open space.
3. Water (including streams, rivers, ponds and lakes), marsh, floodplains and wetland acreages shall not be used to comply with the land requirement of this section, except as provided for required trail improvements listed in this section.
4. At least 50 percent of the gross area of any active open space required to be dedicated pursuant to this section shall have a natural slope of four percent or less and shall not be located in an existing watercourse, drainage easement or water ponding area. In addition, that portion of the land must have a cover of six inches or more of topsoil suitable for the seeding and cultivation of grass. If land proposed to be dedicated has a natural slope in excess of that required by this subsection, but may be engineered to provide for a slope that meet the requirements imposed therein, the developer may, upon the favorable recommendation of the Parks and Recreation Board, permit such land to be dedicated to satisfy the requirements of this subsection.
5. Open space areas located in spillways where the spillway is greater than 25 percent of the land area shall not be used to meet the requirements of this section.
6. Parkland shall be dedicated by the developer in a condition ready for full service with electrical, water and sewer access at the property line.
7. The layout of the park shall maximize street frontage on a public street. Minimum frontage shall be 200 feet.
8. All land to be dedicated to the City for park purposes shall have the prior approval of the Parks and Recreation Board and shall be shown and marked on the plat as "dedicated to the City of Raymore, Missouri, for park purposes". All land dedicated shall transfer ownership at the time of plat recording.

G. Privately Dedicated Recreation Space

The developer may comply with the provisions of this section to furnish land for recreational purposes by privately dedicating recreational open space and/or preserving significant natural, cultural or historic features or landmarks under the following provisions:

1. The developer must provide an area that meets the minimum standards set forth in this section related to size, suitability and location.
2. The developer must provide minimum neighborhood park improvements in a privately dedicated open space tract including, but not limited to:
    a. Family picnic shelter

b. Children's playground

c. Turfed playfields

3. All improvements to privately dedicated open space tracts shall be included in the first phase of infrastructure installation for the development's first final plat. A public access easement over the entire area is required and must be shown on the final plat of the phase of development which includes the dedicated space.

4. Privately dedicated parkland shall be maintained by the developer or the lot owners in the subdivision under a legal agreement approved by the City as adequate to ensure its continued operation and maintenance.

5. The Parks and Recreation Board shall recommend credit against the requirements of this section for privately dedicated parkland upon a finding that the dedication would advance the goals of the parks and recreation element of the City's most recent comprehensive plan and/or would preserve a significant natural, cultural or historic feature or landmark. All requests shall be submitted to the Parks and Recreation Department two weeks prior to appearance before the Parks and Recreation Board and shall include the following information:

a. A site plan showing:

(1) scale of the drawing and the boundaries, dimensions and orientation of the site to true north;

(2) topography at a minimum two foot contour interval;

(3) location and layout of existing physical characteristics (vegetation, natural waterways and drainage ways, rock outcroppings, etc.) indicating any significant features to be removed, improved or preserved;

(4) location and layout of proposed improvements including landscaping, irrigation system, pathways and trails, play areas and playground equipment, lighting, fencing, structures, etc.;

(5) ingress, egress and internal circulation for the site; and

(6) relationship of the proposed site and proposed improvements to adjoining property.

b. An itemized list of the proposed improvements including a description, the quantity and estimated per unit cost figure for the individual improvements.

c. A statement of the methods and/or provision for ownership, maintenance and use of the site and proposed improvements.

d. Any materials and/or information determined by the Parks and Recreation Department to be necessary or appropriate for Parks and Recreation Board review.

H. Cash in Lieu of Land Dedication

1. Formula for Cash in Lieu of Land

The following formula shall be used to determine the minimum cash in-lieu requirement:

CLL = DLR x APPA

DLR = Dedicated land requirement (subsection (H) above)
CLL = Cash in lieu of land
APPA = Actual purchase price per acre

a. The greater of $10,000.00 or the actual purchase price of the amount of land to be donated shall be paid as the fee in lieu of actual donation. The actual purchase price of the property shall be reported to the City at the time of filing application for each final plat. Such reporting is required on a notarized disclosure form provided by the City.

b. If the City disputes such report of purchase price, the City may request information from the title company or bank listed on the disclosure form to establish conclusive evidence of the purchase price for the property. Failure to provide correct information on the disclosure form constitutes fraud.

2. Formula for Partial Land Donation

When a portion of land dedication requirement is accepted, the remaining cash fee will be calculated and credited as follows:

a. (Dedicated land requirement minus number of acres accepted) times actual purchase price per acre; or

CLL = (DLR - ALA) x APPA
ALA = Accepted land acreage
APPA = Actual purchase price per acre

I. Cash in Lieu Payment

The cash in lieu payment is due to the City at the time of recording of each final plat unless the developer has not purchased the property before plat recording. In the event that the property has not been purchased before plat recording, then the fee-in-lieu shall be paid in full after closing on the property and before any building permits are issued.

J. Park Fee for Commercial and Industrial Development

1. A park land donation fee shall be paid as approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerk's office. *(Amendment 4 – Ordinance 29137 11.9.2009)*

2. The City of Raymore City Council has the authority to waive a part or all of the commercial development park land donation fee at their discretion.

K. Subdivision of Park and Open Space Prohibited

Land designated as open space shall be maintained as open space and may not be separately sold, subdivided or developed except to the City, an appropriate public agency or a non-profit entity if there is a public or non-profit agency willing to accept the dedication and financially capable of maintaining such open space.

L. Certain Activity Prohibited

Following dedication of lands as provided herein, no person shall remove trees, vegetation or topsoil from the lands, and the lands shall not be used for the purpose of stockpiling of earth or construction material or disposal of construction debris without the written consent of the Department of Parks and Recreation.

M. Platting Requirements

All land to be dedicated to the City for park purposes shall have the prior approval of the Parks and Recreation Board and shall be shown and marked on the plat as "dedicated to the City of Raymore, Missouri, for park purposes". All land dedicated shall transfer ownership at the time of plat recording.

Section 445.050 Subdivision Amenities

A. Whenever the proposed subdivision includes any private amenities such as a swimming pool, clubhouse, playground, shelter, tennis court, playfield or similar amenity, the location of said amenity(s) shall be clearly identified on the preliminary and final plat.

B. If the subdivision is to be constructed in phases in accordance with Section 470.130(E), a schedule of when each amenity will be constructed or installed shall be provided with the preliminary plat. The schedule shall then be included in a memorandum of understanding prepared for adoption with the preliminary plat.

C. Each specific amenity identified on the preliminary plat shall be included in the development agreement for the final plat that includes the land area upon which the amenity is installed or constructed. The amenity(s) shall be constructed with the public improvements for that final plat. No building permit will be issued in the final plat for which the amenity is scheduled until the amenity(s) are completed.

D. At the time of submittal of a final plat application that includes an amenity(s), the developer may request an extension of time to complete the amenity(s). The developer shall be responsible to notify all existing residents and property owners in the subdivision of the request and a public hearing shall be scheduled before the City Council at the time the final plat is to be considered. City Council may approve the request as part of the final plat consideration.

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Chapter 450. Stormwater Management

Section 450.010 Storm Water Detention Requirements

A. Applicability

The provisions of this chapter apply to all land disturbance construction activities including residential (single-family and multi-family), commercial and industrial development. Storm water detention facilities shall be constructed and in operation prior to any construction of impervious surface and so noted on the engineering drawings.

B. Developer Responsibility

There are many methods and/or combination of methods, which may be utilized to provide the amount of storage required. It is the responsibility of the developer to choose which method or combination of methods he/she will use. All required improvements must be designed and built according to the latest edition of the Kansas City Metropolitan A.P.W.A. unless otherwise required by the City of Raymore "Standard Contract Documents and Technical Specifications and Design Criteria for Utility and Street Construction." Whenever these two are in conflict, the more restrictive applies.

C. Methods of Storage

The following is a list of various methods of detention including conditions and limitations, which shall be observed in the selection of a method of detention.

1. Rooftop Storage

a. Building Codes require roof load designs for rain and snow. The design load may be converted to an equivalent water depth in inches, which can be safely contained on flat roofs.

b. The maximum storage allowed for design purposes should not exceed this depth unless a building is designed to withstand a greater roofload. The depth of water can be controlled by proper sizing of downspouts and by constructing scuppers through the parapet walls.

c. Overflow drains should be used to protect against possible roof overloading. Roofwater tightness is required to prevent leakage from water accumulation.

2. Parking Lots

a. Considerable area in commercial areas is occupied by parking lots. Planned correctly these paved areas can provide adequate detention with minimum inconvenience to the public and without functional interference. This method involves storage of runoff in depressions constructed near drains.

b. In parking lots, detention is permitted to a maximum depth of seven inches. The maximum limits of ponding may not be designed closer than 10 feet from a building unless waterproofing of the building and pedestrian accessibility are properly documented. The minimum freeboard from the maximum ponding elevation to the lowest sill elevation of a building is one foot.

c. When detention is used on parking lots by means of retaining walls or curbs, these retaining walls and curbs must be constructed with reinforced concrete.

3. Recreation Areas

a. Recreation areas, such as open space or sports fields, generally have a substantial area of grass cover which can have high infiltration rates. A secondary use of such recreation areas can be made by providing for limited detention storage of runoff from adjacent areas. Because these areas are not used during periods of precipitation, detention ponding should not impede their primary use.

b. To minimize the effects of detention, the recreation area should be designed so that it will thoroughly drain. Additionally, the vegetation used on the area should be tolerant of periodic inundation and wetness. The developer and the Parks and Recreation Department should work closely to provide open space that can also be used for limited detention storage.

4. Dry Reservoirs

Dry reservoirs shall be designed in accordance with the latest revision of the Standard Specifications of the Kansas City Metropolitan Chapter of the American Public Works Association as modified below:

a. Earth Bottoms

All dry detention facilities shall be constructed with earth bottoms unless there is not sufficient runoff to support a plant community as determined by the Director of Public Works. The pond bottom shall be designed as a wetland and plantings shall be installed in accordance with wetland design criteria as specified in the latest revision of the Mid-America Regional Council and American Public Works Association "Manual for Best Management Practices for Storm Water Quality."

b. Maintenance

(1) Stormwater facilities shall be maintained by the owner or other responsible party as outlined in a maintenance agreement approved by the City Council at the time of final plat approval.

(2) Disposal of waste from maintenance of facilities shall be constructed in accordance with applicable federal, state and local laws and regulations.

(3) Records of installation and maintenance and repair shall be retained by the owner or other responsible party for the current five year period and shall be made available to the City Public Works Department upon request.

(4) Any failure to maintain a stormwater facility in accordance with City requirements or to correct problems with a stormwater facility as required by the City after receipt of due notice shall be handled under the procedure for nuisances as outlined in Chapter 220 of the Raymore City Code.

c. Inspection

(1) Stormwater systems shall be inspected by the City Public Works Department during and after construction and annually thereafter to assure consistency with the approved stormwater management plan.

(2) All stormwater systems shall be subject to the authority of the on-site detention inspection program of the City Public Works Department to ensure compliance with this code and may be inspected when deemed necessary.

(3) Routine or area inspections shall be based upon such reasonable selection processes as may be deemed necessary to carry out the objectives of this chapter, including but not limited to, random sampling and/or sampling in areas with evidence of stormwater pollution, illicit discharges, or similar factors.

d. Existing Dry Reservoirs

(1) In residential subdivisions where dry reservoirs/wet weather ponds currently exist, if a majority of the lot owners in that subdivision file a written request with the City Council to have the reservoir/pond either filled in or converted to another method of stormwater detention and there are curbs and gutters and a stormwater inlet located nearby to safely control the volume of a 100-year storm event, the City Council shall hold a public hearing and vote on the request.

(2) In residential subdivisions where dry reservoirs/wet weather ponds have been approved but are less than 25 percent constructed, if a majority of lot owners file a written request with the City Council asking that another method of stormwater detention be used, then the City Council shall hold a public hearing and vote on the request.

(3) For commercial property, if a majority of the owners of that property file a written request with the City Council asking that another method of stormwater detention be used, then the City Council shall hold a public hearing and vote on the request.

5. Permanent Lakes

Permanent lakes must be constructed according to the Kansas City Metro A.P.W.A. standards and specifications.

6. Underground Storage

a. Storm water runoff may be controlled by a holding tank or large size pipe. This method should be limited to areas where surface ponding is prohibited due to lack or high cost of available land or areas where the surface topography is not conducive to above-ground storage.

b. These systems must be designed so that the water surface from the 25-year storm does not exceed the elevation of the top of the storage pipe or vault or come within six inches of the bottom of any inlet grate or exceed the top of any upstream pipe; and provision must be made to safely control the 100-year storm.

c. Underground storage systems must be designed to be relatively maintenance free by using adequate trash screens at all inlets to the system and at the control structures avoiding the use of moving parts and avoiding the use of small control pipes and narrow weir openings.

d. Privately maintained underground storage systems located on private property must be constructed of materials which have a similar expected life as that of the project. Tanks, vaults or oversized pipes and multiple parallel pipes may be used in these private systems.

e. All underground storage systems must have a reasonable number and type of access locations to allow easy inspection and maintenance.

Section 450.020 Stormwater Treatment Purpose and Findings *(Amendment 21 – Ordinance 2015-005 1.26.15)*

A. The purpose of this chapter is to minimize and prevent the discharge of pollutants from developed land into the surface waters of the City by establishing reasonable requirements for the treatment of stormwater runoff from new development and redevelopment activities.

B. The City of Raymore finds that land development and the associated increases in impervious cover can increase the quality and nature of pollutants carried by stormwater runoff, increase stormwater runoff rates and volumes, aggravate stream channel erosion and sediment transport, alter the hydrologic response of watersheds, and degrade the ecological function of downstream rivers, creeks, streams, lakes and other water bodies.

C. Further, the City of Raymore finds that Stormwater Treatment Facilities and requirements can minimize those impacts by reducing pollutant levels carried in stormwater runoff, removing or reducing the concentrations of those pollutants that are carried, reducing stream bank erosion, and by restoring stormwater runoff rates and volumes to levels closer to the pre-development hydrologic regimes.

Section 450.030 Definitions

For the purposes of this chapter, these words and phrases shall have the following meaning:

A. "Applicant" means a property owner or agent of a property owner who has filed an application for a permit that is subject to the requirements of this chapter.

B. "Channel" means a natural or artificial Watercourse with defined bed and banks.

C. "City" means the City of Raymore, Missouri.

D. "Code" means the Raymore Municipal Code.

E. "Dedication" means the deliberate appropriation of property by its owner for general public use.

F. "Developer" means a person who engages in Development of real estate, whether or not that person is the Landowner.

G. "Development" means any man-made changes to improved or unimproved real estate, including, but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

H. "Director" means the Director of Public Works Department or the Director's authorized representative.

I. "Director of Public Works" means the Director of the Public Works Department or the Director's authorized representative.

J. "Impervious Cover" means those surfaces that cannot effectively infiltrate rainfall, including building rooftops, pavement, sidewalks, and driveways.

K. "Infiltration" means the process of percolating Stormwater into the subsoil.

L. "Infill Development" means Development on a vacant or substantially vacant tract of land surrounded by existing Development except that tracts of land larger than ten (10) acres shall not be considered "Infill Development."

M. "Land Disturbance" means any activity that changes the physical condition of landform, vegetation and hydrology, creates bare soil, or otherwise may cause erosion or sedimentation. Such activities

include, but are not limited to, clearing, removal of vegetation, stripping, grading, grubbing, excavating, filling, logging and storing of materials.

N. "Landowner" means the legal or beneficial owner or owners of a lot or tract. The holder of a contract to purchase or other person having an enforceable proprietary interest in a lot or tract shall be deemed a landowner.

O. "Maintenance Agreement" means a legally recorded document that acts as a property deed restriction, and which provides for long-term maintenance of stormwater management practices.

P. "Off-site Facility" means a Stormwater Treatment Facility located outside the subject property boundary described in the permit application for land Development activity, including Facilities that may accept runoff from multiple projects.

Q. "Pollutant" means any substance or material which contaminates or adversely alters the physical, chemical or biological properties of water, including changes in temperature, taste, odor, turbidity, or color.

R. "Previously Constructed Development" means all buildings, parking, sidewalks, and other impervious surfaces that currently exist on a site that were built in accordance with an approved Development plan.

S. "Redevelopment" means Development on a tract of land that has been previously developed in substantial accordance with an approved Development plan or final plat, either under City or County zoning codes, and where all or a majority of the existing structures and/or site improvements built under that plan are proposed to be razed and a new structure or structures or other site improvements are proposed to be constructed in accordance with an approved Development plan or plat.

T. "Stop Work Order" means an order issued which requires that all construction activity on a site be stopped.

U. "Stormwater" means stormwater runoff, snow melt runoff, and surface runoff and drainage from precipitation.

V. "Stormwater Treatment Facilities" or "Facilities" means all structures, plantings, natural features, or other physical elements that are designed, constructed and maintained in accordance with this chapter and which are provided to prevent or reduce Stormwater Pollution or to control Stormwater runoff volume and discharges.

W. "Stormwater Treatment Standards" or "Standards" means the detailed design criteria, specifications, standard details, and maintenance requirements adopted in writing by the Director.

X. "Watercourse" means a permanent or intermittent stream or other body of water, either natural or man-made, which gathers or carries surface water.

Section 450.040 Applicability *(Amendment 22 – Ordinance 2015-068 - 9.14.15)*

No land shall be developed without full compliance with this chapter unless Development occurs as allowed by the following exceptions:

A. Standard Exceptions: Projects meeting any of the following criteria are exempt from the provisions of this chapter:

1. Land Disturbances of less than one acre that are not part of a common plan for Development that will cumulatively disturb more than one acre.

2. Expansions and modifications to Previously Constructed Developments otherwise subject to this chapter where the proposed increase in impervious surface is less than 5,000 square feet. This exception shall not apply to multiple applications in the approval process and/or under construction at the same time that cumulatively exceed 5,000 square feet of impervious surface.
3. Land Disturbances for utility construction.
4. Agricultural land uses.
5. Single lot residential Developments that are not part of a larger common plan for Development.
6. Repairs to any Stormwater Treatment Facility or practice deemed necessary by the Director of Public Works.
7. Required Rezoning and Conditional Use Permits to allow a specific use with no physical changes proposed to the approved Preliminary Development Plan.

B. City Administered Construction: Construction projects administered and constructed directly by the City shall comply with this chapter, except that compliance is not required for street and thoroughfare construction: (1) that would be exempt under the standard exceptions in Section 450.040A of this chapter; and (2) that will maintain, enhance, or reconstruct existing roadways, including the intersection improvements, turn lane additions, safety improvements, or new entrances, but which will not add additional through lanes.

Unless subject to another agreement, Stormwater Treatment Facilities installed as part of City administered projects are owned and maintained by the City.

The City does not assert jurisdiction under this chapter over any construction work on State of Missouri right-of-way.

C. Previously Approved Plans: Single-family and two-family residential projects having a preliminary plan, preliminary plat, or final plat approval, and multi-family and nonresidential projects having site plan approval are exempt from the provisions of this chapter. "Substantial or Significant Changes" to approved plans must comply with this chapter in the same manner as a new Development.

"Substantial or Significant Changes" shall mean any of the following criteria:

1. Increases in the density or intensity of residential uses of more than five percent (5%) when the increase creates additional impervious surface (typically horizontal in nature).
2. Increases in the total floor area of all nonresidential buildings covered by the plan of more than ten percent (10%) when the increase creates additional impervious surface (typically horizontal in nature).
3. Increase in lot coverage of more than five percent (5%).
4. Changes in ownership patterns or stages of construction that will lead to a different Development concept.
5. Decreases of areas devoted to open space of more than five percent (5%) or the substantial relocation of such areas.
6. Decreases of any peripheral setback of more than five percent (5%).
7. Changes of traffic circulation patterns that will affect traffic outside of the project boundaries.
8. Modification or removal of conditions or stipulations to the approved plans.

D. Infill and Redevelopment Projects: Substantial or Significant Changes to approved plans after the effective date of this chapter are subject to the provisions as required under Section 450.040C of this chapter.

Section 450.050 Performance Criteria

A. Stormwater Treatment Standards (Standards): The City shall adopt and maintain Stormwater Treatment Standards to implement and interpret the provisions of this chapter. The latest edition of the *Mid-America Regional Council and American Public Works Association Manual of Best Management Practices for Stormwater Quality (MARC BMP Manual),* and all appendices, shall be the basis for these Standards. Included in the Standards shall be additional technical guidance or exceptions to the *MARC BMP Manual* which have been adopted by the Director. The additional guidance or exceptions may include, but not be limited to, modified best management practices, design criteria, construction specifications, or standard details. Copies of all adopted standards shall be on file and available in the Department of Public Works.

B. Modifications to Standards: The Standards shall be amended by the following process: The public input process shall include the following minimum steps: (1) posting proposed documents in draft form a minimum of 30 days prior to the City holding a public informational meeting; and (2) extending a written comment period for a minimum of 30 days after the public informational meeting.

C. Minimum Control Requirements: All Stormwater Treatment Facilities shall be designed to provide a combination of pollutant removal and water volume control that satisfies the level of service and value rating calculations set forth in the Stormwater Treatment Standards and other requirements established by City approved watershed management plans or studies.

D. Non-Structural Stormwater Practices: Non-structural stormwater treatment practices are encouraged to minimize reliance on structural practices. Applicants wishing to obtain credit for using non-structural practices must ensure that these practices are documented and will remain unaltered by subsequent property owners by locating the facility in a conservation easement, separate tract dedicated for stormwater treatment facilities or similar instrument as approved by the Director.

E. Infill and Redevelopment Projects: The Standards may modify or reduce requirements on infill and redevelopment projects.

F. Modifications to Allow Alternate Compliance: In addition, the Director may waive or modify any of the Stormwater Treatment Standards to encourage the implementation of alternative or innovative practices that implement the intent of the modified standards and provide equivalent public benefits without significant adverse impacts on surrounding development. Such modification may be granted for issues including, but not limited to:

1. Approval of alternate materials, devices, techniques, details or specifications for individual treatment facilities that would be expected to provide similar or better performance.
2. Evaluations of credits, ratings, or level of service calculations to account for unique or special technical considerations.
3. Corrections, clarifications or modifications to requirements which the Director has found to give inadequate or undesirable performance.

G. Appeals or decisions made by the Director related to the Standards shall be made to the City of Raymore Board of Appeals.

Section 450.060 Site Location and Placement

The location of Stormwater Treatment Facilities shall be consistent with their function while also conforming to the uses and constraints of the site. The Facility locations shall be approved by the Director, and ownership and maintenance responsibility established. At a minimum, all Stormwater Treatment Facilities will be shown on final construction plans and in the maintenance plan.

A. Centralized and Common Stormwater Treatment Facilities: Centralized and common Facilities for Stormwater treatment shall be shown on preliminary plans, preliminary plats, final plats and site plans. The perimeter of the Facility shall be dimensioned on a plan provided as an attachment to the Maintenance Agreement. Provisions shall be made for maintenance of the Facilities, documentation of their presence, and rights of access, as set forth in Section 450.110.

B. Distributed Stormwater Treatment Facilities: Distributed Stormwater Treatment Facilities shall be dimensioned on a plan provided as an attachment to the Maintenance Agreement. Provisions shall be made for maintenance of the Facilities, documentation of their presence, and rights of access, as set forth in Section 450.110.

C. Residential Single-Family and Two-Family Areas: Generally, Stormwater Treatment Facilities for residential single-family and two-family Developments shall be centralized and located on a common tract, to be owned and maintained by the entity holding fee title to the property or other person contracted or obligated by other agreement to implement and maintain post-construction Stormwater BMP's.

The Director may allow a limited number of distributed Facilities on individual residential tracts, provided the applicant demonstrates that substantial provisions are in place to ensure long-term operation, maintenance and inspection of such Facilities without undue burden to the City for tracking or monitoring compliance.

D. Private Facilities in the Public Street Right-of-Way: Privately owned and operated Stormwater Treatment Facilities shall be located outside of the public street right-of-way unless approved in writing by the Director and a corresponding right-of-way Maintenance Agreement shall be recorded that provides for private maintenance responsibility in the public street right-of-way.

E. Coordination with Utility Easements: Stormwater Treatment Facilities shall not be co-located within utility easements unless approved by the Director.

F. Detention Ponds: When detention facilities for peak flood control are required under the provisions of Chapter 450 of the Code, such basins may be co-located with Stormwater Treatment Facilities, provided that the Facilities are designed to meet the requirements of both uses.

G. Off-site Facilities: The Director may consider proposals to manage Stormwater runoff in Off-site Facilities that treat runoff from the proposed Development and comply with the Stormwater Treatment Standards. The Off-site Facility shall be in place prior to or concurrently with the proposed Development. Long-term operations and maintenance responsibilities for the Facilities must be established by legal agreements, approved by the City and recorded with the Cass County Recorder.

H. Existing stream corridors as required in Section 455.040 of the Code are considered a beneficial Stormwater Treatment Facility, therefore credit will be granted by the Stormwater Treatment Standards. In limited circumstances, which are specifically included in the Stormwater Treatment Standards, the outer one-third (1/3) of the designated stream corridor may incorporate additional features which enhance the corridor's Stormwater treatment function. Such Facilities must be consistent with the long-term integrity of the stream corridor as a natural, riparian zone.

Section 450.070 Deviation

A. The Planning Commission of the City of Raymore may, in the process of approving preliminary plans, preliminary plats, final plats, and site plans, approve deviations from the specific terms of this chapter which would not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this chapter would result in unnecessary hardship for the Applicant, and provided that the spirit of this chapter shall be observed, the public safety and welfare secured and substantial justice done for the Applicants.

B. An application for a deviation may be granted only upon a finding that all of the following conditions have been met:

1. That the granting of the deviation will not adversely affect the rights of adjacent Landowners.
2. That the strict application of the provisions of this chapter would constitute unnecessary hardship upon the Landowner represented in the application.
3. That the deviation desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
4. That granting the deviation will comply with the general spirit and intent of this chapter.
5. That is has been determined the granting of a deviation will not result in extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local, federal or state laws.

Upon consideration of the factors listed above and the purposes of this chapter, the City may attach such conditions to the granting of deviations as it deems necessary to further the purpose of this chapter.

C. In considering deviation applications, the City has the discretion of using any or all of the following project evaluations when, in the judgment of the Planning Commission or City of Raymore, these evaluations are relevant and appropriate. No individual or combination of evaluations are necessarily required for an application to be approved and the Planning Commission or City of Raymore may weigh these evaluations in light of all relevant considerations in determining whether or not to approve an application.

1. That alternative standards for Stormwater management, water quality protection, and ecological preservation have been established, and/or that mitigation measures are undertaken.
2. That existing physical or natural characteristics of the site make strict application of the chapter infeasible.
3. That concerns for flooding, stream bank erosion, stream instability, and maintenance of culverts, bridges or other structures are addressed.
4. That the deviation is the minimum necessary to afford relief.

D. For City administered street construction, a request for deviation will be initiated and recommended by the Director and must be approved by the City of Raymore. The City may consider, as part of a deviation request, the constraints posed by lack of available right-of-way, interaction with previously planned or approved Stormwater drainage systems, and the nature of surrounding land uses.

Section 450.080 Stormwater Treatment Facility Plan Requirements

A. Preliminary Stormwater Treatment Facility Plan Requirements: No application for development shall be accepted unless it includes a preliminary Stormwater Treatment Facility plan detailing in concept

how runoff and associated water quality impacts resulting from the development will be controlled or managed. This plan must be prepared by a registered professional engineer in the State of Missouri and must show whether stormwater will be managed on-site or off-site, and show the general location and type of practices.

The preliminary Stormwater Treatment Facility plan must include: conceptual stormwater management plans, sufficient information to evaluate the existing environmental characteristics of the project site, impacts of the proposed development, preliminary sizing for Stormwater Treatment Facilities, and locations of any proposed access easements or conservation easements, and a description of the maintenance responsibility for proposed stormwater treatment facilities. The Director may set additional minimum submittal requirements.

B. Final Stormwater Treatment Facility Plan Requirements: Unless waived by the Director, the application shall obtain City approval for the final Stormwater Treatment Facility plan prior to obtaining a permit. The final Stormwater Treatment Facility plan, in addition to the information from the preliminary Stormwater Treatment Facility plan, shall include all of the information required in the Standards and any other submittal requirements as determined by the Director.

C. Landscaping and Stabilization Requirements: The landscape plan for permitting purposes shall include all of the following:

1. Vegetative stabilization and management techniques to be used at a site after construction are completed.
2. An explanation of how the site will be stabilized after construction.
3. Identify the responsible party for the maintenance of vegetation at the site.
4. Identify the practices that will be employed to ensure adequate vegetative cover is preserved.
5. The design is prepared by a registered landscape architect in the State of Missouri.
6. The design is approved prior to receiving a permit to construct the Stormwater Treatment Facility.

Section 450.090 Permit Procedures, Requirements, and Performance Surety

A. Permit Required: No person shall receive any permits for building, grading or other land Development without meeting the requirements of this chapter. Generally, permits for Stormwater Treatment Facility construction will be completed under the authorization of a building, site Development, or land disturbance permit. Application requirements and procedures are described in Chapter 455 and Chapter 470 of the Code.

B. Construction Plan Requirements: The Director shall have the authority to set minimum construction plan submittal requirements by written policy or checklist.

C. Performance Surety Required: The Director shall require the submittal of a performance surety in the form of an irrevocable letter of credit, surety bond, cash deposit or similar guarantee. If a letter of credit is provided, it shall be on the form as prescribed by the Director. The amount of the performance surety shall be 1.25 times the total construction cost of the Stormwater Treatment Facility as estimated by the project designer and approved by the Director.

Performance Surety Waiver for Single Lot Developments: If Stormwater Treatment Facilities only serve a single building and lot and a building is being constructed, a performance surety may be waived by the Director provided all Stormwater Treatment Facilities are constructed and certified prior to issuance of a Certificate of Occupancy. When seasonal or environmental conditions cause a

delay in constructing the Stormwater Treatment Facilities, the Director may approve issuing a Certificate of Occupancy provided a performance surety is posted in accordance with this section.

D. Release of Performance Surety: The performance surety will be released only when all of the following conditions have been met:

1. At least 90% of the land area served by the Stormwater Treatment Facilities has permanent stabilization in place.

2. All of the Stormwater Treatment Facilities covered by the surety have been constructed and certified in accordance with this chapter.

3. If the Stormwater Treatment Facility is constructed prior to final stabilization of at least 90% of the land area served by the facility, and the most recent certification of the facility is more than 90 days old, an updated certification shall be required to verify that the facility is fully functional.

E. Maintenance Surety: Prior to issuance of a final certificate of occupancy, the Director shall require the submittal of an irrevocable letter of credit, surety bond, cash deposit, or similar guarantee for required maintenance to the Stormwater Treatment Facility. The Landowner shall be responsible for all regular maintenance and repairs to the Stormwater Treatment Facility while the maintenance surety is in effect including, but not limited to, repairs necessary due to damage caused by intentional or unintentional acts of others. The maintenance surety shall be in the amount as required below and can be utilized for any maintenance or rehabilitation costs associated with the Stormwater Treatment Facility deemed necessary by the City, including, but not limited to, removal of siltation, mowing, replacement of vegetation, piping repairs, replacement of underdrains, other repairs to the facility, and nay administrative or engineering costs associated with such maintenance and repairs. Maintenance sureties shall conform to the following:

1. For a period of two (2) years from the date of initial certification of the Stormwater Treatment Facility the maintenance surety shall be in the amount of 50% of the construction costs and:

a. If the maintenance surety is in the form of a maintenance bond, it shall remain in effect for a period of two (2) years following initial certification of the Stormwater Treatment Facility.

b. If the maintenance surety is in the form of a letter of credit, the contractor or Developer shall deposit with the City's Finance Director an irrevocable letter of credit from an acceptable financial institution payable to the City, collectable no later than two (2) years from the date of initial certification of the Stormwater Treatment Facility.

c. If the maintenance surety is in the form of cash, or letter of credit, all remaining money and any interest accrued thereon shall be returned to the contractor no later than three (3) years after the date of initial certification of the Stormwater Treatment Facility.

2. Prior to expiration of the 2-year maintenance surety the Landowner shall submit a long-term maintenance surety in an amount determined by the Director to be the estimated annual cost of maintenance of the Stormwater Treatment Facility during the time period which the designated party in the Maintenance Agreement has maintenance responsibility. If the responsibility for maintenance is passed on to another entity the Director shall release the portion of the financial guarantee under this section, less any costs incurred by the Director, at such time that the new entity responsible for maintenance has submitted a new maintenance surety.

F. Timing of Stormwater Treatment Facility Construction: Stormwater Treatment Facilities shall be constructed as early as feasible during the Development process. However, since some commonly used Stormwater Treatment Facilities are sensitive to construction generated silt when upstream areas are under construction, the following provisions are allowable for timing of such Facility construction:

1. For a Stormwater Treatment Facility serving a single building lot, the Facility shall be constructed concurrently with the Development of the site and building, subject to exceptions set forward in Section 450.040 of this chapter.

2. When Stormwater Treatment Facilities serve multiple Development lots within a common plan of Development, a Stormwater Treatment Facility can be final graded an permanent vegetation installed only after 90% of the land area served by the Facility has achieved permanent stabilization unless the Director approves a shortened schedule. Additionally, Stormwater Treatment Facilities must be installed and certified within six (6) months of permanent stabilization of the entire land area served by the Facility. Land area served by the Facility shall mean those areas served by the Facility within the common plan of Development and shall not include offsite areas even if they are tributary to the Facility.

3. For Stormwater Treatment Facilities serving multiple Development lots with a common plan of Development, no Certificate of Occupancy shall be issued for any building or site unless a permit has been issued authorizing construction of a required Facility to serve the building or site.

G. Failure to Construct a Required Stormwater Treatment Facility: When construction of a Stormwater Treatment Facility is delayed beyond the limits as provided in this section, the Director may utilize any or all of the following enforcement mechanisms:

1. Draw upon performance surety funds as necessary to construct the Stormwater Treatment Facility. In the event that the performance surety funds are not adequate to cover all costs associated with construction of said Facility, the Director may assess the property owners for any additional costs in accordance with Section 450.110G of this chapter.

2. Withhold issuance of building permits for properties proposed to be served by such Stormwater Treatment Facility.

3. Withhold issuance of Certificate of Occupancy or Certificates of Compliance for permitted work that is proposed to be served by such Stormwater Treatment Facility.

4. Issue Stop Work Orders for permitted work for any or all property that is proposed to be served by such Stormwater Treatment Facility.

Section 450.100 Construction Inspections

A. Inspections: Regular inspections of the Stormwater Treatment Facility construction shall be the responsibility of the project designer or other owner's representative who has been approved by the Director and inspection results forwarded to the City. For certain types and locations of Stormwater Treatment Facilities, the Director may at his discretion require additional or parallel inspections by City staff. A final inspection by the City is required before the release of any performance sureties can occur.

B. Post Construction Certification: Prior to refunding of performance securities, the project designer, or other party approved by the Director, must certify that the Stormwater Treatment Facility is fully functional and has been installed in accordance with the approved plans. For Developments not

requiring a performance surety, the certification shall be made prior to issuance of a Final Certificate of Occupancy or Certificate of Compliance.

Section 450.110 Maintenance and Repair of Facilities

A. Required Maintenance Agreement: Prior to issuance of any permit that includes construction of a Stormwater Treatment Facility, the applicant or Landowner of the site shall provide a Maintenance Agreement for approval by the Director. At a minimum, the Maintenance Agreement shall:

1. Identify the responsible party for maintaining all Stormwater Treatment Facilities.

2. Include an attachment showing the locations and dimensions of all Stormwater Treatment Facilities.

3. Provide access for the responsible party to maintain all Stormwater Treatment Facilities, as well as right of access to the City as provided in other sections of this chapter.

4. Establish minimum frequency and levels of maintenance to be done.

5. Identify and itemize anticipated annual maintenance expenditures, periodic major maintenance items, facility replacement costs, and expected facility lifetime, so that the responsible party may better plan for future maintenance costs.

6. Establish the frequency of inspections to meet or exceed the requirements of this chapter.

7. Identify resources available to provide maintenance.

8. Identify prohibited practices and homes or business association enforcement process for restoration.

9. Identify the City's rights in the event that the responsible party fails or is unable to perform any of the obligations of the Maintenance Agreement.

10. Clarify how modifications or additions can be made to the Maintenance Agreement.

11. Be filed as a covenant to the recorded deeds of all lots to enforce the imposition of any special tax assessment that may be necessary to maintain Stormwater Treatment Facilities if the responsible party fails or is unable to perform any of the obligations in the Maintenance Agreement.

B. Formation of Homes or Business Association: The Landowner or Developer may form a homes or business association prior to the sale of any lots, and the homes or business association covenants may include, or reference, the provisions of the approved Maintenance Agreement. The homes association or business association covenants shall include provisions collecting maintenance costs for Stormwater Treatment Facilities to comply with the requirements of this section and Section 450.060C

C. Notice on Plat or Title: The final plat and homes or business association deed restrictions shall contain language approved by the Director to provide notice of facility presence and maintenance obligations. Said deed restriction shall be recorded with the Cass County Recorder concurrent or prior to recording of the final plat or approval of the final plans. The notice shall run with the land and failure to provide this notice to any purchaser prior to transferring any interest in the property shall be in violation of this chapter. The notice shall be in a form approved by the Director and substantially as set forth below:

"Notice: This site includes Stormwater Treatment Facilities, as defined and regulated in the Raymore Municipal Code. Restrictions on the use or alteration of the said Facilities may apply. This property

is also subject to the obligations and requirements of the Stormwater Treatment Facility Maintenance Agreement approved by the City."

When the proposal involves a final plat, this notice shall appear on the face of the plat, as recorded. When the proposals do not involve a final plat, the notice shall be in the form of a notice of presence recorded with the Cass County Recorder, and the notice shall include the legal description of the property, the current owner, the application date and other reference to the project, and the notarized signature of the property owner or owners.

Maintenance Inspections and Certifications by Property Owner: The property owners of all Stormwater Treatment Facilities, except for distributed Facilities serving individual residential lots, must submit a maintenance certification report to the City, at the minimum of one (1) year following initial certification, and subsequently every two (2) years thereafter, or as required by the Director.

The maintenance certification report shall be completed and sealed by a registered professional engineer in the State of Missouri, unless the Director approves other qualified professionals to perform these duties. Such maintenance certification report shall document each item including, but not limited to, the need for removal of silt, litter and other debris, grass cutting, removal of undesirable vegetation, and replacement of landscape vegetation. Any maintenance needs found must be addressed in a timely manner, as determined by the Director, and the inspection and maintenance requirement may be increased as deemed necessary to ensure proper functioning of the Stormwater Treatment Facility.

D. City Inspection of Stormwater Treatment Facilities: The City may establish an inspection program, including but not limited to: routine inspections, random inspections, inspections based upon complaints or other notice of possible violations, inspection of drainage basins or areas identified as higher than typical sources of sediment or other contaminants or Pollutants, inspections of businesses or industries of a type associated with higher than usual discharges of contaminants or Pollutants or with discharges of a type which are more likely than the typical discharge to cause violation of state or federal water or sediment quality standards or the NPDES Stormwater permit, and joint inspections with other agencies inspecting under environmental or safety laws. Inspections may include, but are not limited to, reviewing maintenance and repair records, sampling discharges, surface water, groundwater, and material or water in drainage control facilities, and evaluating the condition of drainage control facilities and other Stormwater treatment practices.

E. Right of Entry for Inspection: When any Stormwater Treatment Facility is installed on private property, or when any new connection is made between private property and a public storm sewer system, the property owner shall grant to the City in a manner and form acceptable to the Director, the right to enter the property at reasonable times and in a reasonable manner for the purpose of inspection. This includes the right to enter a property when it has a reasonable basis to believe that a violation of this chapter is occurring or has occurred, and to enter when necessary for abatement of a public nuisance or correction of a violation of this chapter.

F. Records of Installation and Maintenance Activities: Parties responsible for the operation and maintenance of a Stormwater Treatment Facility shall make records of the installation and all maintenance and repairs, and shall retain the records for at least five (5) years. These records shall be made available to the Director during inspection of the Facility and at other reasonable times upon request.

G. Failure to Maintain Practices: If a responsible party fails or refuses to meet the requirements of the Maintenance Agreement, the Director, after reasonable notice, may correct a violation of the Standards or maintenance needs by performing all necessary work to place the Facility in property

working condition. In the event that the Stormwater Treatment Facility becomes a danger to public safety or public health, the Director shall notify the party responsible for maintenance of the Stormwater Treatment Facility in writing. Upon receipt of that notice, the responsible person shall have thirty (30) days to effect maintenance and repair of the Facility in an approved manner. In the event of an emergency, when the Director determines that the Facility poses an immediate danger to life or property, no notification period shall be required prior to beginning mitigation work. After proper notice, the Director will enforce the maintenance provisions of this chapter with any or all of the following enforcement measures:

1. Notice of Violation: The Director is authorized to serve a Notice of Violation or order on any person or entity responsible for maintaining the Facility. Such Notice shall order abatement of the violation by the responsible person or entity.
2. Special Assessment on Property: The Director may assess the owner(s) of the Facility for the cost of repair work and any penalties; and the cost of the work shall be added as a special tax assessment on the property, or prorated against the beneficial users of the property, and may be placed on the tax bill and collected as ordinary taxes by the County.

Section 450.120 Enforcement and Penalties

A. Violations: Any person or entity violating any provision of this chapter is guilty of a misdemeanor and shall be subject to penalties as provided in the Raymore Municipal Code. The Director shall be permitted to cite the owner, or any/all persons identified on the permit as being legally responsible to the City for any violations of this chapter pertaining to that permit.

B. Restoration of Lands: Any violator may be required to restore land to its undisturbed condition. In the event that restoration is not undertaken within a reasonable time after notice, the Director may take necessary corrective action, of which the cost to the City shall be added as a special tax assessment on the property.

Section 450.130 Miscellaneous

A. Compatibility with Other Permit and Ordinance Requirements: This chapter is not intended to interfere with, abrogate, or annul any other chapter, rule or regulation, statute, or other provision of law. The requirements of this chapter should be considered minimum requirements, and where any provision of this chapter, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

B. Severability: If the provisions of any article, section, subsection, paragraph, subdivision or clause of this chapter shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this chapter.

C. Authority: The Director shall be responsible for the administration and enforcement of this chapter. The Director shall have the authority to adopt regulations, policies and procedures as necessary for the enforcement of this chapter.

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Chapter 455. Natural Resource Protection

Section 455.010 Land Disturbance and Erosion Control

A. Applicability

All land disturbances, including residential, commercial and industrial development projects, must provide adequate erosion control to protect public streets, public storm sewer systems, adjacent property and streams from being polluted with mud and silt.

B. Land Disturbance Permit *(Amendment 4 – Ordinance 29137 11.9.2009)*

1. A land disturbance permit is required for any entity, including all public or private entities, that intends to cause or causes a condition that allows for erosion including, but not limited to, stripping vegetation, clearing and grubbing land or creating any type of land disturbance. The contractor, permittee or owner that intends to cause or causes a condition that allows for erosion must apply for a land disturbance permit. A land disturbance permit may only be issued by the City after a preliminary plat or site plan has been approved by the Planning and Zoning Commission and, when required, a land disturbance permit has been issued by the Missouri Department of Natural Resources.

2. All applications for a land disturbance permit must be submitted to the Director of Public Works. Applications for a land disturbance permit must be accompanied by an erosion control plan, a preliminary grading plan, and other information required by the permit application. Where practical, drawings may be combined to contain all the required plans.

3. A permit fee approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerk's office must be submitted with the land disturbance permit application.

4. The following exceptions do not require a land disturbance permit:

   a. any grading or excavation for basements, footings, retaining walls or other structures authorized by a valid building permit;

   b. any land disturbance activity of 2,000 square feet or less;

   c. refuse disposal sites controlled by other regulations;

   d. agricultural activities in connection with the production, harvesting, storage, drying or raising of agricultural products and livestock; and

   e. mining, quarrying, excavating, processing, stockpiling of rock, sand, aggregate or clay where established and provided by law.

5. Nothing in this section may be deemed to supersede permitting requirements imposed by any law, rule or regulation of other Federal, State or local agencies or of the City. In the event of conflict between these requirements and any other such law, rule or regulation, the more restrictive laws, rules or regulations apply.

C. Grading Plan

The grading plan must contain all of the information set forth below.

1. Existing and proposed contours of the entire site taken at two foot intervals to define existing and proposed topography of the entire site. The maximum allowable slope is one foot of vertical rise for three feet of horizontal run (3:1).

2. Contour lines that extend a minimum of 100 feet off site or sufficient to show on- and off-site drainage.
3. Property lines shown in true location with respect to the plan's topographic information.
4. Location and graphic representation of all existing and proposed natural and manmade drainage facilities including both piped and overland facilities. Overland swales must have a minimum grade of two percent.
5. Name(s), address(es) and telephone number(s) of the person(s) responsible for the preparation of the site plan and grading plan.
6. Location of final surface runoff, erosion and sediment control measures.
7. Location and elevation of any building or structure located within 50 feet of the property boundaries.
8. Other information required by the Director of Public Works or their designee.
9. Show any significant natural resources as identified in the Growth Management Plan.
10. Demonstrate compliance with any natural feature preservation requirements of the Growth Management Plan.

D. Erosion/Sediment Control Plan

1. Erosion and sediment control must be an integral component of any construction project. Erosion and sediment control devices must be installed and functional prior to site clearing and grading.
2. The contractor, permittee or owner must at all times maintain all erosion and sediment control measures in good order and compliance with erosion and sediment control plan for the site and with the City's adopted standards for the duration of the permit. Products resulting from erosion, such as silt and mud, must be contained within the individual lot boundaries or project boundaries.
3. Best management practices (BMP) must be performed throughout the life of the project to prevent water pollution. This work must consist of furnishing, installing, maintaining and removing temporary erosion and sediment control measures as shown on the plans or ordered by the Director of Public Works and/or their designee. The control of water pollution through the use of berms, slope drains, ditch checks, sediment basins, seeding and mulching, straw bales, silt fences and other erosion control devices or methods must be used in accordance with the Missouri Department of Natural Resources, Division of Environmental Quality. Construction of permanent drainage facilities as well as performance of other work that may effectively limit siltation must be accomplished at the earliest practicable time. The Director of Public Works and/or their designee may require the immediate implementation of permanent or temporary erosion and sediment control measures to prevent pollution of adjacent streams or other watercourses, streets, storm sewer systems, lakes, ponds or other areas of water impoundment.
4. The surface area of earth material exposed at one time by clearing and grubbing, by excavation, by fill or by borrow operations may not exceed 750,000 square feet (17.2 acres) without separate written approval of the Director of Public Works. Clearing and grubbing operations must be scheduled and performed so that grading operations and permanent erosion control features will follow immediately thereafter.

5. Additional erosion prevention control measures must be used to correct conditions that develop during construction which were not foreseen during the design stage; that are needed prior to installation of permanent pollution prevention features; or that are needed temporarily to control erosion that develops during normal construction practices but are not associated with permanent erosion and sediment control features on the project.

6. All material stockpiles and storage areas will be subject to all erosion and sediment control provisions in accordance with the Missouri Department of Natural Resources, Division of Environmental Quality.

7. The following information must be provided as part of the erosion and sediment control plan:

   a. a description of, specifications and detailed plans for surface runoff and erosion control devices;

   b. a description of vegetative measures and timetable for restoring all disturbed areas;

   c. a graphic representation of the location of all specified erosion and sediment control measures;

   d. an implementation schedule for installing and subsequently removing devices described above;

   e. a maintenance schedule for all sediment and erosion control measures specified; and

   f. a list of parties responsible for constructing and maintaining the erosion control measures as shown on the plan and as approved by the Director of Public Works and/or their designee. The list must have the phone numbers and addresses of at least two persons indicating how they may be contacted at all times (days, nights, weekends, etc.) regarding repairing and maintaining the erosion control measures.

8. The erosion control plan and calculations must be prepared using Best Management Practices adopted by the Missouri Department of Natural Resources. The plan shall minimize any adverse flood impact. Stormwater detention/retention must be provided to comply with the City's adopted stormwater regulations and to the extent possible to correct any existing on-site stormwater issues.

9. Erosion control measures such as silt fencing shall be removed from the property when no longer necessary to provide erosion control.

E. Implementation of Erosion Control Plan

Prior to the start of earthwork activities, the permittee must have in place and functional all erosion controls as outlined on the approved plan and any additional controls that may be required as directed by the Director of Public Works and/or their designee. No earthwork activities may commence until the erosion controls have been field inspected by the City of Raymore. All erosion control measures must be maintained by the permittee in a functioning and acceptable condition until turf is established and/or structural surfaces are constructed to protect the soil from erosion.

F. Financial Security *(Amendment 4 – Ordinance 29137 11.9.2009)*

Prior to issuance of a permit, the permittee must provide financial security approved by the Governing Body and listed in the Schedule of Fees and Charges maintained in the City Clerk's office for performance of the work. The form of the securities must be one or a combination of the following to be determined by the City of Raymore:

1. The first $5,000.00 of the financial security must be by cash deposit to the City of Raymore. If at any time during the course of the work this amount falls below the original amount of the deposit, the permittee must deposit the necessary funds to return the cash deposit to a balance of $5,000.00.
2. The remaining financial security balance may be in the form of cash deposit, letter of credit or bond.
3. The financial security will be released:
   a. at the time turf is established; and
   b. all temporary erosion control measures have been removed.

Section 455.020 Erosion Control Enforcement

A. Erosion and Sediment Control

1. The Department of Public Works, Engineering and the Department of Community Development will handle erosion control/tracking of mud and debris enforcement through the normal routine activities that include inspecting the site, communicating with the contractor, permittee or owner, and issuing written warnings to the contractor, permittee or owner to resolve issues of non-compliance.
2. Upon the Director of Public Works or the designee's determination that erosion control measures are deficient, but not hazardous, or that the contractor, permittee or owner did deposit, spill, drop or track any dirt, earth, mud, rock, sand, shale, debris, rubbish or other material on any right-of-way, the Director of Public Works will notify the contractor, permittee or owner to take remedial action to correct the deficiencies within two regular business days. If the deficiencies have not been corrected within two business days, the Director of Public Works or the designee may:
   a. issue a stop work order for the site;
   b. suspend land disturbance permit(s);
   c. remedy the deficiencies and bill the contractor, permittee or owner for the actual and administrative costs. If the contractor, permittee or owner fails to reimburse the City for correcting the deficiencies within 30 days, the City of Raymore will draw upon any and all financial securities to cover the actual and administrative costs; and
   d. refer the case to the City Attorney for prosecution.
3. If erosion attributable to deficient erosion control measures or the tracking, depositing or spilling of mud dirt or debris poses an immediate danger to life or property or substantial flood or fire hazards, the Director of Public Works or the designee will cause the City to immediately abate the hazardous condition. The contractor, permittee or owner must pay all actual and administrative costs incurred by the City in correcting the hazardous condition within 30 days. If the contractor, permittee or owner fails to pay the City for correcting the hazardous condition, the Director of Public Works may take any or all of the actions listed above.
4. Conviction of any violation enumerated in this section will be subject to the penalties contained in Section 480.030 I.

Section 455.030 Dams, Retention Basins and Siltation Control

Where dams are proposed in any subdivision, they must be designed by a professional engineer registered in the State of Missouri. A preliminary engineering report including soil investigations and design procedures must be submitted to the Director of Public Works for review. When a dam is planned on private property, the engineer must certify that the dam is constructed according to the approved plans and specifications.

Section 455.040 Stream Buffer Protection *(Amendment 19 – Ordinance 2014-063 9.8.14)*

A. Applicability

1. This section applies to all streams within the jurisdiction of the U.S. Army Corps of Engineers except those streams located upon land which:
   - a. is on land covered by an approved, unexpired final plat; or
   - b. is on land covered by an approved, unexpired preliminary plat or preliminary plan; or
   - c. is on land covered by a development agreement containing provisions for post development water quality mitigation and best management practices; or
   - d. is on land being used for agricultural operations.
2. To identify those stream segments to which this section applies, a letter of jurisdictional determination shall be provided from the U.S. Army Corps of Engineers for any property proposed for development.
3. No development shall be approved that proposes disturbance on any parcel of land wholly or partially within the defined stream corridor unless the proposed development is in compliance with the applicable provisions of this section.
4. Except as otherwise provided by this section, the Director of Public Works shall administer, implement and enforce the provisions of this section. The director may delegate any powers or duties granted by this code to other City personnel or authorized representatives.
5. The City is authorized to develop administrative policies and guidelines to implement this section.
6. Stream buffers, as required by this section, are a part of the City's Storm Water Management Program.
7. If a development obtains a CWA Section 404 permit allowing a stream to be relocated or otherwise altered, this section shall apply to the new stream location and order.

B. Buffer and Stream Setback Requirements

Stream buffers required by this section shall meet the following requirements:

1. Plan Requirements

- a. A buffer plan shall be submitted for all stream segments to which this section applies. The plan shall set forth an informative, conceptual, and schematic representation of the proposed activity so as to enable the City an opportunity to make a reasonably informed decision regarding the proposed activity.
- b. The delineation of the stream buffer and its component zones shall be shown on any building construction plans, preliminary plat and final plat, as may be required by City

Code. The buffer plan shall be submitted in conjunction with the required preliminary plat, or final plat if no preliminary plat is required, and engineering plans for any development and the boundaries of the stream buffer shall be clearly delineated.

c. A buffer plan shall contain the following information:

(1) A location or vicinity map showing the limits of the FEMA-delineated 100-year flood limits or the 100-year elevation for areas not identified as special flood hazard areas.

(2) Field-delineated and/or surveyed streams, springs, bodies of water (include a minimum of 150 feet into adjacent properties).

(3) Labels for the stream buffer zones and any structures or activities by the zone where they are to be located.

(4) A plan that specifies the required annual maintenance tasks and procedures necessary to maintain stream buffer health.

(5) A restoration plan identifying the percentage removal of colonizing species of native and non-native trees and shrubs and the replacement of such woody perennial species with desirable hardwood species. The restoration plan shall also specify the requisite herbaceous seed mix required for restoration of the soil where disturbed through tree and shrub removals.

d. The stream buffer plan must be approved by the Director of Public Works prior to submittal of the preliminary plat to the Planning and Zoning Commission.

2. Boundary Markers

Boundary markers shall be installed prior to final approval of the required clearing and grading plan.

3. Construction Fencing

Construction fencing shall be placed to delineate the buffer and shall be maintained throughout the construction of the project.

4. Final Plats

All final plats and survey documents prepared for recording shall clearly:

a. show the extent of any stream buffer on the subject property.

b. provide a note to reference any stream buffer stating: "There shall be no clearing, grading, construction or disturbance of vegetation except as permitted by the approved maintenance plan."

c. provide a note to reference any conservation easements governing all stream buffer areas stating: "Any stream buffer shown hereon is subject to conservation easements that restrict disturbance and use of these areas."

C. Design Standards for Stream Buffers *(Amendment 14 – Ordinance 2012-079) (Amendment 19 – Ordinance 2014-063 9.8.14)*

1. A buffer for a stream shall consist of a strip of land extending along both sides of a stream.

2. Stream buffers shall be measured as follows:

a. The required width for all stream buffers shall be as follows:

Stream	Minimum Average Buffer Width (feet) Each Side of Stream
First order	50
Second order	90
Third order	100
Fourth order	140
Fifth order	185
Sixth order	300

b. All buffers are measured from the top of the bank of the stream and are required on each side of the stream.

c. If a feature exists wherein it would be impractical to provide a buffer equidistant on each side of the stream bank then the location of the buffer area can be modified, subject to approval by the Director of Public Works.

d. The default setback distance is specified in Section 455.040C2. A property owner may choose to submit a Geomorphic Study to justify lesser setback distances. The Geomorphic Study must be completed by a licensed professional trained in such evaluations. Such studies are subject to approval by the Director of Public Works.

3. The buffer shall not be greater than the flood plain limits as shown on the Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) for Cass County, Missouri Panels 29037C0028F, 29037C0029F, 29037C0034F, 29037C0035F, 29037C0036F, 29037C0037F, 29037C0038F, 29037C0039F, 29037C0041F, 29037C0042F, 29037C0043F and 29037C0044F dated January 2, 2013, as amended, and any future revisions thereto.

4. If stream buffers, or stream channels, are disturbed or destroyed during development or construction activities, they shall be restored using native vegetation or plantings as outlined in the required restoration plan.

5. Except as specifically authorized by the developer's CWA 404 permit, the following structures, practices, and activities are permitted in the stream buffer, with specific design or maintenance features, subject to the review and approval of the Director of Public Works:

a. Activities for the purpose of building any of the following:

(1) a stream crossing by a driveway, transportation route or utility line;

(2) public water supply intake or public wastewater outfall structures;

(3) public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;

(4) paved foot trails and paths; or

(5) activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.

b. Crossings for roads, bridges and utilities, subject to the following:

(1) the right-of-way should be the minimum width needed to allow for maintenance access and installation;

(2) the angle of the crossing shall be as close to perpendicular to the stream or buffer as is practicable to minimize clearing requirements; and

(3) the minimum number of road crossings should be used within each subdivision, and no more than one crossing is allowed for every 1,000 feet of buffer.

c. Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.

d. Within an easement of any utility existing on the effective date of this section or approved under the terms of this section, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.

e. Emergency work necessary to preserve life or property. However, when emergency work is performed under this section, the person performing it shall report such work to the Director of Public Works on the next business day after commencement of the work. Within 10 days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the Director of Public Works to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.

f. Placement of structures for the control and monitoring of water quality and water quantity within a stream buffer, as required by the City.

D. Variance Procedures

Any variance request to the requirements of this section shall be filed in accordance with Section 470.220.

E. Compatibility with Other Buffer Regulations and Requirements

This section is not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. The requirements of this section should be considered minimum requirements, and where any provision of this section imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall be considered to take precedence.

F. Additional Information Requirements for Development on Buffer Zone Properties

Any permit applications for property requiring buffers and setbacks hereunder must include the following:

1. A site plan showing:

   a. The location of all streams on the property;

   b. Limits of required stream buffers and setbacks on the property;

   c. Buffer zone topography with contour lines at no greater than two foot contour intervals;

   d. Delineation of forested and open areas in the buffer zone; and,

e. Detailed plans of all proposed land development in the buffer and of all proposed impervious cover within the setback;

2. A description of all proposed land development within the buffer and setback.

3. Any other documentation that the Director of Public Works may reasonably deem necessary for review of the application and to ensure that the buffer zone ordinance is addressed in the approval process.

G. Responsibility

Neither the issuance of a development permit nor compliance with the conditions thereof, nor with the provisions of this section shall relieve any person from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of any permit hereunder serve to impose any liability upon the City of Raymore, its officers or employees, for injury or damage to persons or property.

H. Ownership and Maintenance Responsibility for Stream Buffers

1. The stream buffer areas must be established and recorded by the developer or property owner. Particular zones may be established and protected by different methods. One or more of the following methods shall be used to provide for the preservation of the buffer area in perpetuity:

   a. A drainage or conservation easement; or

   b. Inclusion in a development common area; or

   c. Dedication to the City of Raymore with the City's acceptance.

2. Developments and projects must be designed so that all established stream buffers are accessible to facilitate inspection, construction, maintenance and other activities related to the stream and City infrastructure in the buffer area. Nothing contained in this paragraph shall establish an independent right of ownership.

I. Inspection

1. The City's Engineering and Building Inspections divisions may cause inspections of the work in the buffer or setback to be made periodically during the course thereof and shall make a final inspection following completion of the work. The permittee shall assist the City in making such inspections. The City shall have the authority to conduct such investigations as it may reasonably deem necessary to carry out its duties as prescribed in this section, and for this purpose to enter at reasonable time upon any property, public or private, for the purpose of investigating and inspecting the sites of any land development activities within the protection area.

2. No person shall refuse entry or access to any authorized representative or agent who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper or interfere with any such representative while in the process of carrying out official duties.

J. Violations, Enforcement and Penalties

Any action or inaction which violates the provisions of this section or the requirements of an approved plan may be subject to the enforcement actions outlined in this Section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be

abated by injunctive or other equitable relief. The imposition of any of the penalties described below shall not prevent such equitable relief.

K. Notice of Violation

If the City of Raymore determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved site plan or the provisions of this section, it shall issue a written notice of violation to such applicant or other responsible person. Where a person is engaged in activity covered by this section without having first secured the appropriate approvals therefore, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site. The notice of violation shall contain:

1. The name and address of the owner or the applicant or the responsible person;
2. The address or other description of the site upon which the violation is occurring;
3. A statement specifying the nature of the violation;
4. A description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the approved site plan or this code and the date for the completion of such remedial action;
5. A statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and,
6. A statement that the determination of violation may be appealed to the Director of Public Works by filing a written notice of appeal within 30 days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient).

L. Penalties

In the event the remedial measures described in the notice of violation have not been completed by the date set forth for such completion in the notice of violation, anyone or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed. Before taking any of the following actions or imposing any of the following penalties, the Director of Public Works shall first notify the applicant or other responsible person in writing of its intended action, and shall provide a reasonable opportunity, of not less than 10 days (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) to cure such violation. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the Director of Public Works may take anyone or more of the following actions or impose anyone or more of the following penalties.

1. Stop Work Order

The Director of Public Works may issue a stop work order which shall be served on the applicant or other responsible person. The stop work order shall remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described therein, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.

2. Withhold Certificate of Occupancy

The City of Raymore may refuse to issue a certificate of occupancy for the building or other

improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

3. Suspension, Revocation or Modification of Permit

The Director of Public Works may suspend, revoke or modify the permit authorizing the land development project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein, provided such permit may be reinstated (upon such conditions as the Director of Public Works may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

4. Civil Penalties

In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described therein within 10 days (or such greater period as the Director of Public Works shall deem appropriate) (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours notice shall be sufficient) after the Director of Public Works has taken one or more of the actions described above, the Director of Public Works may impose a penalty not to exceed $1,000 (depending on the severity of the violation) for each day the violation remains unremedied after receipt of the notice of violation.

5. Criminal Penalties

For intentional and flagrant violations of this section, the Director of Public Works may issue a citation to the applicant or other responsible person, requiring such person to appear in (appropriate municipal, magistrate or recorders) court to answer charges for such violation. Upon conviction, such person shall be punished by a fine not to exceed $1,000 or imprisonment for 60 days or both. Each act of violation and each day upon which any violation shall occur shall constitute a separate offense.

M. Administrative Appeal and Judicial Review *(Amendment 2 – Ordinance 29073 7.27.2009)*

1. Administrative Appeal

Any person aggrieved by a decision or order of the City, may appeal an enforcement action in writing within 10 days after receipt of such action to the Director of Public Works of the City of Raymore and shall be entitled to a hearing before the Board of Appeals of the City of Raymore within 30 days of receipt of the written appeal.

2. Judicial Review

Any person aggrieved by a decision or order of the City, after exhausting all administrative remedies, shall have the right to appeal de novo to the Municipal Court of the City of Raymore.

Section 455.050 Wetland Protection

A. All land disturbance activities shall be conducted in accordance with all state and federal laws.

B. In its review of all applications, the City will utilize the U.S. Fish and Wildlife Inventory Map to determine if further study is necessary by an applicant to determine if a wetland is located on property to be developed or upon property included in a land disturbance permit application.

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Chapter 460. Flood Protection

Section 460.010 Introductory Provisions

A. Statutory Authorization

The Legislature of the State of Missouri has in RSMo., 79.010 et. seq., delegated the responsibility to local governmental units, to adopt floodplain management regulations designed to protect the health, safety, and general welfare.

B. Findings of Fact

1. Flood Losses Resulting from Periodic Inundation

The special flood hazard areas of the City of Raymore, Missouri, are subject to inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base; all of which adversely affect the public health, safety and general welfare.

2. General Causes of the Flood Losses

These flood losses are caused by:

a. the cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and

b. the occupancy of flood hazard areas by uses vulnerable to floods, hazardous to others, inadequately elevated, or otherwise unprotected from flood damages.

3. Methods Used to Analyze Flood Hazards *(Amendment 14 – Ordinance 2012-079 10.22.12)*

The Flood Insurance Study (FIS) that is the basis of this chapter uses a standard engineering method of analyzing flood hazards which consist of a series of interrelated steps.

a. Selection of a base flood that is based upon engineering calculations which permit a consideration of flood factors such as its expected frequency of occurrence, the area inundated and the depth of inundation. The base flood selected for this chapter is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this chapter. It is in the general order of a flood which could be expected to have a one percent chance of occurrence in any one year as delineated on the Federal Insurance Administrator's Flood Insurance Study and illustrative materials for Cass County, Missouri dated January 2, 2013, as amended, and any future revisions thereto.

b. Calculation of water surface profiles is based on a standard hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.

c. Computation of a floodway required to convey this flood without increasing flood heights more than one foot at any point.

d. Delineation of floodway encroachment lines within which no development is permitted that would cause any increase in flood height.

e. Delineation of flood fringe, i.e., the area outside the floodway encroachment lines that is still subject to inundation by the base flood.

C. Purpose

It is the purpose of this chapter to:

1. promote the public health, safety, and general welfare;
2. to minimize those losses described in Section 460.010B;
3. to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and
4. to meet the requirements of 44 CFR 60.3(b) by applying the provisions of this chapter to:
   a. restrict or prohibit uses that are dangerous to health, safety or property in times of flooding or cause undue increases in flood heights or velocities;
   b. require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
   c. protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

D. Applicability *(Amendment 14 – Ordinance 2012-079 10.22.12)*

This chapter applies to all lands within the jurisdiction of the City of Raymore identified as unnumbered A zones and AE zones on the Flood Insurance Rate Map (FIRM) or Flood Boundary and Floodway Map (FBFM) for Cass County, Missouri panels 29037C0028F, 29037C0029F, 29037C0034F, 29037C0035F, 29037C0036F, 29037C0037F, 29037C0038F, 29037C0039F, 29037C0041F, 29037C0042F, 29037C0043F, and 29037C0044F, dated January 2, 2013, as amended, and any future revisions thereto. In all areas covered by this chapter, no development is permitted except through the issuance of a floodplain development permit granted by the City of Raymore or its duly designated representative under such safeguards and restrictions as the City of Raymore or the designated representative may reasonably impose for the promotion and maintenance of the general welfare, health of the inhabitants of the community, and as specifically noted in Section 460.010C.

Section 460.020 Compliance

No development located within the special flood hazard areas of this community may be located, extended, converted or structurally altered without full compliance with the terms of this chapter and other applicable regulations.

Section 460.030 Abrogation and Greater Restrictions

It is not intended by this chapter to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this chapter imposes greater restrictions, the provisions of this chapter prevail. All other ordinances inconsistent with this chapter are hereby repealed to the extent of the inconsistency only.

Section 460.040 Interpretation

In their interpretation and application, the provisions of this chapter will be held to be requirements, will be liberally construed in favor of the governing body, and will not be deemed a limitation or repeal of any other powers granted by State Statutes.

Section 460.050 Warning and Disclaimer of Liability

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the

flood heights may be increased by man-made or natural causes. This chapter does not imply that areas outside the floodway and flood fringe or land uses permitted within such areas will be free from flooding or flood damage. This chapter does not create a liability on the part of the City of Raymore or any officer or employee thereof, for any flood damages that may result from reliance on this chapter or any administrative decision lawfully made under this chapter.

Section 460.060 Administration

A. Floodplain Administrator

1. Designation

The Director of Public Works is hereby designated as the Floodplain Administrator and is appointed to administer and implement the provisions of this chapter.

2. Powers and Duties

The duties and responsibilities of the Floodplain Administrator include, but are not limited to:

a. review of all applications for floodplain development permits to assure sites are reasonably safe from flooding and that the floodplain development permit requirements of this chapter have been satisfied;

b. review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State or local governmental agencies from which prior approval is required by Federal, State or local law;

c. review all subdivision proposals and other proposed new developments, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;

d. issue floodplain development permits for all approved applications;

e. notify adjacent communities and the Missouri Department of Natural Resources prior to any significant alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);

f. assure that maintenance is provided within the altered or relocated portion of any watercourse so that the flood-carrying capacity is not diminished;

g. verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures;

h. verify and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially improved non-residential structures have been floodproofed; and/or

i. when floodproofing techniques are utilized for a particular non-residential structure, the Floodplain Administrator must require certification from a registered professional engineer or architect.

B. Floodplain Development Permit

1. A floodplain development permit is required for all proposed construction or other development, including the placement of manufactured structures, within the lands described in Section 460.010D, according to the permit procedure in Section 470.070.

2. If any portion of a parcel is within the 100-year floodplain, the area shall be shown, with base flood elevations; and the developer shall present plans for meeting Federal Emergency Management Agency (FEMA) requirements. All FEMA, the Missouri Department of Natural Resources (MDNR) and/or United States Army Corps of Engineers (USCOE) approvals must be in place prior to any review by staff or the Planning and Zoning Commission.

C. Amendments

The regulations, restrictions and boundaries set forth in this chapter may be amended to reflect changes in the National Flood Disaster Protection Act of 1973, according to the text amendment procedure in Section 470.020. A copy of any amendments will be provided to the Region VII office of the Federal Emergency Management Agency (FEMA). The regulations of this chapter are in compliance with the National Flood Insurance Program (NFIP) regulations.

D. Variances

Any variance request to the requirements of this chapter shall be filed in accordance with Section 470.230.

Section 460.070 General Standards

A. No permit for floodplain development will be granted for new construction, substantial improvements, and other improvements, including the placement of manufactured homes, within any numbered or unnumbered A zone or AE zone, unless the conditions of this chapter are satisfied.

B. All areas identified as unnumbered A zones on the FIRM are subject to inundation of the 100-year flood; however, the base flood elevation is not provided. Development within unnumbered A zones is subject to all provisions of this chapter. If flood insurance study data is not available, the community must obtain, review, and reasonably utilize any base flood elevation or floodway data available from Federal, State or other sources.

C. Until a floodway is designated, no new construction, substantial improvements or other development, including fill, is permitted within any numbered A zone or AE zone on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

D. All new construction, subdivision proposals, substantial improvement, pre-fabricated buildings, placement of manufactured homes, and other development requires:

1. design or adequate anchorage to prevent floatation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;

2. construction of materials resistant to flood damage;

3. utilization of methods and practices that minimize flood damage;

4. all electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designated and/or located as to prevent water from entering or accumulating within the components during conditions of flooding;

5. new or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and on-site waste disposal systems be located so as to avoid impairment or contamination; and

6. subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
   a. all such proposals are consistent with the need to minimize flood damage;
   b. all public utilities and facilities, such as sewer, gas, electrical, and water systems are located and constructed to minimize or eliminate flood damage;
   c. adequate drainage is provided so as to reduce exposure to flood hazards; and
   d. all proposals for development, including proposals for manufactured home parks and subdivisions, of five acres or 50 lots, whichever is lesser, include within such proposals base flood elevation data.

E. Storage, Material and Equipment

1. The storage or processing of materials within the special flood hazard area that are, in time of flooding, buoyant, flammable, explosive or could be injurious to human, animal or plant life is prohibited.
2. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent floatation, or if readily removable from the area within the time availability after a flood warning.

F. Agricultural Structures

Structures used solely for agricultural purposes in connection with the production, harvesting, storage, drying or raising of agricultural commodities, including the raising of livestock, may be constructed at-grade and wet-floodproofed, provided:

1. there is no human habitation or occupancy of the structure;
2. the structure is of single-wall design;
3. there is no permanent retail, wholesale or manufacturing use included in the structure;
4. a variance has been granted from the floodplain management requirements of this chapter; and
5. a floodplain development permit has been issued.

G. Accessory Structures

Structures used solely for parking and limited storage purposes, not attached to any other structure, of limited investment value and not larger than 400 square feet may be constructed at-grade and wet-floodproofed provided:

1. there is no human habitation or occupancy of the structure;
2. the structure is of single-wall design;
3. a variance has been granted from the standard floodplain management requirements of this chapter; and
4. a floodplain development permit has been issued.

Section 460.080 Specific Standards

A. In all areas identified as numbered and unnumbered A zones and AE zones, where base flood elevation data have been provided as set forth in Section 460.070, the following provisions are required:

1. Residential Construction

a. New construction or substantial improvement of any residential structure, including manufactured homes, must have the lowest floor, including basement, elevated to or one foot above base flood level and no platted lots may encroach in the Federal Emergency Management Agency (FEMA) floodplain or the 100-year flood elevation for areas not identified as special flood hazard areas.

b. This subsection does not apply to any land development activity for which a preliminary plat or other phased development has been previously approved as of February 28, 2005 or to any land development activity which has been submitted for preliminary plat approval as of February 28, 2005.

2. Non-residential Construction *(Amendment 21 – Ordinance 2015-005 1.26.15)*

a. New construction or substantial improvement of any commercial, industrial or other non-residential structure, including manufactured homes, must have the lowest floor, including the basement, elevated to or one foot above the base flood level or, together with attendant utility and sanitary facilities, be flood-proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect must certify that the standards of this subsection are satisfied. Such certification must be provided to the Floodplain Administrator as set forth in Section 460.060.

b. No platted lots may encroach in the Federal Emergency Management Agency (FEMA) floodplain or the 100-year flood elevation for areas not identified as special flood hazard areas.

3. All Construction

Require for all new construction and substantial improvements that fully enclosed areas below lowest floor used solely for parking of vehicles, building access or storage in an area other than a basement and that are subject to flooding must be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

a. a minimum of two openings having a total net of not less than one square inch for every square foot of enclosed area subject to flooding must be provided; and

b. the bottom of all openings must be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Section 460.090 Manufactured Homes

A. All manufactured homes to be placed within all unnumbered and numbered A zones and AE zones on the community's FIRM must be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist floatation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

B. Require that manufactured homes that are placed or substantially improved within unnumbered or numbered A zones or AE zones on the community's FIRM on sites:

1. outside of manufactured home park or subdivision;

2. in a new manufactured home park or subdivision;

3. in an expansion to and existing manufactured home park or subdivision; or

4. in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood, be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or one foot above the base flood level and be securely attached to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

C. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within unnumbered or numbered A zones and AE zones on the community's FIRM, that are not subject to the provisions of Section 460.090B of this chapter, be elevated so that either:

1. the lowest floor of the manufactured home is at or one foot above the base flood level; or

2. the manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely attached to an adequately anchored foundation system to resist floatation, collapse, and lateral movement.

Section 460.100 Floodway

Located within areas of special flood hazard established in Section 460.010D are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris and potential projectiles, the following provisions apply:

A. the community shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designated to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot at any point;

B. the community shall prohibit any encroachments, including fill, new construction, substantial improvements and other development within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge;

C. if Section 460.100B is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this chapter; and

D. in unnumbered A zones, the community shall obtain, review and reasonably utilize any base flood elevation or floodway data currently available from Federal, State or other sources as set forth in Section 460.070B.

Section 460.110 Recreational Vehicles

Recreational vehicles placed on sites within unnumbered A zones on the community's FIRM must either:

A. be on site for fewer than 180 consecutive days;

B. be fully licensed and ready for highway use, meaning that it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no

permanently attached additions; or

C. meet the permitting, elevating, and the anchoring requirements for manufactured homes of this chapter.

Section 460.120 Stream Buffer Requirements

A. Additional Buffer Requirements

All land development activity subject to this chapter shall meet the following requirements:

1. A buffer plan approved by the Director of Public Works is required for all projects where development or redevelopment is to occur on property that includes or is adjacent to a FEMA designated flood plain or land subject to flooding during a 100 year storm event. The plan shall set forth an informative, conceptual, and schematic representation of the proposed activity so as to enable the City an opportunity to make a reasonably informed decision regarding the proposed activity.

2. The delineation of the buffer and its component zones shall be shown on any building construction plans, preliminary plat and final plat, as may be required by this Code. The buffer plan shall be submitted in conjunction with the required preliminary plat and engineering plans for any development and the boundaries of the stream buffer shall be clearly delineated.

3. A buffer plan shall contain the following information:

   a. A location or vicinity map showing the limits of the FEMA-delineated flood plain and 100-year flood limits.

   b. Field-delineated and/or surveyed streams, springs, bodies of water (include a minimum of 150 feet into adjacent properties).

   c. Labels for the buffer zones and any structures or activities by the zone where they are to be located.

   d. An inspection and maintenance plan as outlined in the latest revision of the Mid-America Council and American Public Works Association Manual of Best Management Practices for Stormwater Quality.

4. **Boundary Markers**

   Boundary markers shall be installed prior to final approval of the required clearing and grading plan.

5. **Construction Fencing**

   Construction fencing shall be placed to delineate the buffer and shall be maintained throughout the construction of the project.

6. **Final Plats**

   All final plats and survey developments prepared for recording shall clearly:

   a. show the extent of any buffer on the subject property;

   b. provide a note to reference any buffer stating: "There shall be no clearing, grading, construction or disturbance of vegetation"; and

   c. provide a note to reference any conservation easements governing all stream buffer areas stating: "Any buffer shown hereon is subject to conservation easements that

restrict disturbance and use of these areas."

B. Design Standards for Buffers *(Amendment 14 – Ordinance 2012-079 10.22.12)*

1. A buffer for a stream shall consist of a strip of land extending along both sides of a stream.
2. The required width for all stream buffers shall be a minimum average of 40 feet on each side of the stream beginning at the stream centerline.
3. In no case shall the buffer be less than the flood plain limits as shown on the Flood Insurance Rate Map (FIRM) and Flood Boundary and Floodway Map (FBFM) for Cass County, Missouri Panels 29037C0028F, 29037C0029F, 29037C0034F, 29037C0035F, 29037C0036F, 29037C0037F, 29037C0038F, 29037C0039F, 29037C0041F, 29037C0042F, 29037C0043F and 29037C0044F dated January 2, 2013, as amended, and any future revisions thereto.
4. If stream buffers, or stream channels, are disturbed or destroyed during development activities, they shall be restored using native vegetation or plantings as outlined in required 'Planting Palette'
5. The following structures, practices, and activities are permitted in the stream buffer, with specific design or maintenance features, subject to the review and approval of the City:
   a. Activities for the purpose of building one of the following:
      (1) a stream crossing by a driveway, transportation route or utility line;
      (2) public water supply intake or public wastewater outfall structures;
      (3) public access facilities that must be on the water including boat ramps, docks, foot trails leading directly to the river, fishing platforms and overlooks;
      (4) paved foot trails and paths;
      (5) activities to restore and enhance stream bank stability, vegetation, water quality and/or aquatic habitat, so long as native vegetation and bioengineering techniques are used.
   b. Crossings for roads, bridges and utilities, subject to the following:
      (1) the right-of-way should be the minimum width needed to allow for maintenance access and installation
      (2) the angle of the crossing shall be as close to perpendicular to the stream or buffer as is practicable to minimize clearing requirements; and
      (3) the minimum number of road crossings should be used within each subdivision, and no more than one crossing is allowed for every 1,000 feet of buffer.
   c. Public sewer line easements paralleling the creek, except that all easements (permanent and construction) and land disturbance should be at least 25 feet from the top of the bank. This includes such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.
   d. Within an easement of any utility existing at the time this ordinance takes effect or approved under the terms of this ordinance, land disturbance activities and such impervious cover as is necessary for the operation and maintenance of the utility, including but not limited to manholes, vents and valve structures.

e. Emergency work necessary to preserve life or property. However, when emergency work is performed under this section, the person performing it shall report such work to the Director of Public Works on the next business day after commencement of the work. Within 10 days thereafter, the person shall apply for a permit and perform such work within such time period as may be determined by the Director of Public Works to be reasonably necessary to correct any impairment such emergency work may have caused to the water conveyance capacity, stability or water quality of the protection area.

f. Placement of structures for the control and monitoring of water quality and water quantity within a stream buffer, as required by the City.

Section 460.130 Penalties for Violation

A. Any person who violates this chapter or fails to comply with any of its requirements will, upon conviction thereof, be subject to the penalties contained in Section 480.030I.

B. Nothing herein contained will prevent the City of Raymore or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

Chapter 465. Review and Decision-Making Bodies and Officials

Section 465.010 City Council

A. Establishment

The City Council of the City of Raymore, Missouri, was established in accordance with Article III of the City Charter.

B. Powers and Duties

In addition to the powers and duties set forth elsewhere in the City Code, the City Council has the following powers and duties related to the Unified Development Code:

1. to make decisions on zoning map and text amendments;
2. to make decisions on conditional uses;
3. to make decisions on special use permits;
4. to make decisions on planned unit developments;
5. to make decisions on preliminary and final plats;
6. to make decisions on vacations of streets or reservations; and
7. to decide appeals on site plan reviews.

Section 465.020 Planning and Zoning Commission

A. Establishment

By authority vested to the City of Raymore, the City Council previously established the Planning and Zoning Commission.

B. Membership *(Amendment 1 – Ordinance 29025 3.9.2009)*

1. The Planning and Zoning Commission shall be composed of two citizen members from each ward who have been appointed by the Mayor with the advice and consent of a majority of the City Council; the Mayor, if the Mayor chooses to be a member; and a member of the City Council selected by the City Council, if the Council chooses to have a member serve on the Commission.
2. If a member of the Planning and Zoning Commission shall move to another ward during the time of his/her term, or if a change in ward boundary lines places the member in a different ward than the ward he/she was initially appointed from, he/she shall serve until a suitable replacement from the ward in question is found or until the completion of their term if a suitable replacement is not found.
3. In the event no candidates from the requisite ward may be found or volunteer to fill a vacant position, then the Mayor, with the advice and consent of a majority of the City Council, may fill the vacancy with an appointment from the citizens at large.
4. During a meeting in April of each year, the Council shall designate whether or not it shall have a member serve on the Commission and the Mayor shall designate if he/she chooses to be a member of the Commission and any such member shall serve for a term of one year.

C. Terms

1. The term of each of the citizen members is four years.

2. The term of each citizen member begins November first of each year.
3. At its first November meeting, or the first meeting after November if no meeting is held in November, the Commission must annually elect one of its citizen members to act as Chair, another of its members to act as Vice-Chair, and another of its members to act as Secretary. The terms are for one year with eligibility for re-election.
4. All citizen members of the Commission will serve without compensation.
5. The City Council may remove any citizen member for cause stated in writing and after public hearing. The Mayor may, with the consent of the majority of the Council members, remove any member for misconduct or neglect of duty. A member's unexcused absence from three consecutive regular meetings in a 12 month period constitutes neglect of duty.

D. Vacancies

Any vacancy in a membership will be filled through appointment by the City Council as described in Section 465.020B.

E. Rules of Procedure

The Planning and Zoning Commission has the authority to make rules and regulations for the proper conduct of its business.

F. Quorum

A majority of the members of the Commission constitutes a quorum and no action of the Commission is binding unless authorized by a majority of the full membership of the Commission at a regular meeting or at a duly called special meeting. Special meetings may be called by the Chair or by any two members of the Commission upon giving written notice to the members of the Commission at least three days before the date of the special meeting.

G. Meetings

1. The Planning and Zoning Commission meets on the first and third Tuesday of each month in the City Hall.
2. All meetings are open to the public, except as permitted by law.
3. The Commission must keep minutes of its proceedings, showing the vote of each member upon each question, as well as any members that are absent. The records of the Commission proceedings and actions must be immediately filed in the office of the City Clerk and these will be a public record.

H. Public Hearings

The Planning and Zoning Commission will hold public hearings in accordance with this Code.

I. Powers and Duties

The Planning and Zoning Commission has the following powers and duties:

1. the powers and duties as authorized by Sections 89.300 through 89.491 of the Revised Statutes of Missouri, as amended;
2. to hold public hearings and make recommendations on zoning map and text amendments;
3. to hold public hearings and make recommendations on conditional uses;
4. to hold public hearings and make recommendations on planned unit developments;

5. to hold public hearings and make recommendations on preliminary plats;
6. to hold public hearings and make recommendations on easement and right-of-way vacations;
7. to make recommendations on final plats;
8. to hear appeals from certain subdivision requirements;
9. to make decisions on site plan reviews;
10. to make recommendations on special use permits;
11. to place reasonable conditions upon approval;
12. to plan for the future development of the City by preparing the City Growth Management Plan, including an annual review and update;
13. to hold public hearings and consider adoption of special plans, including corridor studies and neighborhood plans;
14. to request City Staff to conduct research on planning issues and questions and provide any necessary reports;
15. to study and propose plans and ordinances that would improve the public health, safety or general welfare of the citizens of Raymore;
16. to consider all public comments and testimony provided at public hearings during its deliberations of a development application;
17. to represent the citizenry of the City of Raymore when reviewing development applications; and
18. to protect the public health, safety and welfare from any potential impacts of new development.

Section 465.030 Board of Adjustment

A. Establishment

By authority vested to the City of Raymore, the City Council has established the Board of Adjustment.

B. Membership *(Amendment 2 – Ordinance 29073 7.27.2009)*

The Board of Adjustment consists of five members and up to three alternate members who are citizens and residents of the City of Raymore, Missouri, and have been appointed by the Mayor with the advice and consent of a majority of the City Council.

C. Terms *(Amendment 2 – Ordinance 29073 7.27.2009)*

1. The term of each of the members is five years.
2. At its November meeting, or the first meeting after November if no meeting is held in November, the Board must annually elect one of its members to act as Chair, another as Vice-Chair, and another of its members to act as Secretary. The terms are for one year with eligibility for re-election.
3. Alternate members will serve in the order of their appointment in the event a member(s) of the Board of Adjustment is not able to participate in a meeting due to absence or disqualification. If an alternate member begins as a member of the Board for a particular case, they must serve as a member of the Board until the case is concluded, even if the case is continued.

4. All members of the Board will serve without compensation.

5. The City Council may remove any member only for cause stated in writing and after public hearing. The Mayor may, with the advice and consent of a majority of the City Council, remove any member for misconduct or neglect of duty. A member's unexcused absence from three consecutive regular meetings in a 12 month period constitutes neglect of duty.

D. Vacancies *(Amendment 2 – Ordinance 29073 7.27.2009)*

The Mayor, with the advice and consent of a majority of the City Council, may fill vacancies for the remainder of any vacant term.

E. Rules of Procedure

The Board of Adjustment has the authority to make rules and regulations for the proper conduct of its business.

F. Quorum

The presence of three members constitutes a quorum. A concurring vote of four members of the Board is required to reverse any order, requirement, decision or determination of the Community Development Director, or to decide in favor of the applicant on any matter upon which it is required to vote.

G. Meetings

1. Meetings of the Board will be held at the call of the Chair and at such other times as the Board may determine necessary. The Board must conduct a meeting on all requested appeals or variances within 60 days of submission of a completed application.

2. All meetings of the Board are open to the public.

3. The Chair, or in his/her absence the Acting Chair, may administer oaths and compel the attendance of witnesses.

4. The Board must keep minutes of its proceedings, showing the vote of each member upon each question, as well as any members that are absent. The records of the Commission proceedings and actions must be immediately filed in the office of the City Clerk and these will be a public record.

H. Public Hearings

The Board of Adjustment will hold public hearings according to Section 470.010E.

I. Powers and Duties

The Board of Adjustment has the following powers and duties:

1. unless otherwise specifically stated, to hear and make decisions on variances from the specific terms of this Code; and

2. unless otherwise specifically stated, to hear and decide appeals of decisions of the Community Development Director, or any other official charged with making administrative decisions, interpreting, or enforcing the Unified Development Code.

Section 465.040 Community Development Director

A. Establishment *(Amendment 2 – Ordinance 29073 7.27.2009)*

The position of Community Development Director was previously established and appointed by the City Manager.

B. Powers and Duties *(Amendment 2 – Ordinance 29073 7.27.2009)*

The Community Development Director has the following powers and duties:

1. to enforce the Unified Development Code;
2. to approve and issue all zoning and occupancy certificates and make and maintain records thereof;
3. to conduct inspections of buildings, structures and uses of land to determine compliance with the provisions of the Unified Development Code;
4. to approve site plans according to Section 470.160D.1.;
5. to render interpretations of the Unified Development Code;
6. to schedule meetings of the Development Review Committee, as needed;
7. to receive, file and transmit applications for site plans, preliminary and final plats, rezonings, PUDs, variances, conditional use permits, special uses, inflatable sign permits and vacations as designated in the Unified Development Code;
8. to maintain permanent and current records of the Unified Development Code, including but not limited to, all zoning text and map amendments, conditional uses, plats, variances, appeals and other development review applications;
9. to maintain and update the Unified Development Code, on or before March 31st of each year, for distribution to the public. This includes the following:
    a. the compiled text of the Unified Development Code, including all amendments adopted through the preceding December 31st; and
    b. a Zoning Map or maps, showing the zoning districts, divisions and classifications in effect on the preceding December 31st.
10. to provide such clerical, technical and consulting assistance as may be required by the Planning and Zoning Commission, Board of Adjustment and other boards, commissions and officials in the exercise of their duties relating to the Unified Development Code; and
11. to maintain the rules of the Planning and Zoning Commission and Board of Adjustment.

Section 465.050 Director of Public Works

A. Establishment *(Amendment 2 – Ordinance 29073 7.27.2009)*

The position of Director of Public Works was previously established and appointed by the City Manager.

B. Powers and Duties

In addition to the powers and duties set forth elsewhere in the City Code, the Director of Public Works has the following powers and duties related to the Unified Development Code:

1. to make recommendations on preliminary and final plats;
2. to make recommendations on vacations of streets or reservations;
3. to make recommendations that adequate public facilities have been provided;
4. to make decisions on floodplain development permits; and
5. to advise the City Council when public improvements are ready for acceptance.

Section 465.060 Development Review Committee

A. Establishment

The Development Review Committee has been previously established as an advisory committee that provides initial feedback on development proposals and site plans.

B. Membership *(Amendment 2 – Ordinance 29073 7.27.2009)*

The Development Review Committee consists of the Community Development Director and representatives from City departments and other government agencies deemed necessary by the Director to provide input on development proposals. These may include, but not be limited to, representatives from the Raymore's Community Development, Engineering, Economic Development, Parks and Recreation, and City Manager's office, and the South Metropolitan Fire Protection District.

C. Meetings

Meetings will be held at the request of the Community Development Director as a part of the City's regular internal staff meetings.

D. Powers and Duties

The Development Review Committee has the following powers and duties:

1. to review and provide input on site plans, zoning map amendments, conditional uses, special uses, planned developments, preliminary plats, final plats, and
2. to review and provide input on other applications, when requested by the Community Development Director.

Chapter 470. Development Review Procedures

Section 470.010 General Requirements

A. Summary of Procedures *(Amendment 2 – Ordinance 29073 7.27.2009) (Amendment 22 - Ordinance 2015-068 - 9.14.15)*

The following table provides a summary of the review and approval procedures of this chapter. In the event of conflict between this summary table and the detailed procedures contained elsewhere in this chapter, the detailed procedures govern.

	Community Development Director and Engineering Staff	Board of Adjustment	Planning & Zoning Commission	City Council	Board of Appeals
Zoning map amendments (rezoning)	R		[R]	[D]	
Text amendments	R		[R]	[D]	
Conditional uses	R		[R]	[D]	
Uses subject to special conditions	D				
Planned unit development (PUD)	R		[R]	[D]	
Zoning Variances	R	[D]			
Appeals of UDC Administrative Decisions		D			
Minor subdivision plat	R		R	D	
Preliminary subdivision plat	R		[R]	[D]	
Final subdivision plat	R		R	D	
Zoning certificate	D	A			
Sign permit	D	A			
Site plan review	D or R		A or D	A	
Vacation of streets or reservations	R		[R]	[D]	
Interpretations	D	A			A (Chapter 455 or 460)
Administrative adjustments	D	A			
Natural Resource Protection Variances	R				D
Flood Plain Management Variances	R				D
Inflatable Signs	R		D	A	

R = Recommendation *D = Decision* *A = Appellate authority* *[ ] Public Hearing Required*

B. Pre-application Conferences

1. Purpose and Applicability

a. Before submitting a formal application for a map amendment, preliminary plat, conditional use, planned unit development, or site plan, the applicant or his/her agent and the applicant's engineer and/or land planning consultant must confer with the Development Review Committee. The purpose of this conference is to inform the applicant of the requirements of development regulations as they apply to the property in question and to alert the applicant to potential problems with the location or design of the subdivision or proposed development. The purpose of the inquiry is for the

owner to become familiar with procedures required by the City of Raymore, and potential challenges with the project, including:

(1) procedure for filing plans;

(2) availability of public infrastructure;

(3) Growth Management Plan requirements for improvements such as arterial and collector streets, land use, parks, schools and public open spaces;

(4) anticipated need to submit technical studies, such as a traffic study or preliminary stormwater study;

(5) zoning requirements for the property in question and adjacent properties;

(6) special setback requirements for arterial, collector and local streets; and

(7) citizen concerns.

2. Conference Procedure

The Development Review Committee will hold a conference with the applicant to discuss the proposed development. Areas of discussion will include the adequacy of sanitary and other services, streets, pavement, storm water drainage, and provisions for maintenance of public or common property, or sanitary and water supply services, and of the character of the subdivision, minimum dwelling size, and other proposed lot characteristics and such other matters relevant to the preparation of a preliminary plat or complete plan application.

C. Applications

1. Contents

a. All applications required under this chapter must be submitted in a form and the number required by the Community Development Director, unless otherwise specified.

b. Officials responsible for accepting applications must maintain a list specifying the materials and information to be submitted with each application filed. The list must be made available to all applicants and to any other person who requests a copy.

c. All applications shall include the submission requirements as identified in the application packet.

2. Completeness

a. An application will be considered complete and ready for processing only if it is submitted in the required number and form, includes all required information, and is accompanied by the required fee. The Community Development Director has the authority to determine whether the application is complete.

b. If an application is determined to be incomplete, written notice explaining the deficiencies must be provided to the applicant.

c. No further processing of incomplete applications will occur until the deficiencies are corrected. If the deficiencies are not corrected by the applicant within 90 days, the application will be considered withdrawn.

3. Filing Fees *(Amendment 8 – Ordinance 2011-9 2.28.11)*

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.

4. Multiple Applications

Multiple applications may be filed for the same property for consideration at the same meeting. Final plat applications may not be considered at the same meeting that an application for a map amendment or preliminary plat is considered for residentially zoned property.

5. Inactive Applications *(Amendment 2 – Ordinance 29073 7.27.2009) (Amendment 16 – Ordinance 2013-056 8.26.13)*

a. An applicant may submit a request to stay consideration of an application at any time during the application review process. All review of the application will be placed on hold until the applicant contacts the Community Development Director and indicates consideration of the application can again commence.

b. The Community Development Director can determine an application is inactive if:

(1) No correspondence, such as a letter, phone call, or email is received from the applicant regarding the application for a period of time that exceeds ninety (90) days; or

(2) No documentation or revised plans have been submitted to allow for continuation of review of the application.

c. The maximum amount of time an application is permitted to remain inactive is 1 year from the date the request to stay consideration of the application is made or from the date the Community Development Director determines the application is inactive. If an applicant does not withdraw the application or authorize review to again commence within the 1 year time period, then the application shall expire and a new application, including filing fee, shall be submitted to commence review.

D. Submission of Technical Studies

1. The Community Development Director, Director of Public Works, Planning and Zoning Commission or City Council may require applicants for rezoning, conditional use permits, special use permits, preliminary plats and site plans to submit technical studies that may be necessary to enable the staff, Planning and Zoning Commission or City Council to evaluate the application. Examples of technical studies that may be required include, but are not limited to; traffic studies, stormwater studies, engineering studies, hydrologic studies, environmental impact assessments, noise studies, or market studies. The costs of all studies shall be borne by the applicant.

2. Any decision by the Community Development Director or Director of Public Works to require any such study may be appealed to the Planning and Zoning Commission. The appeal shall be heard by the Commission at its next available meeting. Any decision of the Planning and Zoning Commission to require any such study may be appealed to the City Council. The decision of the City Council shall be final. If an appeal is filed, the application shall not be considered by the Commission until the appeal process is completed.

3. Upon the submission of any technical or related studies and/or upon further determination by City staff, certain easements and related improvements such as streets, drainage, water courses,

erosion control, utilities, tree preservation, open areas, or recreational amenities may be required as a condition of approval of the rezoning, conditional use permit, preliminary plat, or site plan.

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.

a. Informational Notice ("Good Neighbor Notice")

(1) This sub-section applies to rezoning, preliminary plat, and PUD applications.

(2) An informational notice providing a date, time and location of a neighborhood meeting to discuss the proposed project shall be prepared by the City and mailed within three days of filing the application to the following interested parties:

(a) all property owners within 185 feet of the boundaries of the property for which the zoning change is requested;

(b) the President of any Property Owners' Association of which the subject property in an application before the Planning and Zoning Commission is included or is adjacent to; and

(c) the City Council ward representatives.

b. Published Notice

(1) All published notices for public hearings must be placed at least once in a newspaper of general circulation in the City, at least 15 days prior to the hearing. Published notices must contain:

(a) the date, time and location of any upcoming public hearings on the matter;

(b) where an application will affect a particular property, a legal description, address or general description sufficient to identify the subject property;

(c) a description of the nature and purpose of the application;

(d) the name and address of the applicant; and

(e) contact information for additional information on the application.

(2) Published notice is all that is required for comprehensive text amendments to the Unified Development Code.

c. Mailed Notice

(1) All mailed notices must be provided and mailed via first-class mail at least 15 days before the hearing to all owners of property located within at least 185 feet of the subject property. Mailed notices must contain:

(a) the date, time and location of any upcoming public hearings on the matter;

(b) where an application will affect a particular property, the address or general description sufficient to identify the subject property, and a statement that a complete legal description is available for public inspection;

(c) a description of the nature and purpose of the application;

(d) the name of the applicant; and

(e) contact information for additional information on the application.

(2) When the notice has been deposited in the mail, failure of a party to receive such notice will not invalidate any subsequent action taken by the Planning and Zoning Commission, Board of Adjustment, and/or the City Council.

(3) Such notice is sufficient to permit the Planning and Zoning Commission, Board of Adjustment, and/or City Council to consider applications that will affect only a portion of the land described in the notice.

d. Posted Sign Notice *(Amendment 8 – Ordinance 2011-9 2.28.11)*

(1) This subsection 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.

2. Public Meetings

When a public meeting is required by the provisions of this chapter, it must be conducted as follows:

a. Neighborhood Meeting

(1) When a neighborhood meeting is required, the meeting shall be held prior to consideration of the application by the Planning and Zoning Commission.

(2) A summary of the neighborhood meeting will be prepared by staff and included in the staff report submitted to the Planning and Zoning Commission.

b. Public Hearing

(1) A record of the public hearing proceedings must be preserved in such manner and conducted in accordance with the applicable rules and procedures adopted by the Planning and Zoning Commission or Board of Adjustment.

(2) Any interested person or party may appear and be heard at the hearing as follows:

(a) in person;

(b) by agent or representative;

(c) by attorney; and/or

(d) by submitting comments in writing to be read in its entirety and entered into the record.

Section 470.020 Zoning Map and Text Amendments

A. Authority

The City Council may, by ordinance, amend, supplement, change, modify or repeal the Unified Development Code and the zoning district boundaries.

B. Initiation of Amendments

Zoning Map amendments may be initiated by the City Council, the Planning and Zoning Commission or upon application by the owner(s) of a property proposed to be affected. Text amendments may be initiated by the City Council or the Planning and Zoning Commission.

C. Pre-Application Conference

Prior to filing of an application for a map amendment, the applicant must attend a pre-application conference in accordance with Section 470.010B.

D. Applications

When the owner of the property affected initiates an amendment to the district boundaries, an application for such amendment must be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director so that a public hearing date can be established in accordance with Section 470.010E.

E. Memorandum of Understanding

A Memorandum of Understanding (MOU) may be required by the City for any zoning map amendment request.

F. Procedure *(Amendment 16 – Ordinance 2013-056 8.26.13)*

1. Planning and Zoning Commission Public Hearing

All proposed text and map amendments first must be submitted to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission must hold a public hearing on the application in accordance with Section 470.010E. The public hearing must be held at the next regular meeting of the Planning and Zoning Commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The Community Development Director or other appointed official as designated by the Planning and Zoning Commission must prepare a written summary of the proceedings, and give notice of the hearing as provided in Section 470.010E.

2. Planning and Zoning Commission Recommendation

Upon conclusion of the public hearing, the Planning and Zoning Commission will submit a recommendation to the City Council to approve, approve with modifications or disapprove the proposed amendment. If a motion on an application fails, the Planning and Zoning Commission shall be required to propose and vote on a counter motion on the application. If a tie vote of the Commission, or if no majority vote of the full membership of the Commission can be obtained on a recommendation to be made, the application will be forwarded to the

City Council with no recommendation. The Commission must submit its recommendation along with a record of the public hearing thereon, to the City Council. The Planning and Zoning Commission may include reasonable conditions as a part of its recommendations.

3. City Council Public Hearing

The Raymore City Council must hold a public hearing on the application in accordance with Section 470.010E1b through d and E2.

4. City Council Action

a. The City Council must consider the request for an amendment within 60 days of receipt of written recommendation of the Planning and Zoning Commission. Upon receipt of the recommendation of the Planning and Zoning Commission and any protest petitions that have been submitted, the City Council must consider the application and may take final action to approve or disapprove it.

b. If final action is not taken by the City Council within 120 days after the recommendation of the Planning and Zoning Commission is submitted to it, the proposed amendment will be deemed to have been defeated and denied, unless the applicant has consented to an extension of this time period. Whenever a proposed amendment is defeated, either by vote of the City Council or by inaction described in this section, such amendment cannot be passed without another public hearing that is noticed in accordance with this chapter.

c. If the City Council approves an application, it will adopt an ordinance to that effect. If the Official Zoning Map has been adopted by reference, the amending ordinance will define the change or boundary as amended, will order the Official Zoning Map to be changed to reflect such amendment and will amend the section of the Unified Development Code incorporating the same and reincorporate the zoning map as amended.

d. Whenever a proposed map amendment is denied, a map amendment for the same lot or parcel shall not be filed by the same applicant for at least one year.

G. Findings of Fact

1. Findings of Fact for Map Amendments (Rezoning)

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

a. the character of the surrounding neighborhood, including the existing uses and zoning classification of properties near the subject property;

b. the physical character of the area in which the property is located;

c. consistency with the goals and objectives of the Growth Management Plan and other plans, codes and ordinances of the City of Raymore;

d. suitability of the subject property for the uses permitted under the existing and proposed zoning districts;

e. the trend of development near the subject property, including changes that have taken place in the area since the subject property was placed in its current zoning district;

f. the extent to which the zoning amendment may detrimentally affect nearby property;

g. whether public facilities (infrastructure) and services will be adequate to serve development allowed by the requested zoning map amendment;

h. the suitability of the property for the uses to which it has been restricted under the existing zoning regulations;

i. the length of time (if any) the property has remained vacant as zoned;

j. whether the proposed zoning map amendment is in the public interest and is not solely in the interests of the applicant; and

k. the gain, if any, to the public health, safety and welfare due to denial of the application, as compared to the hardship imposed upon the landowner, if any, as a result of denial of the application.

2. Findings of Fact for Text Amendments

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

a. whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Raymore;

b. whether the proposed text amendment corrects an error or inconsistency in the code;

c. the areas which are most likely to be directly affected by such change and in what way they will be affected;

d. whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it; and

e. whether the proposed text amendment is in the best interests of the City as a whole.

3. Protest

In the event that a protest petition against any application for a zoning map amendment is presented to the City Clerk prior to the date scheduled for the City Council to take action and is properly signed and notarized by the deeded owners of 30 percent or more of the areas of the land (exclusive of streets and alleys) included in such proposed change or within an area determined by lines drawn parallel to and 185 feet distant from the boundaries of the district proposed to be changed, such amendment will not become effective except by the favorable vote of two-thirds of all the members of the City Council.

Section 470.030 Conditional Uses

A. Purpose

Conditional uses are those types of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate neighborhood and its environs. Some conditional uses may also be permitted only after complying with additional requirements in Chapter 420.

B. Pre-Application Conference

Prior to filing of an application for a conditional use, the applicant must attend a pre-application conference in accordance with Section 470.010B.

C. Applications

An application for a conditional use may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with

the Community Development Director so that a public hearing date can be established in accordance with Section 470.010E.

D. Procedure *(Amendment 16 – Ordinance 2013-056 8.26.13)*

1. Planning and Zoning Commission Public Hearing

All proposed conditional use applications first must be submitted to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission will hold a public hearing on the application in accordance with Section 470.010E. The public hearing must be held at the next regular meeting of the Planning and Zoning Commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The Community Development Director or other appointed official as designated by the Planning and Zoning Commission must prepare a written summary of the proceedings, and give notice of the hearing as provided in Section 470.010E.

2. Planning and Zoning Commission Recommendation

Upon conclusion of the public hearing, the Planning and Zoning Commission will submit a recommendation to the City Council to approve, approve with modifications or disapprove the proposed conditional use. If a motion on an application fails, the Planning and Zoning Commission shall be required to propose and vote on a counter motion on the application. If a tie vote of the Commission, or if no majority vote of the full membership of the Commission can be obtained on a recommendation to be made, the application will be forwarded to the City Council with no recommendation. The Commission must submit its recommendation along with a record of the public hearing thereon, to the City Council. The Planning and Zoning Commission may include reasonable conditions as a part of its recommendation.

3. City Council Public Hearing

The Raymore City Council must hold a public hearing on the application in accordance with Section 470.010E1b through d and E2.

4. City Council Action

a. The City Council must consider the request for a conditional use permit within 60 days of receipt of written recommendation of the Planning and Zoning Commission. Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council must consider the application and may approve, approve with conditions or disapprove the application. If the City Council approves an application, it will adopt an ordinance to that effect.

b. Conditions of Approval *(Amendment 8 – Ordinance 2011-9 2.28.11)*

(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; or

(c) allow the conditional use permit to be renewed.

E. Findings of Fact *(Amendment 22 – Ordinance 2015-068 - 9.14.15)*

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

1. the proposed conditional use complies with all applicable provisions of this Unified Development Code;

2. it is in the interest of the public welfare or convenience and will not have a significant adverse impact on the general welfare of the neighborhood or community;

3. the proposed conditional use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;

4. it is compatible with the character of the surrounding property in terms of site planning, building scale and project design;

5. it is compatible with the character of the surrounding property in terms of operating characteristics, such as hours of operation, outdoor lighting, noise and traffic generation;

6. whether the location, size, nature or intensity of the proposed conditional use would prevent the development and use of neighboring property in accordance with the applicable zoning district regulations. In determining whether the conditional use will adversely affect the immediate neighborhood, consideration must be given to:

a. the location, nature and height of buildings, structures, walls, and fences on the site, and

b. the nature and extent of landscaping and screening on the site.

7. off-street parking and loading areas will be provided in accordance with the standards set forth in Section 425.020 and Section 425.070, such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect;

8. existing public facilities (infrastructure) and services are adequate to accommodate the additional demands of the proposed use or will be made to accommodate such demands without substantially increasing public expenditures;

9. it will not have a significant adverse impact on pedestrian safety and comfort;

10. adequate access roads or entrance and exit drives will be provided and will be so designed to prevent traffic hazards and to minimize traffic congestion in public streets and alleys; and

11. all special conditions have been met as set forth by Chapter 420.

In its deliberation of a request for a conditional use permit for a sign, the Planning and Zoning Commission and City Council must make findings of fact taking into account the following:

12. the size of the sign is appropriate for the property;
13. the location selected for the sign does not interfere with the visibility of any conforming sign installed on adjacent property;
14. the number of signs requested for the property is appropriate;
15. whether there is a condition unique to the property, such as topography, line-of-sight, natural feature, or other factor that necessitates that the conditional use be granted so the sign will be visible; and
16. whether the sign, due to its height, size, location, or total number of signs on the property will have a significant impact on the general welfare of the neighborhood or community; and
17. whether the sign is compatible with the general character of surrounding property.

Section 470.040 Special Uses

A. Purpose

The division of the City into zoning districts is based upon the principle that similar conditions prevail throughout a particular zoning district. Some uses of land would not normally appear as uses permitted outright in various zoning districts, but it would be beneficial to allow such uses, under certain conditions, without changing the base zoning district.

B. Applications

An application for a use subject to special conditions may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director.

C. Procedure

Uses subject to special conditions are reviewed and approved or disapproved by the Community Development Director. A building permit or certificate of occupancy will not be issued for any permitted use subject to "special conditions" until all of the required conditions have been met.

D. Required Conditions

The Use Tables in Section 405.020 and Section 410.020 specify uses subject to special conditions and Chapter 420 identifies the special conditions under which these uses are permitted in a zoning district.

Section 470.050 Planned Unit Development (PUD)

A. Purpose

The purpose of a Planned Unit Development (PUD) District is to encourage the unified design of residential, commercial, office, professional services, retail and institutional uses and facilities or combinations thereof in accordance with an approved comprehensive development plan. This district provides for greater flexibility in the design of buildings, yards, courts, and circulation that is provided by other districts.

B. Pre-Application Conference

Prior to filing of an application for a planned unit development, the applicant must attend a pre-application conference in accordance with Section 470.010B.

C. Preliminary Plan Applications

An application for a planned unit development may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director so that a public hearing date can be established in accordance with Section 470.010E.

D. Memorandum of Understanding

A Memorandum of Understanding (MOU) shall be prepared for all Planned Unit Development applications. The MOU will be prepared by the City and included with the application when submitted to the Planning and Zoning Commission for consideration. The applicant shall sign the MOU prior to submittal of the application of the City Council.

E. Preliminary Plan Procedure *(Amendment 16 – Ordinance 2013-056 8.26.13)*

1. Planning and Zoning Commission Public Hearing

All proposed planned unit development applications must first be submitted to the Planning and Zoning Commission for review and recommendation. The Planning and Zoning Commission will hold a public hearing on the application in accordance with Section 470.010E. The public hearing must be held at the next regular meeting of the Planning and Zoning Commission for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The Community Development Director or other appointed official as designated by the Planning and Zoning Commission must prepare a written summary of the proceedings, and give notice of the hearing as provided in Section 470.010E.

2. Planning and Zoning Commission Recommendation

Upon conclusion of the public hearing, the Planning and Zoning Commission will submit a recommendation to the City Council to approve, approve with modifications or disapprove the proposed planned unit development preliminary plan. If a motion on an application fails, the Planning and Zoning Commission shall be required to propose and vote on a counter motion on the application. If a tie vote of the Commission, or if no majority vote of the full membership of the Commission can be obtained on a recommendation to be made, the application will be forwarded to the City Council with no recommendation. The Commission must submit its recommendation along with a record of the public hearing thereon, to the City Council. The Planning and Zoning Commission may include reasonable conditions as a part of its recommendation.

3. City Council Action

Upon receipt of the recommendations of the Planning and Zoning Commission, the City Council must within 60 days consider the application and recommendations of the Planning and Zoning Commission. The City Council may approve or modify the recommendations of the Planning and Zoning Commission and may approve, approve with modifications or disapprove the preliminary plan with or without conditions. In the event the application is not acted upon by the City Council within 120 days following receipt of the recommendations of the Planning and Zoning Commission, and unless the applicant has consented to an extension of time, the application will be deemed denied.

4. Protest

In the event that a protest petition against any application for a planned unit development is presented to the City Clerk prior to the date scheduled for the City Council to take action and is properly signed and notarized by the deeded owners of 30 percent or more of the areas of the land (exclusive of streets and alleys) included in such proposed change, or within an area determined by lines drawn parallel to and 185 feet distant from the boundaries of the district proposed to be changed, such amendment will not become effective except by the favorable vote of two-thirds of all the members of the City Council.

F. Findings of Fact

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

1. the preliminary development plan's consistency with the Growth Management Plan and all other adopted plans and policies of the City;
2. the preliminary development plan's consistency with the PUD standards of Section 415.060, including the statement of purpose;
3. the nature and extent of common open space in the PUD;
4. the reliability of the proposals for maintenance and conservation of common open space;
5. the adequacy or inadequacy of the amount and function of common open space in terms of the densities and dwelling types proposed in the plan;
6. whether the preliminary development plan makes adequate provision for public services, provides adequate control over vehicular traffic, and furthers the amenities of light and air, recreation and visual enjoyment;
7. whether the preliminary development plan will have a substantially adverse effect on adjacent property and the development or conservation of the neighborhood area;
8. whether potential adverse impacts have been mitigated to the maximum practical extent;
9. whether the preliminary development plan represents such a unique development proposal that it could not have accomplished through use of (non-PUD) conventional Unified Development Code; and
10. the sufficiency of the terms and conditions proposed to protect the interest of the public and the residents of the PUD in the case of a plan that proposes development over a period of years.

G. Effect of Preliminary Development Plan Approval

Approval of the Preliminary Development Plan constitutes approval of a preliminary plat. A preliminary plat review fee is not required.

H. Status of Preliminary Development Plan After Approval

1. The applicant and the applicant's agent will be given written notice of the action of the City Council.
2. Approval of a preliminary development plan does not qualify as a plat of the planned unit development for recording purposes.

3. An unexpired approved preliminary development plan, including one that has been approved subject to conditions provided that the landowner has not defaulted on or violated any of the conditions, may not be modified or revoked by the City without the consent of the landowner.

4. Prior to final plat approval, a landowner may choose to abandon a plan that has been given preliminary approval provided that the Planning and Zoning Commission is notified in writing.

5. Major changes in the planned unit development may be made only if an application to amend the approved preliminary plan has been approved by the City. The application to amend an approved preliminary plan shall be submitted and reviewed in accordance with the provisions of Section 470.050. What constitutes a major change is determined by the Community Development Director, but would include changes to the land use, street layout, and substantial change in building location or design.

I. Expiration of Preliminary Plan Approval

1. In the event the landowner fails to file an application for final plat approval within one year after final approval of the Preliminary Development Plan has been granted then such approval will expire.

2. In the event the landowner fails to file a subsequent application for final plat approval in accordance with the approved phasing schedule then such approval will expire.

3. For good cause shown, the expiration date may be extended by the City Council. The request for extension may be made by letter to the Community Development Director and will be considered only if received before the expiration date of the approval. The Community Development Director will forward the request to the City Council for consideration at its next available meeting.

4. If the approval of the preliminary development plan for a phased development expires after the completion of one or more phases, the preliminary development plan will remain in full effect as to those portions of the development that are subject to final plats in which the developer has acquired vested rights, but the remaining portions of the preliminary development plan will expire.

5. No action by the City will be necessary to cause the approval to expire. Its expiration will be considered a condition of the original approval. After the expiration date or extended expiration date, no application for final plat or for other development activity on the site will be considered until a new preliminary development plan has been approved.

6. After expiration of a preliminary development plan or any portion thereof, the PUD will remain in effect for the affected property, but further development on the property will require the approval of a new preliminary development plan, in accordance with the procedures and standards in effect at the time of the new application. If a preliminary development plan has expired as to part of a phased development, consistency with the developed parts of the preliminary development plan will be an additional criterion for consideration of a new proposed preliminary development plan.

7. Approval of a preliminary development plan does not, in itself, vest any rights.

J. Final Plat Application

After approval of a preliminary plan and prior to the issuance of any building permit or zoning certificate, an application for a final plat may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and

filed with the Community Development Director. The final plat may include the entire planned unit development or may be for a unit or section thereof as set forth in the approval of the preliminary plan. The application must include covenants, easements, conditions and form of performance bond as set forth in the approval of the preliminary plan and in accordance with the conditions established in this Code.

K. Contents of the Final Plan

The final plan must include all information required for final plats in accordance with Section 470.130.

L. Final Plan Procedure

Final Plans will be approved and recorded according to the final plat procedure of Section 470.130.

M. Effect of Approval

All final plans filed will:

1. be binding upon the applicants, their successors and assigns;
2. control the issuance and validity of all building permits; and
3. limit the construction, location, use and operation of all land, land improvements and structures to be located on the subject site.

N. Enforcement and Modification of Final Development Plans

To further the mutual interest of the residents and owners of the planned unit development and of the public in the preservation of the integrity of the plan, as finally approved, and to insure that modifications, if any, in the plan will not impair the reasonable reliance of the said residents and owners upon the provisions of the plan, nor result in changes that would adversely affect the public interest, the enforcement and modification of the provisions of the plan as finally approved, whether recorded by plan, covenant, easement or otherwise, will be subject to the following provisions:

1. Enforcement by the Municipality

The provisions of the plan relating to:

a. the use of land and the use, bulk, and location of buildings and structures;

b. the quality and location of common open space;

c. the intensity of use or the density of residential units will run in favor of the municipality and will be enforceable in law or in equity by the municipality, without limitation on any powers or regulation otherwise granted the municipality by law; and

d. the owner(s) will be responsible for the payment of attorney's fees, costs, and expenses incurred by the City in its' successful enforcement of the provisions of the plan.

2. Enforcement by the Residents and Owners

All provisions of the plan will run in favor of the residents and owners of the planned development, but only to the extent expressly provided in the plan and in accordance with the terms of the plan, covenant, easement or otherwise may be enforced by the law or equity by said residents and owners, acting individually, jointly or through an organization designated in the plan to act on their behalf; provided, however, that no provisions of the plan will be implied to exist in favor of residents and owners of the planned unit development except as to those portions of the plan which have been finally approved and have been recorded.

3. Modification by the City

All those provisions of the plan authorized to be enforced by the City under paragraph (1) of this section may be modified, removed or released by the City (except grants or easements relating to the service or equipment of a public utility unless expressly consented to by the public utility), subject to the following conditions:

a. No such modification, removal or release of the provisions of the plan by the municipality will affect the rights of the residents and owners of the planned unit development to maintain and enforce those provisions, at law or equity, as provided in paragraph (2) of this section.

b. No modification, removal or release of the provision of the plan by the municipality will be permitted except upon a finding by the municipal authority, following a public hearing called and held in accordance with the provisions of this section; that the same is consistent with the efficient development and preservation of the entire planned unit development and does not adversely affect either the enjoyment of the land abutting upon or across a street from the planned unit development for the public interest; and is not granted solely to confer a special benefit upon any person.

4. Modification by the Residents

Residents and owners of the planned unit development may, to the extent and in the manner expressly authorized by the provision of the plan, modify, remove or release their rights to enforce the provisions of the plan, but no such action will affect the right of the municipality to enforce the provisions of the plan in accordance with the provisions of paragraph (1) of this section.

O. Amendments

A planned unit development district ordinance or any approved preliminary development plan may be amended in the same manner prescribed in this chapter for approval of the initial preliminary plan. Application for amendment may be made by the subdivision developer, homeowner's association or 51 percent of the owners of property within the PUD.

Section 470.060 Zoning Variances

A. Authority and Applicability

The zoning variance procedures of this section authorize the Board of Adjustment to approve, in specific cases, variances from specific zoning standards of this Code that will not be contrary to public interest and where, owing to special conditions, a literal enforcement of zoning standards would result in unnecessary hardship. In approving variances where there are practical difficulties or unnecessary hardship, the Board may vary or modify the application of any provisions of such ordinance relating to construction or alteration of use of land if it determines the public safety and welfare will be secured and substantial justice will be done.

B. Prohibited Variances *(Amendment 21 – Ordinance 2015-005 1.26.15)*

The Board of Adjustment may grant variances from all requirements of this Code except:

1. any provision in Chapter 435: Signs;

2. the requirements for public improvements contained within Chapter 445;

3. any provision in Chapter 460, Flood Protection; and

4. any provision in Chapter 455: Natural Resource Protection.

C. Applications

An application for a variance may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director so that a public hearing date can be established in accordance with Section 470.010E.

D. Procedure

1. Board of Adjustment Public Hearing

All proposed variance applications must be submitted to the Board of Adjustment. The Board of Adjustment will hold a public hearing on the application in accordance with Section 470.010E. The public hearing must be held at the next regular meeting of the Board of Adjustment for which the application may be scheduled given public notice deadlines, unless the applicant has consented to an extension of this time period. The Community Development Director or other appointed official as designated by the Planning and Zoning Commission must prepare a written summary of the proceedings, and give notice of the hearing as provided in Section 470.010E.

2. Board of Adjustment Action

Upon conclusion of the public hearing, the Board of Adjustment must approve, approve with conditions or disapprove the requested variance. A concurring vote of at least four members of the Board of Adjustment is required to approve any variance request.

E. Findings of Fact

A request for a variance may be granted upon a finding of the Board that all of the following conditions have been met. The Board will make a determination on each condition, and the finding will be entered into the record.

1. The variance requested arises from such condition which is unique to the property in question and which is not ordinarily found in the same zone or district; and is not created by an action or actions of the property owner, applicant, or their agent, employee or contractor.
2. The strict application of the provisions of the Unified Development Code of which the variance is requested will constitute an unnecessary hardship or practical difficulty upon the property owner represented in the application and that such unnecessary hardships or practical difficulties are not generally applicable to other property in the same district.
3. The granting of the permit for the variance will not adversely affect the rights of adjacent property owners or residents.
4. The granting of the variance will not result in advantages or special privileges to the applicant or property owner that this code denies to other land, structures or uses in the same district.
5. Whether the requested variance is the minimum variance necessary to provide relief.
6. The variance desired will not adversely affect the public health, safety, morals, order, convenience, prosperity or general welfare.
7. The granting of the variance desired will not be opposed to the relevant purposes and intents of this Unified Development Code.

8. The variance will result in substantial justice being done, considering both the public benefits intended to be secured by this code and the individual hardships or practical difficulties that will be suffered if the variance request is denied.

A request for a variance of use may be granted upon a finding of the Board that all of the following conditions have been met. The Board will make a determination on each condition, and the finding will be entered into the record.

1. The strict application of the provisions of the Unified Development Code would constitute an unnecessary hardship upon the applicant or landowner.
2. Relief is necessary because of the unique character of the property.
3. The variance will not destroy the preservation of the Growth Management Plan.
4. Granting the variance will result in substantial justice for all.

B. Conditions of Approval

1. In making any decision varying or modifying any provisions of the Unified Development Code, the Board may impose such conditions, restrictions, terms, time limitations, landscaping, screening and other appropriate safeguards as needed to protect adjoining property.
2. The Board may require a performance bond to guarantee the installation of improvements such as parking lot surfacing, landscaping, etc. The amount of the bond will be based on a general estimate of cost for the improvements as determined by the Board and will be enforceable by, or payable to, the City Council in the sum equal to the cost of constructing the required improvements.
3. In lieu of the performance bond requirement, the Board may specify a time limit for the completion of such required improvements and in the event the improvements are not completed within the specified time, the Board may declare the granting of the application null and void after reconsideration.

C. Appeal of Board's Decision

Any person or persons jointly or severally aggrieved by any decision of the Board, any neighborhood organization as defined in Section 32.105, RSMo. representing such person or persons, or any officer, department, board or bureau of the municipality may present to the Circuit Court of the County a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition must be presented to the Court within 30 days after the filing of the decision in the office of the Board.

470.070 Floodplain Development Permit

A. Applicability

A floodplain development permit is required for all proposed construction or other development, including the placement of manufactured structures, within the lands described in Section 460.010D. No person, firm, corporation or unit of government may initiate any development or substantial improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or other development.

B. Application

To obtain a floodplain development permit, the applicant must first file an application in writing on a

form furnished for that purpose. Every floodplain development permit application must:

1. describe the land on which the proposed work is to be done by lot, block and tract, house and street address or similar description that will readily identify and specifically locate the proposed building or work;
2. identify and describe the work to be covered by the floodplain development permit;
3. indicate the use or occupancy for which the proposed work is intended;
4. indicate the assessed value of the structure and the fair market value of the improvement;
5. specify whether development is located in designated flood fringe or floodway;
6. identify the existing base flood elevation and the elevation of the proposed development;
7. give such information as reasonably may be required by the Floodplain Administrator;
8. be accompanied by plans and specifications for proposed construction; and
9. be signed by the permittee or his/her authorized agent who may be required to submit evidence to indicate such authority.

470.080 Appeals of Administrative Decisions

A. Applicability

This section sets forth the required review and approval procedures for appeals of administrative decisions.

B. Right to Appeal

Unless an alternative appeal process is specified herein, the Board of Adjustment is authorized to hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Community Development Director or other official of the City in the administration or enforcement of this Code.

C. Application

1. An application for an appeal of an administrative decision may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director. An application for an appeal must be filed within 10 days after a ruling by the applicable City official.
2. The filing of a complete application for an appeal stays all proceedings in furtherance of the action appealed, unless the official whose decision is being appealed certifies to the Board of Adjustment, after the appeal is filed, that, because of facts stated in the certification, a stay would cause immediate peril to life or property. In such case, proceedings cannot be stayed other than by a restraining order which may be granted by a court of record.

D. Procedure

1. Action by Community Development Director

The Community Development Director, or the official whose decision is being appealed, will transmit to the Board of Adjustment all papers constituting the record upon which the action appealed is taken.

2. Board of Adjustment Action

The Board of Adjustment will grant to the administrative official's decision a presumption of correctness, placing the burden of persuasion of error on the appellant. In exercising the appeal power, the Board of Adjustment will have all the powers of the official from whom the appeal is taken, and the Board of Adjustment may reverse or affirm wholly or partly or may modify the decision being appealed. If the Board of Adjustment determines that it is necessary to obtain additional evidence in order to resolve the matter, it will remand the appeal to the official from whom the appeal is taken, with directions to obtain such evidence and to reconsider the decision in light of such evidence.

E. Findings of Fact

An appeal will be sustained only if the Board of Adjustment finds that the administrative official erred. Every decision of the Board of Adjustment must be accompanied by written findings of fact that specify the reason for the decision.

F. Appeals of Board of Adjustment Decisions

Any person aggrieved by a decision of the Board of Adjustment may present to the Circuit Court of the County a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. Such petition must be presented to the Court within 30 days after the date on which the Board of Adjustment's written decision on the matter is filed in the office of the City Clerk.

Section 470.090 Subdivision Review and Platting, Generally

A. Application

1. Application for subdivision review may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and Chapter 445 and filed with the Community Development Director. The applicant must submit copies in accordance with the submission schedule regularly adopted by the Planning and Zoning Commission.
2. With the exception of a final plat for residentially zoned property, multiple applications may be filed for the same property for consideration at the same meeting.

B. Unlawful to Record Plat without Final Plat Approval

No owner or agent of the owner, of any land located within the City of Raymore may transfer, sell, agree to sell or negotiate to sell land by reference to or by other use of a plat of any proposed subdivision of the land before the plat has been approved by the City Council and recorded with the Cass County Office of the Recorder of Deeds.

C. Approval Procedures

Subdivision review and plat approvals will be completed according to the procedures of Section 470.100 through Section 470.130.

Section 470.100 Minor Subdivisions

A. Applicability

A subdivision may qualify as a "minor subdivision" if:

1. the proposed plat of subdivision or resubdivision will create no more than five lots, tracts or parcels of land; or
2. no public street or easement of access is sought to be dedicated, or is projected, through (as opposed to adjacent to) the lot, tract or parcel proposed to be subdivided or re-subdivided; and
3. the proposed plat of subdivision is in compliance with all requirements of the Unified Development Code.

B. Applications

1. An application for a minor subdivision may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director.
2. No preliminary plat is required for a minor subdivision.

C. Contents of the Minor Subdivision Plat

The contents of the minor subdivision plat must include all the data, information and certifications required on final plats as specified in Section 470.130.

D. Procedure

1. Planning and Zoning Commission Recommendation

All proposed minor subdivision plats first will be submitted to the Planning and Zoning Commission for review and recommendation. If a proposed minor subdivision complies with the applicable requirements of the Unified Development Code, then the Planning and Zoning Commission may recommend approval, approval with conditions or disapproval.

2. City Council Action

Following review and recommendation by the Planning and Zoning Commission, the final plat will be transmitted to the City Council for final action. The City Council will either approve, approve with conditions or disapprove the minor subdivision plat. If the final plat is disapproved, the subdivider will be notified of the reasons for such disapproval.

E. Findings of Fact

The Planning and Zoning Commission will recommend approval, and the City Council will approve the minor subdivision plat if it finds the minor subdivision plat:

1. complies with the Unified Development Code, RSMo Chapter 445, and all other applicable standards;
2. there are sufficient public safety, transportation, and utility facilities and services exist to serve the subject property, while maintaining sufficient levels of service to existing development.; and
3. will not have a significant adverse impact on the environment.

F. Recording; Effect of Approval

Upon approval of the minor subdivision plat by the City Council, the subdivider will be responsible for recording the plat with the Cass County Recorder of Deeds and returning the required copies of the plat to the Community Development Director in accordance with Section 470.130F.

Section 470.110 Preliminary Plat

A. Applications

1. An application for a preliminary plat may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and submitted at least 60 days prior to the date of the meeting where it will be considered.

2. For property in commercial or industrial zoning districts, the application must be submitted at least 30 days prior to the date of the meeting.

B. Memorandum of Understanding

A Memorandum of Understanding (MOU) may be required by the City for any preliminary plat application request.

C. Procedure *(Amendment 16 – Ordinance 2013-056 8.26.13) (Amendment 19 – Ordinance 2014-063 9.8.14)*

1. Pre-Application Conference

Prior to filing an application for a preliminary plat, the applicant must attend a pre-application conference in accordance with Section 470.010B.

2. Development Review Committee and Other Agency Review

a. Upon receipt of a complete application, the Community Development Director will distribute copies of the preliminary plat and supportive information to the Development Review Committee. The application will be reviewed by the Development Review Committee for compliance with applicable regulations of this Code.

b. The Community Development Director will also distribute copies of the preliminary plat to the following governmental agencies, departments, and other persons as may be deemed appropriate for the particular proposed subdivision:

(1) Fire District;

(2) Police Department;

(3) School District;

(4) State Highway Department (if the subdivision is adjacent to a State highway); and

(5) any utility companies providing gas, electric or telephone service in or near the subdivision.

c. The agencies, departments and persons identified in this section will have a minimum of 10 working days to review the preliminary plat and to make their report and recommendations to the Planning and Zoning Commission.

d. If a report has not been returned to the office of the Community Development Director within 10 working days after receiving a plat for review, the proposed plat will be deemed to be in conformance with the laws, rules or policies of the reviewing agency or department.

3. Planning and Zoning Commission Public Hearing

All proposed preliminary plats must be submitted to the Planning and Zoning Commission for

review and recommendation. The Planning and Zoning Commission will hold a public hearing on the application in accordance with Section 470.010E.

4. Planning and Zoning Commission Recommendation

a. The Planning and Zoning Commission will consider the preliminary plat within 60 days of its receipt by the Community Development Director, or at the next regular meeting for which the plat may be scheduled.

b. The Planning and Zoning Commission will review and consider the reports and recommendations of the agencies, departments and persons to whom the preliminary plat has been submitted for review.

c. If the preliminary plat does comply with all requirements, the Planning and Zoning Commission will forward the application to the City Council with a recommendation of approval.

d. If the preliminary plat is in general, but not complete compliance, the Planning and Zoning Commission may recommend conditional acceptance of the preliminary plat. The conditions of such acceptance will specify the modifications necessary to achieve full compliance. The Planning and Zoning Commission will forward the application to the City Council with a recommendation of approval, subject to conditions.

e. If the preliminary plat is not in compliance with all requirements, the Planning and Zoning Commission will recommend disapproval of the preliminary plat. Within 10 days of its final action, the Planning and Zoning Commission must notify the subdivider in writing of the reasons for its recommendation for disapproval.

f. If the preliminary plat is not recommended for approval, the subdivider may modify the preliminary plat and re-submit it to the Planning and Zoning Commission. If the plat is amended and re-submitted within 60 days of the disapproval of the original preliminary plat, no additional filing fee will be required. The Planning and Zoning Commission may reconsider the preliminary plat at a regular meeting for which the plat may be scheduled by the Community Development Director.

g. If a motion on an application fails, the Planning and Zoning Commission shall be required to propose and vote on a counter motion on the application. If a tie vote of the Commission, or if no majority vote of the full membership of the Commission can be obtained on a recommendation to be made, the application will be forwarded to the City Council with no recommendation.

5. City Council Public Hearing

The Raymore City Council must hold a public hearing on the application in accordance with Section 470.010E1b through d and E2.

6. City Council Action

a. The City Council must consider the request within 60 days of receipt of written recommendation of the Planning and Zoning Commission. Upon receipt of the recommendation of the Planning and Zoning Commission, the City Council must consider the application and may take final action to approve or disapprove it.

b. If final action is not taken by the City Council within 120 days after the recommendation of the Planning and Zoning Commission is submitted to it, the

preliminary plat will be deemed to have been defeated and denied, unless the applicant has consented to an extension of this time period. Whenever a preliminary plat is defeated, either by vote of the City Council or by inaction described in this section, such preliminary plat cannot be passed without another public hearing that is noticed in accordance with this chapter.

c. If the City Council approves an application, it will adopt a resolution to that effect.

7. Findings of Fact

In its deliberation of a request, the Planning and Zoning Commission and City Council must make findings of fact taking into consideration the following:

a. the preliminary plat will not adversely affect the appropriate use of neighboring property;

b. the preliminary plat is in compliance with all applicable regulations of the Unified Development Code, Growth Management Plan, and other City regulations and plans;

c. the preliminary plat will not impose undue burden upon existing public services and facilities; and

d. the preliminary plat will make adequate provision to accommodate resulting additional demands which may be imposed upon roads and streets, water supply and storage, storm sewerage, sanitary sewerage, and wastewater treatment without substantially increasing public costs and expenditures.

8. Effect of Approval of Preliminary Plat

a. Approval of the preliminary plat does not constitute final acceptance of the subdivision by the City Council, but will be considered permission to prepare and submit a final plat. Preliminary plat approval will be effective for no more than one year from the date approval was granted unless:

(1) a final plat application is submitted within one year of the date of preliminary plat approval and the application is then approved by the City Council within six (6) months of the date the application was submitted;

(2) upon the request of the subdivider, the City Council grants an extension; or

(3) final plat applications are submitted in accordance with the requirements for staged development of final plats in accordance with Section 470.130E.

b. If preliminary plat approval expires, the preliminary plat must be re-submitted as if no such plat had ever been approved.

9. Extension of Preliminary Plat

a. City Council may grant an extension to the expiration date of a preliminary plat under the following conditions:

(1) An applicant must submit a request for an extension prior to the expiration date of the preliminary plat. The request must include a basis for the extension.

(2) An extension of the preliminary plat can only be requested if it remains unchanged from last acceptance.

(3) A request for extension does not require submission of a new application fee or a public hearing.

b. If the request for an extension fails to obtain City Council approval the preliminary plat will expire on its most recent expiration date unless a final plat application is submitted prior to the expiration date in accordance with Section 470.130.

c. The City Council shall consider the following factors in its deliberation to dertermine if an extension should be granted.

(1) Whether there have been any changes in the City Code since the preliminary plat was initially approved that could potentially impact the development of the property.

(2) Whether development has occurred on property adjacent to or near the property.

(3) Whether the basis for the extension is reasonable and justified.

(4) The likelihood that the property will be developed within the timeframe requested for the extension.

(5) Length of time requested.

Section 470.120 Construction Plans

A. Submittal

The subdivider or developer must have plans and engineering drawings, complete with other engineering information, as specified in Section 470.120B, prepared for required improvements by a registered engineer. Following the approval of the preliminary plat, the applicant shall submit two copies of the complete plans, drawings, and other engineering information to the Director of Public Works with an application for final plat approval.

B. Content of Engineering Drawings

Engineering plans, drawings, and other engineering information must contain the following information and must conform to the following requirements:

1. All plans, profiles, and details of proposed improvements shall be on standard plan and profile sheets or other appropriate sheets. Each sheet of the drawings shall be a minimum size of 24 inches by 36 inches and a maximum size of 30 inches by 42 inches and include an appropriate border and a title block in the lower right hand corner. The title block shall contain at least the name of the subdivision, a brief description of the information shown on the individual sheet, the name and address of the developer, the name, address, and professional seal of the engineer, the date of the original drawing, and the date of any revisions to the drawing. A vicinity shall be shown on the cover sheet. Plans and profiles shall be shown to a horizontal scale of one inch equals 100 feet and a vertical scale of one inch equals 10 feet, or a horizontal scale of one inch equals 50 feet and a vertical scale of one inch equals five feet. The scale and north point shall be clearly indicated on each sheet. If the drawings consist of three or more sheets there shall also be an appropriate cover or title sheet showing the entire subdivision at a suitable scale, the subdivision name, a brief description of the nature of the drawings, an index to the drawings, and other applicable information.

2. Plans, profiles, and details for roadway and sidewalk construction shall show profiles of the existing topography elevations, profiles of proposed sidewalk, curb, and street centerline

elevations, intersection control elevations, paving geometrics, typical cross-sections and other data required for staking and construction. Construction specifications and cost estimates shall be submitted with the plans.

3. Plans, profiles, and details of storm sewer and storm drainage improvements shall show existing profiles, proposed flowline profiles, grades and elevations, manhole details, drainage structure details and inlet details, plus any other data necessary for staking and construction. Construction specifications and cost estimates shall be submitted with the plans. Copies of engineering calculations may also be required to be submitted for review.

4. Plans and details of the proposed water distribution system and water supply facilities shall show all information necessary for review and construction of the systems, including line sizes, fire hydrant locations and valve locations. Construction specifications and cost estimates shall be submitted with the plans. Copies of engineering calculations may also be required to be submitted for review.

5. Plans, profiles, and details for sanitary sewer systems and sewage treatment facilities shall show line sizes, grades, flow line elevations, and other information necessary for plan review and construction. Construction specifications and cost estimates shall be submitted with the plans. Copies of engineering calculations may also be required to be submitted for review.

6. All plans shall be based on USGS datum. Benchmark descriptions and elevations shall be shown on the plan sheets.

7. All plans for underground wiring shall be prepared by or at the direction of the agency involved.

Section 470.130 Final Plat

A. Applications

1. An application for a final plat may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and submitted at least 60 days prior to the date of the meeting. Final plats must be submitted in form, size and number as required by the Community Development Director, and must include all information required by the application packet.

2. For commercial or industrial zoned property, the developer has the option of submitting the application 30 days prior to the date of the meeting on which the plat is to be heard.

3. The date of the regular meeting of the Planning and Zoning Commission at which the final approval of the subdivision plat, (including any adjourned date thereof) is recommended, will constitute the official submittal date of the plat at which the 60 day period required by Section 89.420, RSMo., for formal approval or disapproval of the plat commences.

B. Review of Plans

The Director of Public Works shall review all engineering drawings in order to determine whether such drawings are consistent with the approved preliminary plat and comply with the design standards. If such drawings are consistent and so comply, the Director of Public Works shall forward to the Planning and Zoning Commission a notice that they so conform and comply. In the event that the drawings do not so conform and comply, the Director of Public Works shall notify the

subdivider of the specific manner in which such drawings do not so comply, and the subdivider may then correct such drawings. If such drawings are not corrected, the Director of Public Works shall forward to the Planning and Zoning Commission a notice as to the items of non-conformity or non-compliance. The Planning and Zoning Commission shall not consider a final plat until the Director of Public Works has approved the plans and engineering drawings.

C. Procedure *(Amendment 16 – Ordinance 2013-056 8.26.13)*

1. Development Review Committee Review

Upon receipt of a complete application, the Community Development Director will distribute copies of the final plat and supportive information to the Development Review Committee. The application will be reviewed by the Development Review Committee for compliance with applicable regulations of this Code.

2. Planning and Zoning Commission Recommendation

a. Within 30 days after consideration of the final plat, the Planning and Zoning Commission will submit a recommendation to the City Council to approve, approve with conditions or disapprove the final plat. If the Planning and Zoning Commission recommends disapproval of the final plat, it must advise the subdivider in writing of the reasons for such recommendation within 10 days after such action. If the Planning and Zoning Commission fails to act on the final plat within 60 days after it has been considered for final approval, it will be deemed to have been recommended for approval.

b. If a motion on an application fails, the Planning and Zoning Commission shall be required to propose and vote on a counter motion on the application. If a tie vote of the Commission, or if no majority vote of the full membership of the Commission can be obtained on a recommendation to be made, the application will be forwarded to the City Council with no recommendation.

3. City Council Action

a. Following review and recommendation by the Planning and Zoning Commission, the final plat will be transmitted to the City Council for final action. The City Council will either approve or disapprove the final plat and accept or reject the dedication of land for public purposes within 30 days after the first meeting of the City Council following submittal of the plat to the City Clerk.

b. The action of the Planning and Zoning Commission and the City Council will be conveyed to the subdivider in writing within 10 days of the meeting of the City Council at which the plat was considered. If the final plat is disapproved, the subdivider will be notified of the reasons for such disapproval. Acceptance of dedications will be indicated over the signature of the Mayor and attested by the City Clerk. If the City Council rejects any dedications on the final plat, it will advise the subdivider in writing of the reasons for the rejection.

D. Findings of Fact

The Planning and Zoning Commission will recommend approval, and the City Council will approve a final plat if it finds that the final plat:

1. is substantially the same as the approved preliminary plat;
2. complies with all conditions, restrictions and requirements of this Code and of all other applicable ordinances and design standards of the City; and
3. complies with any condition that may have been attached to the approval of the preliminary plat.

E. Phased Submittal of Final Plat *(Amendment 19 – Ordinance 2014-063 9.8.14)*

An approved preliminary plat may be submitted for final plat approval in separate geographic units rather than as a whole, provided the following conditions are met:

1. the preliminary plat must include a proposed phasing plan. The phasing plan may be amended at the time of any final plat application. Amendments to the phasing plan are subject to review by the City staff and Planning and Zoning Commission and approval by the City Council.
2. each single-family residential plat shall include at least twenty (20) lots;
3. a final plat application is submitted within one year of the date of preliminary plat approval and the application is then approved by the City Council within six (6) months of the date the application was submitted. If the application is withdrawn or the application fails to obtain City Council approval within the six months, the preliminary plat is null and void;
4. an application for one final plat meeting the criteria stated above must be submitted for approval every two years from the date that the most recent final plat was approved or the preliminary plat will become null and void. If the application is withdrawn and the time elapses prior to another application being filed, the preliminary plat is null and void;
5. if an initial final plat has not been submitted within the time period set forth in this subsection, and subsequent phase final plats are not submitted according to this subsection, the preliminary plat will be null and void and the subdivider will be required to submit a new preliminary plat in accordance with this Code; and
6. all steps and criteria required by this Code for the approval of final plats at the time of final plat application, including the recording thereof, must be adhered to with respect to each final plat submitted.

F. Recording of the Final Plat

1. No plat may be recorded or filed with the Cass County Recorder of Deeds until such plat has been approved by the City Council; all dedications of rights-of-way, easements and other property have been accepted by the City Council; and the design and financing of all improvements has been agreed to by both the subdivider and the City Council. The financial responsibility for the cost of recording the plat with the Recorder of Deeds will be borne solely by the subdivider. The subdivider must record the final plat within one year from the date of approval or such plat is null and void.
2. Within 15 days of recordation of the final plat, the subdivider must submit a minimum of three copies of the final plat, of which two will be paper prints and one will be opaque linen or mylar prints, to the Community Development Director, along with a recorded copy of the development agreement, declaration of covenants and restrictions and articles of incorporation establishing a property owners association if required by this Code. No building permit shall be issued until the required copies of the recorded final plat and development agreement are submitted to the Community Development Director.

Section 470.140 Lot Splits

A. Applicability *(Amendment 2 – Ordinance 29073 7.27.2009)*

A lot may be divided as a lot split provided the following conditions are met:

1. no nonconforming lot shall be created as a result of the lot split.
2. a previously platted lot zoned "R-2"; "R-3" or "R-3A" may be divided as a lot split by either metes and bounds description or by replatting provided the following conditions are met:
   a. for a two-family dwelling in an "R-2" district, a lot split may only occur where the common wall between the two units exist. The lot split must, as closely as possible, divide the property into equal halves.
   b. for an attached single-family dwelling in an "R-3" or "R-3A" district, a lot split may only occur where the common wall between the units exist. The lot split will only be permitted within a building area identified on a recorded final plat. The lot split process permits the units to be surveyed and individually sold.
   c. two-family residential and attached single family lot splits are only permitted on lots contained within an approved final plat.

B. Application

An application for a lot split shall be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C.

C. Community Development Director Action

1. The Community Development Director has the authority to approve or disapprove lot splits.
2. Upon approval, the Community Development Director must sign and date the survey or plat.

Section 470.150 Condominium Plat Review

A condominium plat in compliance with RSMo. Chapter 448, Condominium Property, shall be reviewed in accordance with the subdivision review and platting procedures of this chapter. The Planning and Zoning Commission is authorized to make waivers and modifications to otherwise applicable standards for a plat that fully complies with RSMo. Chapter 448.

Section 470.160 Site Plan Review

A. Purpose

The City of Raymore recognizes that the nature of land development creates the potential for traffic congestion, overcrowding, adverse visual and environmental impacts, and health problems. The City strives to promote growth in Raymore while stabilizing the established residential character of the area. Site plan review regulates the development of structures and sites in a manner that takes into consideration the following considerations:

1. the balancing of landowners' rights to use their land, with the corresponding rights of neighboring landowners, residents and the general public, to live without undue disturbances (e.g., noise, smoke, vibration, fumes, dust, odor, glare, stormwater runoff, etc.);
2. the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas or roads;

3. the adequacy of waste disposal methods and protection from pollution of surface or ground water;

4. the protection of historic and environmental features on the site under review and in adjacent areas;

5. the stability of the built environment, particularly residential neighborhoods, by promoting urban development which is compatible with clearly identified natural resources; and

6. the adequacy of provisions for resulting additional system demands which may be imposed by the development upon roads and streets, water supply and storage, storm sewerage, and sanitary sewerage and wastewater treatment and the consistency of the development with the City's Growth Management Plan.

B. Applicability

1. All applications for building permits for developments in the multi-family, commercial and industrial zoning districts are subject to site plan review in accordance with this section. All nonresidential uses in residential districts require site plan review.

2. No building permit will be issued without being granted site plan approval when it is required by this subsection.

C. Application

Applications for site plan review may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C and filed with the Community Development Director. The applicant must submit copies in accordance with the submission schedule regularly adopted by the Planning and Zoning Commission.

D. Procedure

1. Community Development Director Action

a. All site plans will be reviewed by the Community Development Director.

b. The Community Development Director has the authority to take final action (approve, conditionally approve or deny) on applications for:

(1) developments that have an approved site plan on file where the application proposes to expand the existing use by less than 10 percent or 5,000 square feet, whichever is less; or

(2) developments that have an approved site plan on file where the application proposes to modify signage, parking, landscaping or other minor feature and the proposed modifications will be in compliance with all requirements of this Code.

c. The Community Development Director must complete the review within 20 days of receiving a complete application.

2. Planning and Zoning Commission Action

With the exception of those cases identified in paragraph 1 above, all other applications for site plan review will be reviewed by the Community Development Director, and forwarded to the Planning and Zoning Commission for review and action. The Commission has the authority to take final action, and may approve, approve with conditions or disapprove the application.

3. Conditions of Approval

In approving a site plan, the Planning and Zoning Commission or, when applicable the Community Development Director, may impose reasonable conditions, safeguards and restrictions upon the applicant and the premises.

E. Findings of Fact

1. In order to be approved, the Community Development Director or Planning and Zoning Commission must find that the following conditions are met:

   a. the plan complies with all applicable standards of this code and all other applicable City ordinances and policies;

   b. the plan does not conflict with the adopted plans of the City of Raymore or the purpose and intent of this code;

   c. the proposed use is allowed in the district in which it is located;

   d. vehicular ingress and egress to and from the site, and circulation within the site provides for safe, efficient, and convenient movement not only within the site but also on adjacent roadways;

   e. the plan provides for safe, efficient, and convenient movement of pedestrians on and to the site;

   f. the arrangement of structures and buildings on the site allows for efficient use of the land, is compatible with development on adjacent property, and minimizes potential adverse impacts on existing or planned municipal infrastructure and services;

   g. open space and natural features on the site are arranged in such a way that unique natural resources are preserved and creates a desirable and functional environment for site users;

   h. the plan avoids unnecessary or unreasonable alterations to existing topography, preserves existing healthy, mature trees and woodlands, and designs drainage facilities to promote the use and preservation of natural watercourses;

   i. provides adequate parking for the use, including logical and safe parking and circulation;

   j. provides landscaping and screening as required by this code that creates logical transitions to adjoining uses, screens incompatible uses, minimizes the visual impact of the development on adjacent roads and properties, and utilizes native plant materials selected to withstand the local climate and individual site microclimates; and

   k. includes site illumination that has been designed and located to minimize adverse impacts on adjacent properties.

F. Effect of Approval

If the Planning and Zoning Commission or, when applicable, the Community Development Director approves a site plan, it will be considered permission to prepare and submit a building permit application that complies with the approved site plan and conditions of approval.

G. Appeals

1. The applicant may appeal the decision of the Community Development Director to the Planning and Zoning Commission.

a. The applicant must notify the Community Development Director of their intent to appeal within 10 days of the date of decision from the Community Development Director.

b. The Community Development Director will schedule the appeal for the next regularly scheduled Planning and Zoning Commission meeting which is no sooner than 15 days from the date the intent to appeal was filed.

c. The applicant must provide an additional 15 review copies of the drawings and the additional required fee along with the intent to appeal.

2. The applicant may appeal the decision of the Planning and Zoning Commission to the City Council.

a. The applicant must notify the Community Development Director of their intent to appeal, in writing, within 10 days of the date of the Planning and Zoning Commission meeting when the application was considered.

b. The Community Development Director will schedule the appeal for the next regularly scheduled City Council meeting provided it is at least 15 days from the date the intent to appeal was filed.

c. The applicant will provide an additional 15 review copies of the drawings along with the intent to appeal.

Section 470.170 Vacation of Easements or Plats

A. Applicability *(Amendment 6 – Ordinance 2010-50 6.14.10)*

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 *(Amendment 6 – Ordinance 2010-50 6.14.10)*

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 470.180 Building Permits

A. Applicability

In accordance with Chapter 500 of the City Code, it will be unlawful to commence or to proceed with the erection, construction, reconstruction, structural conversion, structural alteration, enlargement, extension, razing or moving of any building or structure or any portion thereof until a building permit has been granted therefore. This Section sets forth the required review and approval procedures for building permits.

B. Application

An application for a building permit may be obtained from the Building Inspections Division of the Community Development Department. The application must be completed in its entirety in accordance with Section 500.080 of the City Building Regulations.

C. Procedure

The procedure for review and issuance of building permits is set forth in Chapter 500, Article II General Provisions of the City Code.

Section 470.190 Sign Permits

A. Applicability

No sign may be erected, moved or structurally altered without a permit approved by the Community Development Director.

B. Application

An application for a sign permit may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C. All sign permit applications must provide information regarding the location, materials, size, color and illumination. Master sign plan applications will be required as part of a site plan.

C. Procedure

A sign permit will be either issued or refused by the Community Development Director within 10 days after the receipt of an application or within an extended time period as may be agreed to by the applicant. When the Community Development Director refuses to issue a sign permit, he/she must advise the applicant in writing of the reasons for the refusal.

D. Inspections

As soon as a sign has been erected, the permittee must notify the Community Development Director or their designate who will inspect the sign and approve it if it complies with the provisions of this Code. The Community Development Director may from time to time inspect all signs or other structures regulated by this chapter for the purpose of ascertaining compliance with this code. If the sign does not comply with the provision of this chapter, the Community Development Director or their designate must notify the applicant in writing of such non-compliance and give the applicant 10 days, or less if the Community Development Director or their designate determines a hazardous situation exists, to comply.

E. Permit Revocable At Any Time

All rights and privileges acquired under the provisions of this code, or any amendments thereto, are mere licenses revocable at any time by the City Council. Installation must be completed within six months after date of issuance of the sign permit or the permit becomes null and void.

Section 470.200 Interpretations

A. Authority

The Community Development Director will have the authority to make written interpretations of this Code.

B. Request for interpretation

Requests for written interpretations of this Code must be submitted to the Community Development Director.

C. Procedure

Within 10 working days of receipt of a written request for interpretation, the Community Development Director will:

1. review and evaluate the request for an interpretation with the purpose and intent of this Code and consistency with the Growth Management Plan and any other relevant documents;
2. consult with other staff, as necessary;
3. request additional information or documentation, as necessary; and
4. render a written interpretation.

D. Notice of Decision

Written notice of the decision will be provided to the applicant within five days of the decision and a copy will be filed in the official record of interpretations.

E. Official Record of Interpretations

An official record of interpretations will be kept on file by the Community Development Director. The record of interpretations will be available for public inspection during normal business hours.

F. Appeals

Appeals of the Community Development Director's written interpretation may be taken to the Board of Adjustment in accordance with procedures Section 470.080. If the appeal results in a change of interpretation, the new interpretation will be filed in the official record of interpretations.

Section 470.210 Administrative Adjustments

A. Purpose

This section sets out the required review and approval procedures for administrative adjustments, which are minor deviations from otherwise applicable standards that may be approved by the Community Development Director.

B. Applicability

The Community Development Director is authorized to approve the following types of administrative adjustments:

1. modifications of 10 percent or less of any zoning district setback, lot size, lot width, building coverage or height standard.
2. modifications of 10 percent or less of any of the landscaping and screening standards of Section 430.020, Section 430.030 and Section 430.080.

C. Application

An application for an administrative adjustment may be obtained from the Community Development Director. The application must be completed in its entirety in accordance with Section 470.010C.

D. Community Development Director Action

The Community Development Director will review each application for an administrative adjustment and act within 10 days of the date of application to approve, approve with conditions or disapprove the application.

E. Review Criteria

Administrative adjustments may be approved by the Community Development Director only upon a finding that all of the following criteria have been met:

1. the requested adjustment is consistent with the stated purposes of this Code;
2. the requested adjustment eliminates an unnecessary inconvenience to the applicant and will have no appreciable adverse impact on the health, safety or general welfare of surrounding property owners or the general public; and
3. any adverse impacts resulting from the administrative adjustment will be mitigated to the maximum practical extent.

F. Conditions of Approval

In granting an administrative adjustment, the Community Development Director may impose conditions upon the subject property that are necessary to reduce or minimize any potentially adverse impacts on other property in the neighborhood and to carry out the stated purposes of the Growth Management Plan and this Code.

G. Notice of Decision

Within five days of the Community Development Director's decision on an administrative adjustment, he/she will mail notice of the decision to the applicant and all other parties who have made a written request for notification.

H. Appeals

Appeals of the Community Development Director's decision on an administrative adjustment may be taken to the Board of Adjustment. The appeal will be considered an application for an appeal of Administrative decision processed in the manner prescribed in Section 470.060.

Section 470.220 Natural Resource Protection Variances

Variances from the buffer and stream setback requirements may be granted by the Board of Appeals in accordance with the following provisions:

A. Permitted Variances

1. For any parcel of land to which Section 455.040 applies whose shape, topography or other existing physical condition prevents land development consistent with this code, the Board of Appeals may grant a variance from the buffer and setback requirements hereunder, provided such variance requires mitigation measures to offset the effects of any proposed land development on the parcel.
2. The Board of Appeals shall grant no variance from any provision of Section 455.040 without first conducting a public hearing on the application. The City of Raymore shall give public notice of each such public hearing in a newspaper of general circulation within the City of Raymore.

B. Application Contents

At a minimum, a variance request shall include the following information:

1. a site map that includes locations of all streams, wetlands, floodplain boundaries, slope, topography and other natural features, as determined by field survey;
2. a description of the size, shape, soils, vegetation and other physical characteristics of the property;
3. a detailed site plan that shows the locations of all existing and proposed structures and other impervious cover, the limits of all existing and proposed land disturbance, both inside and outside the buffer and setback. The exact area of the buffer to be affected shall be accurately and clearly indicated;
4. documentation of unusual hardship should the buffer be maintained;
5. the applicant shall submit at least one alternative plan, which complies with the provisions of this section and an explanation of why the site can not be developed in accordance with the alternative plan;

6. a calculation of the total area and length of the proposed intrusion;
7. a stormwater management plan, if applicable; and
8. proposed mitigation for the intrusion. If no mitigation is proposed, the request shall not be granted. The proposed mitigation plan shall comply with the requirements of Section 455.040 C.

C. Review and Approval Criteria

The following factors shall be considered in determining whether to issue a variance:

1. the shape, size, topography, slope, soils, vegetation and other physical characteristics of the property;
2. the locations of all streams on the property, including along property boundaries;
3. the location and extent of the proposed buffer or setback intrusion;
4. whether alternative designs are possible which require less intrusion or no intrusion; and
5. whether or not the proposed mitigation offsets the intrusion.

Section 470.230 Floodplain Management Variances

A. Establishment of Board of Appeals

The Board of Appeals shall hear and decide appeals and requests for variances from the floodplain management requirements of this code.

B. Responsibility of Board of Appeals

1. Where an application for a floodplain development permit or request for a variance from the floodplain management regulations is denied by the Floodplain Administrator, the applicant may appeal such floodplain development permit or variance directly to the Board of Appeals.
2. The Board of Appeals shall hear and decide appeals when it is alleged that there is an error in any requirement, decision or determination made by the Floodplain Administrator in the enforcement or administration of this code.

C. Further Appeals

Any person aggrieved by the decision of the Board of Appeals or any taxpayer may appeal such decision to the Circuit Court of Cass County as provided in Section 89.110, RSMo.

D. Floodplain Management Variance Criteria

In passing upon such applications for variances, the Board of Appeals shall consider all technical data and evaluations, all relevant factors, standards specified in Chapter 460 and the following criteria:

1. The danger to life and property due to flood damage;
2. The danger that materials may be swept onto other land to the injury of others;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
4. The importance of the services provided by the proposed facility to the community;

5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations, not subject to flood damage, for the proposed use;
7. The compatibility of the proposed use with existing and anticipated development;
8. The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters, if applicable, expected at the site; and
11. The costs of providing governmental services during and after flood conditions including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems; streets; and bridges.

E. Conditions for Approving Floodplain Management Variances

1. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (½) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing Subsections 2-6 below have been fully considered. As the lot size increases beyond the one-half (½) acre, the technical justification required for issuing the variance increases.
2. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, the State Inventory of Historic Places or local inventory of historic places upon determination provided the proposed activity will not preclude the structure's continued historic designation.
3. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
4. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
5. Variances shall only be issued upon:
   a. A showing of good and sufficient cause,
   b. A determination that failure to grant the variance would result in exceptional hardship to the applicant, and
   c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
6. A community shall notify the applicant in writing over the signature of a community official that:
   a. The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars ($25.00) for one hundred dollars ($100.00) of insurance coverage, and
   b. Such construction below the base flood level increases risks of life and property. Such notification shall be maintained with the record of all variance actions as required by this Chapter.

F. Conditions for Approving Variances for Agricultural Structures

1. Any variance granted for an agricultural structure shall be decided individually based on a case-by- case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Section 470.230D and Section 470.230E of this Chapter.

2. In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for agricultural structures that are constructed at-grade and wet-floodproofed:

   a. All agricultural structures considered for a variance from the floodplain management regulations of Chapter 460 shall demonstrate that the varied structure is located in wide, expansive floodplain areas and no other alternate location outside of the special flood hazard area exists for the agricultural structure. Residential structures, such as farmhouses, cannot be considered agricultural structures.

   b. Use of the varied structures must be limited to agricultural purposes in Zone A only as identified on the community's Flood Insurance Rate Map (FIRM).

   c. For any new or substantially damaged agricultural structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation must be built with flood-resistant materials in accordance with Section 460.070D2.

   d. The agricultural structures must be adequately anchored to prevent flotation, collapse or lateral movement of the structures in accordance with Section 460.070D1. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.

   e. Any mechanical, electrical or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Section 460.070D4.

   f. The agricultural structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with Section 460.080A3.

   g. The agricultural structures must comply with the floodplain management floodway encroachment provisions of Section 460.100B. No variances may be issued for agricultural structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.

   h. Major equipment, machinery or other contents must be protected from any flood damage.

   i. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the agricultural structures.

   j. A community shall notify the applicant in writing over the signature of a community official that:

(1) The issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars ($25.00) for one hundred dollars ($100.00) of insurance coverage; and

(2) Such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this Chapter.

k. Wet-floodproofing construction techniques must be reviewed and approved by the community and a registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

G. Conditions for Approving Variances for Accessory Structures

1. Any variance granted for an accessory structure shall be decided individually based on a case-by-case analysis of the building's unique circumstances. Variances granted shall meet the following conditions as well as those criteria and conditions set forth in Section 470.230D and Section 470.230E of this Chapter.

2. In order to minimize flood damages during the 100-year flood and the threat to public health and safety, the following conditions shall be included for any variance issued for accessory structures that are constructed at-grade and wet-floodproofed.

a. Use of the accessory structures must be solely for parking and limited storage purposes in Zone A only as identified on the community's Flood Insurance Rate Map (FIRM).

b. For any new or substantially damaged accessory structures, the exterior and interior building components and elements (i.e., foundation, wall framing, exterior and interior finishes, flooring, etc.) below the base flood elevation must be built with flood-resistant materials in accordance with Section 460.070D2.

c. The accessory structures must be adequately anchored to prevent flotation, collapse or lateral movement of the structure in accordance with Section 460.070D1. All of the building's structural components must be capable of resisting specific flood-related forces including hydrostatic, buoyancy, and hydrodynamic and debris impact forces.

d. Any mechanical, electrical or other utility equipment must be located above the base flood elevation or floodproofed so that they are contained within a watertight, floodproofed enclosure that is capable of resisting damage during flood conditions in accordance with Section 460.070D4.

e. The accessory structures must meet all National Flood Insurance Program (NFIP) opening requirements. The NFIP requires that enclosure or foundation walls, subject to the 100-year flood, contain openings that will permit the automatic entry and exit of floodwaters in accordance with Section 460.080A3.

f. The accessory structures must comply with the floodplain management floodway encroachment provisions of Section 460.100B. No variances may be issued for accessory structures within any designated floodway, if any increase in flood levels would result during the 100-year flood.

g. Equipment, machinery or other contents must be protected from any flood damage.

h. No disaster relief assistance under any program administered by any Federal agency shall be paid for any repair or restoration costs of the accessory structures.

i. A community shall notify the applicant in writing over the signature of a community official that:

(1) The issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars ($25.00) for one hundred dollars ($100.00) of insurance coverage; and

(2) Such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this Chapter.

j. Wet-floodproofing construction techniques must be reviewed and approved by the community and registered professional engineer or architect prior to the issuance of any floodplain development permit for construction.

Section 470.240 Inflatable Sign Permits *(Amendment 17 – Ordinance 2014-005 2.10.14)*

A. Applications

An application for an inflatable sign permit may be obtained from the Community Development Director.

B. Procedure

1. Planning and Zoning Commission

All proposed inflatable sign permit applications must be submitted to the Planning and Zoning Commission for review and action. The Commission has the authority to take final action, and may approve, approve with conditions or disapprove the application.

2. Review

Factors to consider when reviewing an application for an inflatable sign permit include:

a. proximity to other inflatable signs;

b. size and height of inflatable sign;

c. proposed location upon the property;

d. length of time requested to display the inflatable sign;

e. compliance with City requirements on any previous inflatable sign permit or temporary sign permit issued; and

f. any other reasonable factor or condition related to the public health, safety and general welfare.

3. Conditions of Approval

In approving an inflatable sign permit, the Planning and Zoning Commission may impose reasonable conditions, safeguards and restrictions upon the applicant.

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Chapter 475. Nonconformities

Section 475.010 Purpose

The regulations of this chapter govern uses, structures, lots and other situations that came into existence lawfully but do not comply with one or more requirements of this Code. These types of situations are said to be nonconforming. The intent of this chapter is to clarify the effect of such nonconforming status and avoid their confusion with illegal buildings and uses. These regulations recognize the interests of landowners in continuing to use and maintain their properties for uses and activities that were lawfully established. The regulations also seek to encourage continued maintenance, rehabilitation, and reuse of existing buildings and structures. However, these regulations also place limitations on nonconformities that have the potential to adversely affect surrounding properties.

Section 475.020 Scope

This chapter applies to nonconformities created by the adoption of this Code or subsequent amendments to it and to those nonconformities lawfully existing at the time of adoption of this Code.

Section 475.030 Provisions of General Applicability

A. Continuation Permitted

Any nonconformity that lawfully existed on the date of adoption of this Code or that becomes nonconforming upon the adoption of any amendment to this Code may be continued in accordance with the provisions of this chapter.

B. Illegal Uses, Buildings, and Structures

Uses, buildings, structures or components of uses that were not lawfully established prior to adoption of this chapter will not become legal by virtue of its enactment. Illegal uses, buildings, and structures must be immediately brought into compliance with all ordinances of the City.

C. Determination of Nonconforming Status

The burden of establishing that a nonconformity exists will, in all cases, be upon the property owner of the nonconforming use, building or structure and not upon the City.

D. Replacement Value

Replacement value for all structures will be interpreted as the assessed value of the improvement based on information obtained from the county assessor unless the applicant provides replacement value data prepared by a certified appraiser. When assessed value data is not available and the subject owner has not provided appraisal data, the Community Development Director is authorized to determine replacement value based on the best available data.

E. Repairs and Maintenance

Incidental repairs and normal maintenance of nonconforming situations are permitted to maintain a property in sound condition, unless expressly prohibited by this Code or other City ordinances. Examples of normal maintenance and incidental repairs include installation or relocation of nonbearing walls, nonbearing partitions, fixtures, equipment, wiring, roofing, and plumbing. Nothing in this Code may be construed to prevent structures from being structurally strengthened or restored to a safe condition, in accordance with an official order of a City official.

F. Safety Regulations

All police power regulations enacted to promote the public health, safety, and welfare including, but not limited to all building, fire, and health codes, apply to nonconforming uses, buildings and structures.

G. Tenancy and Ownership

The status of a nonconformity is not affected by changes of tenancy, ownership or management. Nonconforming status "runs with the land."

Section 475.040 Nonconforming Uses

A nonconforming use is one that was lawfully established in accordance with the zoning requirements in effect at the time of the use's establishment but that is no longer permitted by the use regulations of the zoning district in which the use is now located. This includes existing nonconforming use of part or all of a structure or any lawfully existing nonconforming use of land, not involving a structure or only involving a structure which is accessory to such use or land.

A. Continuation

Nonconforming uses may remain, subject to the regulations of this section.

B. Alteration and Expansion

1. Except as expressly prohibited by this section, the Community Development Director is authorized to permit a nonconforming use to expand into another part of the same building or alter or expand the existing building, provided that the Community Development Director determines that such alteration or expansion:
   - a. will not result in a violation of off-street parking or loading requirements;
   - b. will not violate any applicable dimensional standards;
   - c. will not result in greater adverse impacts on the surrounding area, with respect to noise, traffic generation, odor or other environmental effects; and
   - d. is not expressly prohibited by paragraph 2 below.
2. The following nonconforming uses may not be expanded:
   - a. a nonconforming business or manufacturing use in a residential district.
   - b. a nonconforming residential use in a business or manufacturing district if such expansion increases the number of dwelling units or the area of the zoning lot.

C. Relocation

A nonconforming use may not be relocated in whole or in part to any other lot or parcel unless the relocation brings the use into compliance with all regulations of the zoning district into which it is relocated.

D. Change or Substitution of Use

1. Except as otherwise expressly authorized, a nonconforming use may not be changed to any use other than a use allowed within the zoning district in which the use is located. When a nonconforming use has been changed, in whole or in part, to an allowed use, it may not be changed back to a use that is not allowed. A change of use will be deemed to occur when an existing nonconforming use has been terminated and an allowed use has commenced. Any change in use in violation of this chapter will be deemed an abandonment of the previous nonconforming use.
2. The City Council may permit the substitution of one nonconforming use for another nonconforming use within the same use category, provided that the substituted use will create no greater adverse impacts on the surrounding area than the previous use. In making such a

determination, the City Council may consider the following factors:

a. hours of operation;

b. vehicular traffic generation;

c. the number of employees, patrons or other people expected to be attracted to the use; and

d. other factors likely to affect the neighborhood in which the use is located.

3. If the City Council approves a use substitution, the previous nonconforming use is deemed to have been abandoned. In permitting such a change in use, the City Council may impose conditions on the substituting nonconforming use.

E. Loss of Nonconforming Status; Damage or Destruction

1. If a nonconforming use is discontinued for a period of six continuous months or more, all nonconforming use rights are lost and reestablishment of the nonconforming use is prohibited.

2. If a building or structure occupied by a nonconforming use is damaged or destroyed by fire, explosion, flood or other means that is not within the control of the property owner or tenant, to an extent of more than 50 percent of the replacement value of the building and/or structure it may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located. This provision does not apply to single-family dwellings, which may be reestablished in any zoning district in compliance with paragraph 3, below.

3. If a building, structure or property occupied by a nonconforming use is damaged or destroyed, by any means not within the control of the property owner or tenant, to an extent of 50 percent or less of the replacement value, it may be repaired, reconstructed or restored provided that no new nonconformities are created and that the existing degree of nonconformity is not increased. A building permit must be obtained for such rebuilding, restoration, repair or reconstruction within six months of the date of damage or destruction, and the construction must be initiated within one year of issuance of the building permit, and diligently pursued. If a building permit is not obtained within six months, then the building and/or structure and use may be reestablished only if it complies with all regulations of the district in which it is located.

4. In the event that any building, structure or property occupied by a nonconforming use is damaged or destroyed by a means within the control of the property owner or tenant, the building and/or structure and use may be restored or repaired only in compliance with all regulations of this Code.

5. No use which is accessory to a principal nonconforming use may continue after such principal use ceases or is terminated.

Section 475.050 Nonconforming Buildings and Structures

A nonconforming building or structure is one that was lawfully established in accordance with the zoning requirements in effect at the time of its establishment but that is no longer in compliance with one or more dimensional standards of this Code. Common examples of nonconforming buildings or structures are those that do not comply with current setback, height or building coverage requirements.

A. Continuation

Nonconforming buildings or structures may remain, subject to the regulations of this section.

B. Use

A nonconforming building or structure may be utilized for or occupied by any use allowed in the applicable zoning district, subject to all applicable use standards of Chapter 420.

C. Alteration and Expansion

The Community Development Director is authorized to permit the alteration, expansion, enlargement or increase in size of a nonconforming building or structure provided that he/she determines that such alteration or expansion:

1. will not result in a violation of off-street parking or loading requirements;
2. will not create any new nonconformities with respect to bulk or density standards; and
3. in the case of an addition that will expand a nonconforming building, the addition will not encroach any further into the existing setbacks, further increase nonconforming building height or increase nonconforming building coverage.

D. Relocation

A nonconforming building or structure may not be relocated in whole, or in part, to any other location on the same lot or parcel, or to any other lot or parcel, unless the relocation brings the building or structure into further or full compliance with the regulations of the zoning district in which it is relocated. This provision may not be interpreted as prohibiting the elevation of a nonconforming building or structure for the purpose of floodproofing or repair.

E. Loss of Nonconforming Status; Damage or Destruction

1. If a nonconforming building or structure is damaged or destroyed by fire, explosion, flood, or other means that is not within the control of the property owner or tenant to an extent of more than 50 percent of the replacement value of the building or structure, it may not be reestablished except in compliance with all regulations applicable to the zoning district in which it is located. This provision does not apply to single-family dwellings which may be fully reestablished in any zoning district in compliance with paragraph 2 below.
2. If a nonconforming building or structure is damaged or destroyed by any means not within the control of the property owner or tenant to an extent of 50 percent or less of the replacement value, it may be repaired, reconstructed or restored provided that no new nonconformities are created and that the existing degree of nonconformity is not increased. A building permit must be obtained for such rebuilding, restoration, repair or reconstruction within six months of the date of damage or destruction, and the construction must be initiated within one year of issuance of the building permit, and diligently pursued. If a building permit is not obtained within six months or the repairs or restoration are not initiated within one year of the issuance of the building permit, and diligently pursued, then the building or structure and use may be reestablished only if it complies with all regulations of the district in which it is located.
3. In the event that any nonconforming building or structure is damaged or destroyed by a means within the control of the property owner or tenant, the building or structure and use may be restored or repaired only in compliance with all requirements of this Code.

Section 475.060 Nonconforming Lots of Record

A nonconforming lot of record is a tract of land designated on a duly recorded subdivision plat, by a duly recorded deed or by other lawful means that does not comply with minimum lot area or lot width regulations

of the zoning district in which it is located. No nonconforming lot of record may be improved except in compliance with this section.

A. Use

Any lot that became nonconforming upon the effective date specified in Section 400.020 or any subsequent amendment and does not meet the requirements of this Code for lot area or lot width may be developed with a use that is permitted within the applicable district. Unless a variance is approved by the Board of Adjustment, all construction upon a nonconforming lot shall be in compliance with the bulk and dimensional standards of the applicable zoning district.

B. Criteria for Use of Nonconforming Lots of Record

Upon compliance with the provisions of this section and other applicable provisions of this Code, the Community Development Director may issue a zoning certificate if the subject lot and proposed development meets the following criteria:

1. the lot can meet all other bulk and density requirements for the district in which it is located; and
2. utilities servicing the lot can be connected to a public sewer system or the lot can meet the minimum sanitary sewer and storm sewer requirements of the City.

Section 475.070 Nonconforming Signs

Nonconforming signs are those that were lawfully established but no longer comply with the sign regulations of this Code.

A. Continuation

A nonconforming sign may remain, subject to the regulations of this section.

B. Alteration and Expansion

A nonconforming sign cannot be enlarged, expanded or otherwise improved except for the purpose of normal maintenance and incidental repairs. The only alteration to a nonconforming sign that is permitted is a change in the sign face, the words or symbols used or the message displayed, only to advertise an activity, business or use conducted or a product sold on the premises where the sign is located, provided that the sign is not abandoned, as defined in paragraph E of this section. Any other alteration or change must be to bring the nonconforming sign into compliance with the regulations of this Code.

C. Relocation

A nonconforming sign cannot be relocated in whole or in part to any other location unless the relocation results in the entire sign being brought into compliance with all applicable regulations of this Code.

D. Loss of Nonconforming Status; Damage or Destruction

1. If a nonconforming sign is damaged or destroyed by any means not within the control of the property owner to the extent the that the estimated expense of repairs exceeds 50 percent of its replacement value, the sign must be removed or otherwise brought into compliance with the regulations of this Code. Removal of a nonconforming sign must include removal of the sign face, all support structures and lighting apparatus.
2. If a nonconforming sign is damaged or destroyed by a means within the control of the

property owner or tenant, the sign may be restored, repaired or replaced only if the sign is in compliance with all requirements of this code.

E. Abandonment

Any nonconforming sign that no longer advertises an activity, business or use conducted or a product sold on the premises where the sign is located will be deemed to be abandoned after a period of 90 days. All abandoned signs must be removed or brought into full compliance with the regulations of this Code.

Section 475.080 Nonconforming Components of Use

Nonconforming components of use are those elements of a property that are not in conformance with the regulations of this code.

A. Continuation

A nonconforming component of use may remain subject to the regulations of this section.

B. Alteration and Expansion

1. No building or use shall be altered, expanded or enlarged unless the components of use on the property are in full compliance with City code.
2. A component of use may be altered if the alteration reduces the nonconformity. Examples of the manner in which nonconforming components of use could be reduced are the following:
   a. construction of additional parking spaces on sites that do not meet parking requirements; or
   b. installation of additional landscaping on sites that do not meet landscaping requirements.
3. Approval from the Community Development Director shall be obtained prior to any alterations of a component of use.

Chapter 480. Enforcement

Section 480.010 Responsibility for Enforcement

The Community Development Director is responsible for enforcing this Code, unless otherwise expressly stated.

Section 480.020 Types of Violations

Unless otherwise expressly allowed by this Code or by state, federal or local law, any violation of this Code will be subject to the remedies and penalties provided in this chapter. Violations include, but are not limited to the following:

A. failure to comply with any provision of this Code;

B. to engage in construction, development, subdivision of land or use of land or buildings in any way not consistent with the requirements of this Code;

C. to engage in construction, development, subdivision of land or use of land or buildings without all of the required permits, approvals, certifications and other forms of authorization required by this Code;

D. to engage in construction, development, subdivision of land or use of land or buildings in any way not consistent with the terms and conditions of any permit, approval, certificate or other form of authorization required by this Code, or any conditions placed by the Community Development Director, Planning and Zoning Commission, Board of Adjustment, Board of Appeals or City Council on such authorization;

E. to occupy or use any building or structure prior to completion of final inspections or issuance of a certificate of occupancy as required by this Code;

F. to reduce any lot area so that setbacks or other dimensional standards are smaller than required by this Code and any approved plats or plans;

G. to increase the intensity of use of any land or structure in any way not consistent with the requirements of this Code;

H. to install or use a sign in any way not consistent with the requirements of Chapter 435 or to fail to remove any sign that is not consistent with the requirements of this Code;

I. to obscure, obstruct or destroy any notice required to be posted or otherwise given under this Code;

J. to fail to comply with a Stop Work Order issued under the authority given by this Code;

K. to alter, damage or remove any improvement required:

1. by this Code;
2. by the Planning and Zoning Commission as part of a site plan approval; or
3. by the City Council as part of an approval granted under the requirements of this Code;

L. to fail to comply with any condition of approval imposed by the Community Development Director, Planning and Zoning Commission, Board of Adjustment, Board of Appeals or City Council;

M. to fail to remove any diseased or dead required landscaping and replace with landscaping materials in compliance with City code; and/or

N. to continue any of the violations of this section. Each day that a violation continues will be considered a separate offense.

Section 480.030 Remedies and Enforcement Powers

The City of Raymore has all of the following remedies and enforcement powers:

A. Withholding of Permits

1. The City may withhold or deny all permits, certificates of occupancy and other approvals for any building or structure on land where there is an uncorrected violation of this Code or of a condition of any permit, certificate or other approval previously granted by the City. The City may also grant a permit or approval subject to the condition that the violation be corrected. This provision applies whether or not the current owner is responsible for the violation.

2. The City may also withhold or deny all permits, certificates and other approvals for other land or structures owned or built by a person who caused an uncorrected violation of this Code on another property in the City of Raymore.

B. Revocation of Permits

1. Any permit granted under this Code may be revoked when the Community Development Director determines:

   a. there is a departure from the plans, specifications or other requirements of the terms of the permit;

   b. the permit was obtained by false representation or was issued by mistake; or

   c. any provisions of this Code are being violated.

2. Written notice of the permit revocation must be served on the owner, owner's agent or contractor or must be posted in a prominent location; thereafter, no further construction may proceed.

C. Revocation of Plans or Other Approvals *(Amendment 8 – Ordinance 2011-9 2.28.11)*

1. When a violation of this Code involves a failure to comply with an approved 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 may revoke the Conditional Use Permit. The Community Development Director must provide notice to the person found to be in violation. The City Council shall hold a public hearing prior to the revocation of any Conditional Use Permit.

D. Stop Work Orders

The Community Development Director may issue a stop work order, with or without revocation of permits, for any building or structure on land where there is an uncorrected violation of this Code, any permit or other approval granted under this Code.

E. Citation

The Community Development Director may issue a citation to the property owner, tenant or person responsible for a violation of this Code.

F. Injunctive Relief

The city may seek an injunction or other equitable relief in court to stop any violation of this Code or of a permit, certificate or other form of authorization granted under this Code.

G. Abatement

The City may seek a court order in the nature of injunction, mandamus, abatement or other action to abate or remove a violation or to otherwise restore the premises in question to its condition prior to the violation.

H. Remedy of Sign Violations

1. The Community Development Director has the authority to order the removal and disposal of any temporary sign in violation of this chapter or any other sign that has remained in violation of this Code for more than 30 days after a judgment against the violator.
2. The City Council may impose a tax lien against the property of the violator to recover costs incurred by the City to remedy the situation including the costs of investigation, prosecution, removal and any other cost related to the violation.
3. The Code Enforcement Officer or his/her agent may remove snipe signs or other prohibited signs.
4. Any sign installed or placed in the right-of-way or on public property will be deemed an unlawful sign and will be subject to immediate removal and disposal by the City, without compensation to the owner. The owner or other person placing the sign will be subject to the penalty provisions of this chapter.

I. Penalties

A person, firm or corporation who violates any provision of the Unified Development Code will be guilty of a misdemeanor and upon conviction will be fined not less than $100.00 and not more than $500.00 and/or by imprisonment for up to 90 days in the County Jail, at the discretion of the Court. Each day of violation constitutes a separate offense.

J. Other Remedies

The City will have such other remedies and enforcement powers as may be granted from time to time by Missouri law and the City Code.

Section 480.040 Remedies Cumulative

The remedies and enforcement powers established by this chapter are cumulative.

Section 480.050 Enforcement Procedures

A. Emergency Matters

When a violation of the Unified Development Code results in an emergency situation as a result of safety concerns or violations that will create increased problems or costs if not immediately remedied, the City may use the enforcement powers granted by this chapter without prior notice, but the Community Development Director must attempt to give notice to the property owner or person who is party to an agreement or relevant permit simultaneously with beginning enforcement action.

B. Non-Emergency Matters

1. When a violation of the Unified Development Code does not result in an emergency situation, the Community Development Director must give notice of the violation to the property

owner, tenant or another person who is party to a relevant agreement or permit.

2. Notice must be given in person, by U.S. mail or by posting notice in a prominent location on the premises. Notice must state the nature of the violation and the time period for compliance, and may state what corrective steps are necessary and the nature of penalties and enforcement actions that may result if the situation is not corrected.

3. The persons receiving the notice will have 10 days to correct the violation before further enforcement action will be taken.

4. If the violation is not corrected within the allotted time, the Community Development Director may impose one or more of the remedies listed in Section 480.030.

5. Any sign placed within the right-of-way may be removed immediately, without notice, by the City.

Section 480.060 Private Agreements

Private covenants, deed restrictions or agreements imposing standards different than those in this Code shall not impose an enforcement obligation on the Community Development Director or the City.

Chapter 485. Definitions

Section 485.010 General Definitions *(Amendment 22 – Ordinance 2015-068 - 9.14.15)*

For the purpose of the Unified Development Code, certain terms or words used herein are defined as follows, unless the context clearly indicates otherwise.

Term	Definition
100-Year Flood	*See "base flood."*
Accessory Building	A building that is subordinate in area, extent and purpose to the principal building and use on a lot and that is customarily used for a permitted accessory use.
Accessory Structure	*See "appurtenant structure."*
Accessory Use	A use that is subordinate in area, extent and purpose to the principal use on a lot and that is customarily found in conjunction with a permitted principal use.
Accessory Utility Facility	Facilities including pedestals, boxes, vaults, or cabinets used for the transmission or distribution of utility services to a local area, including any associated equipment or appurtenances such as condensing units or generators. Towers, poles, mailboxes, and traffic signal controllers shall not be considered accessory utility facilities, nor shall substations or other utility facilities that require a conditional use permit.
Actuarial Rates	*See "risk premium rates."*
Adult Business	1. That has as a substantial or significant purpose the sale or rental of merchandise that is intended for use in connection with specified sexual activities or that emphasizes matters depicting, describing or relating to specified sexual activities or specified anatomical areas; or 2. That has as one of its regular and substantial business purposes: a. The providing of entertainment where the emphasis is on performances, live or otherwise, that depict, portray, exhibit or display specified anatomical areas or specified sexual activities; or b. The providing of services that are intended to provide sexual arousal or excitement or that allow observation of specified sexual activities or specified anatomical areas ancillary to other pursuits or allow participation in specified sexual activities ancillary to other pursuits; or 3. That is "self designated" as an adult business, whether through the use of signage or other business activities. 4. The definition of adult business also includes but is not limited to any and all of the following specific adult businesses, as defined herein: a. Businesses Offering Merchandise for Sale or Rent (1) Adult Media Outlet A business engaging in the sale or rental of merchandise where a substantial or significant portion of the business is devoted to the sale or rental of adult media. The presumption that a substantial or significant portion of a business is devoted to the sale or rental of adult media, based upon the above guidelines, shall be rebuttable. For purposes of this section, "substantial or significant" portion of a business is devoted to the sale or rental of adult media if any one or more of the following criteria are satisfied: (a) 40% or more of the sales (including rentals) is derived from adult media; (b) 40% or more of the number of transactions, measured over any consecutive 90-day period, relate to adult media; (c) 40% or more of the dollar value of all merchandise displayed at any time is attributable to adult media; (d) 40% or more of the inventory consists of adult media at any time; (e) 40% or more of the merchandise displayed for sale or rental consists of adult media at any time; or

(f) 40% or more of the sales floor area of the business (not including storerooms, stock areas, bathrooms, or any portion of the business not open to the public) is devoted to adult media at any time.

(2) Adult Newsrack
Any coin- or card-operated device that offers for sale by dispensing printed material which is distinguished or characterized by its emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

(3) Adult Retail Establishment
A business that displays or offers goods for sale or rent and that meets any of the following tests:

(a) It displays or offers for sale or rent items from any two of the following categories: sexually-oriented toys or novelties; clothing that graphically depicts specified anatomical areas; leather goods designed or marketed for use for sexual bondage or sadomasochistic practices; and the combination of items constitutes 10 percent or more of:

i. The sales (including rentals) measured in dollars over any consecutive 90-day period; or

ii. The number of sales transactions, measured over any 90-day period; or

iii. The dollar value of all merchandise displayed at any time; or

iv. All inventory at any time; or

v. The merchandise displayed for sale at any time; or

vi. The sales floor area of the business (not including storerooms, stock areas, bathrooms or any portion of the business not open to the public);

(b) 5% or more of the sales (including rentals), measured in dollars over any consecutive 90-day period is derived from sexually oriented toys or novelties; or

(c) 5% or more of the number of sales transactions, measured over any consecutive 90-day period, relate to sexually-oriented toys or novelties; or

(d) 5% or more of the dollar value of all merchandise displayed at any time is attributable to sexually-oriented toys or novelties; or

(e) 5% or more of all inventory consists of sexually-oriented toys or novelties at any time; or

(f) 5% or more of the sales floor area of the business (not including storerooms, stock areas, bathrooms, or any portion of the business not open to the public) is devoted to sexually-oriented toys or novelties at any time.

b. Businesses that Provide Entertainment

(1) Adult Entertainment Business
Any business to which the public, patrons or members are invited or admitted, which provides adult entertainment, as defined herein, as a regular and substantial portion of its business. The definition of adult entertainment business also includes, but is not limited to, the following specific adult entertainment businesses:

(a) Adult Motion Picture Theater
An establishment with a screen or projection areas, where a regular and substantial portion of its business is the exhibition to patrons of films, video tapes or motion pictures which:

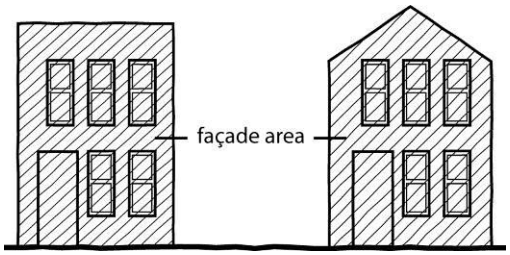
i. are intended to provide sexual arousal or sexual excitement to the patrons and

ii. are distinguished by or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.

	(b) Adult Theater An establishment where a regular and substantial portion of its business is providing live performance of activities relating to specified sexual activities or exhibition of specified anatomical areas of live performers, for observation by patrons. (c) Adult Entertainment Cabaret An establishment where a regular and substantial portion of its business is providing adult entertainment which features strippers, male or female impersonators or live performances; or material which depict, portray, exhibit, or display specified anatomical areas or specified sexual activities or are intended to arouse or excite the sexual desires of the entertainer, other entertainer or patron. (d) Adult Entertainment Studio The term "adult entertainment studio" also includes the terms "rap studio," "exotic dance studio," "sensitivity studio" or "encounter studio." This is an establishment whose premises are physically arranged so as to provide booths, cubicles, rooms, compartments or stalls separate from the common areas of the premises, and where a regular and substantial portion of its business is providing entertainment which features materials or live performances characterized by an emphasis on or features materials relating to specified sexual activities or the exhibition of specified anatomical areas. (e) Adult Encounter Parlor An establishment where a regular and substantial portion of its business is the provision of premises where patrons congregate, associate, or consort with employees, performers, and/or other patrons or private contractors who display specified anatomical areas in the presence of such patrons, with the intent of providing sexual arousal or excitement to such patrons. (f) Body Painting Studio An establishment where a regular or substantial portion of its business is the application of paint or other substance to or on the human body by any means of application, technique or process when the subject's body displays specified anatomical areas for the patron's view. c. Businesses that Provide Services (1) Bath House An enterprise where a regular and substantial portion of its business is offering baths and/or showers with other persons present who are nude or displaying specified anatomical areas. (2) Adult Motel An enterprise where a regular and substantial portion of its business is offering public accommodations, containing more than 150 square feet of gross floor area, for the purpose of viewing motion pictures or viewing publications which are distinguished by an emphasis on the depiction or description of specified sexual activities or specified anatomical areas by any photographic, electronic, magnetic tape, digital or other medium (including but not limited to film, video, magnetic tape, laser disc, CD-ROM, books, magazines or periodical) for observation by patrons therein and which rents room accommodations for less than six hours at a time.
Adult Entertainment	Any exhibition, performance, display or dance of any type, including, but not limited to, talking, singing, reading, listening, posing, serving food or beverages, soliciting for the sale of food, beverages or entertainment, pantomiming, modeling, removal of clothing, or any service offered on a premises where such exhibition, performance, display or dance is intended to arouse or excite the sexual desires of the entertainer, other entertainers or patrons, or if the entertainment depicts, portrays, exhibits or displays specified anatomical areas or specified sexual activities.

Adult Media	Books, magazines, periodicals, other printed matter, pictures, slides, records, audiotapes, videotapes, compact discs, motion pictures, films, CD-ROMs or other devices used to record computer images, or other media which are distinguished or characterized by an emphasis on matters depicting, describing or relating to specified sexual activities or specified anatomical areas.
Adult Video Viewing Booth	Any booth, cubicle, stall or compartment which is designed, constructed or used to hold or seat patrons and is used for presenting or viewing motion pictures or viewing publications which are distinguished or characterized by an emphasis on the depiction of specified sexual activities or specified anatomical areas by any photographic, electronic, magnetic tape, digital or other medium (including, but not limited to, film, video, magnetic tape, laser disc, CD-ROM, books, magazines or periodicals) for observation by patrons therein. Adult video viewing booths are sometimes referred to as "peep shows," "adult video arcades," "panorams" and "adult mini-motion picture theaters." An adult video viewing booth shall not mean a theater, movie house, playhouse or a room or enclosure or a portion thereof which contains more than 150 square feet of gross floor area.
Agency	For the purposes of Chapter 460, the Federal Emergency Management Agency (FEMA).
Agricultural Commodities	For the purposes of Chapter 460, agricultural products and livestock.
Agricultural Structure	For the purposes of Chapter 460, any structure used exclusively in connection with the production, harvesting, storage, drying or raising of agricultural commodities.
Alley	A public or private right-of-way, other than a street, that provides a secondary means of access to abutting property.
Alteration	Any change in the supporting members of a structure, such as bearing walls or partitions, columns, beams or girders, or any complete rebuilding of the roof or the exterior walls. For the purpose of this Code, the following will not be considered a structural alteration: 1. attachment of a new front facade where structural supports are not changed; 2. addition of fire escapes where structural supports are not changed; 3. new windows where lintels and support walls are not materially changed; 4. repair or replacement of non-structural members.
Alternative Support Structure	Any man-made clock towers, bell steeples, light poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.
Antenna	A structure or device used to collect or radiate electromagnetic waves, including directional antennas, such as panels, wireless cable and satellite dishes, except those used on a residence or residential property for the reception of television and/or radio broadcasts; and omni-directional antennas, such as whips, but not including satellite earth stations. Antenna may include all antennas working together as a unit on the site, also known as an antenna array. Types of antennas include: 1. dish: A parabolic or bowl shaped device that receives and/or transmits signals in a specific directional pattern. 2. panel: An antenna that receives and/or transmits in a specific directional panel. 3. whip: An omni-directional dipole antenna of cylindrical shape that is no more than six inches in diameter.
Apartment Community	A group of two or more multi-family dwellings occupying a parcel of land in one ownership and having a park or court in common, but not including motels or other lodging uses.
Appeal	For the purposes of Chapter 460, a request for review of the Floodplain Administrator's interpretation of any provision of this chapter or a request for a variance.
Applicant	Any person submitting an application for development.
Application for Development	The application form and all accompanying documents required by ordinance for approval of a specific request.
Approved Combustible Material	Wood, or materials not more combustible than wood, and approved combustible plastics.

Approved Combustible Plastics	Those plastics that, when tested in accordance with American Society for Testing Materials standard methods for test for flammability of plastics over 0.05 inch in thickness (D635-44), burn no faster than 2.5 inches per minute in sheets of 0.06 inch thickness.
Appurtenant Structure	For the purposes of Chapter 460, a structure that is on the same parcel of property as the principle structure to be insured and the use of which is incidental to the use of the principal structure.
APWA	The American Public Works Association.
Area of Special Flood Hazard	The land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year.
Art Gallery	Uses dedicated to the showing or sale of art, including art galleries and studios. Art museums are classified in the "Cultural Exhibits and Libraries" use category.
As-Built Plans	Construction plans showing a facility or structure as actually constructed and as it appears on the tract of land involved.
Assisted Living	A group living facility that provides health and living services for persons who because of age, illness or infirmity cannot live independently but do not require continuous nursing care.
Attention Attracting Device	Any flasher, blinker, animation, streamer, pennant, clock or other object designed or intended to attract the attention of the public to an establishment or to a sign.
Banks	Financial or securities brokerage services, including but not limited to banks, savings and loan or consumer investment businesses.
Bar *(Amendment 10 – Ordinance 2011-26 4.25.11)*	An establishment at which the principal business is the sale at retail of alcoholic beverages for consumption on the premises. The term shall not include a premises at which such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of the alcoholic beverages comprises less than twenty five percent (25%) of the gross receipts of the establishment.
Base Flood	The flood having a one percent chance of being equaled or exceeded in any given year.
Base Flow	The sustained flow of a stream in the absence of direct runoff. It includes natural and human-induced streamflows. Natural base flow is sustained largely by ground-water discharge.
Basement	The portion of a building having more than one-half of its height below grade. For the purposes of Chapter 460, a basement is any area on a building having its floor subgrade (below ground level) on all sides.
Bed and Breakfast	An owner-occupied detached house in which sleeping rooms are available for rent for transient occupancy by registered guests, not including multi-unit residential or accessory buildings.
Block	An area of land that is entirely bounded by streets, highways, or rights-of-way, except alleys, or between streets, highways, streams, parks, etc., or any other barrier or combination thereof.
Board of Appeals	That Board which has been created by the Governing Body having jurisdiction and which has the statutory authority to hear and determine appeals and variances to Chapters 500 and 510 of the Raymore Municipal Code and Chapters 455 and 460 of this Code.
Board of Adjustment	That Board which has been created by the Governing Body having jurisdiction and which has the statutory authority to hear and determine appeals and variances to the Unified Development Code.
Boarding Stables and Riding Schools	Facilities used for horses, including horse ranches; boarding stables; riding schools and academies; horse exhibition facilities; and any barns, stables, corrals and paddocks incidental to these uses.
Body Art Services	Provision of any of the following procedures: body piercing, tattooing, cosmetic tattooing, branding, and scarification. This definition does not include practices that are considered medical procedures by the Missouri Medical Board, which may not be performed in a body art services establishment.
Buffer	With respect to a stream, a natural or enhanced vegetated area (established by Section E.1 below), lying adjacent to the stream.

Building	Any structure designed or intended for the enclosure, support, shelter or protection of persons, animals or property. For the purposes of Chapter 460, *see "structure."*
Building Coverage	*See "Measurements and Exceptions " Section 485.020.*
Building Façade Area	The entire area of a building wall, including doors, windows, recessed and projecting areas, and all other features. 
Building Height	*See "Measurements and Exceptions," Section 485.020.*
Building Line or Setback Line	A line parallel to a street or right-of-way line, shore of a lake, edge of a stream or other property line established on a parcel of land or lot for the purpose of prohibiting construction of a building or structure in the area between such building line and right-of-way, lakeshore, streambank or other property line.
Business Support Services	Provision of clerical, employment, protective or minor processing services to firms rather than individuals, excluding any storage of goods other than samples. Typical uses include secretarial services, telephone answering services and copying or blueprint services. Also includes business or trade schools that do not involving any outdoor storage or manufacturing processes.
Candlepower	The amount of light that will illuminate a surface one foot distance from a light source to an intensity of one foot candle. Maximum (peak) candlepower is the largest amount of candlepower emitted by any lamp, light source or luminaire.
Car Wash	Any building or site providing facilities for washing motor vehicles, using either automatic equipment or providing space and equipment for hand-washing of vehicles by either customers or employees.
Cemetery	Land or facilities used for burial of the dead.
Channel	The bed and banks of a natural stream which convey the constant or intermittent flow of the stream.
Channelization	The straightening and deepening of channels and/or the surfacing thereof to permit water to move rapidly and/or directly.
Chief Executive Officer or Chief Elected Official	For the purposes of Chapter 460, the official of the community who is charged with the authority to implement and administer laws, ordinances, and regulations for that community.
City	The City of Raymore, Missouri.
City Council	The City Council of the City of Raymore, Missouri.
Cluster Residential Development	Dwelling units permitted on smaller lots in exchange for preserving common open spaces, natural features, and other amenities.
College or University	Institution of higher learning that offers courses of general or specialized study leading to a degree and is certified by the state or a recognized accrediting agency.
Common Open Space	An outdoor area designated and intended for the common use and enjoyment of residents or other members of the controlling association (such as a homeowner's association), not including streets, alleys, driveways, parking or loading areas.
Community	For the purposes of Chapter 460, any State or area or political subdivision thereof, which has authority to adopt and enforce floodplain management regulations for the areas of its jurisdiction.
Community Development Director	The person or persons authorized and empowered by the Governing Body having jurisdiction to administer the requirements of this Code.
Community Park	A large park generally 25 or more acres that serves the residents living within a one mile radius of the park.

Component of Use	An element of use of land including, but not limited to, of-street parking, off-street loading, and landscaping.
Construction Plans	The engineering drawings showing types of materials and construction details for physical structures and facilities, excluding dwelling units to be installed in conjunction with development of a subdivision.
Construction Sales and Service	Construction activities and incidental storage on lots other than construction sites. Also includes the retail or wholesale sale of materials used in the construction of buildings or other structures other than retail sale of paint, fixtures, and hardware. This category includes, but is not limited to uses such as building materials stores, tool rental or sales and building contracting/construction offices.
Consumer Loan Establishment	Any business that makes loans in a principal amount not exceeding $25,000 secured other than by a mortgage or lien on the borrower's real property or on personal property acquired by the borrower with the proceeds of the loan, not including any bank, savings bank, savings and loan association or credit union. Includes title loan businesses.
Contagious and Communicable Diseases	Those diseases which are set out in Missouri Code of State Regulations, Department of Health, 19 C.S.R. 20-20.020, as amended.
Cremating	Services involving the purification and reduction of human remains by fire.
Cul-de-sac	A street having one end open to traffic and the other end being terminated by a vehicle turnaround.
Cultural Exhibits and Libraries	Museum-like preservation and/or exhibition of objects in one or more of the arts and sciences; gallery exhibition of works of art; or a library collection of books, manuscripts and other materials for study and reading, excluding public assembly facilities, which are classified as places of public assembly.
Curb	A vertical or sloping edge of a roadway.
Cutoff	The point at which all light rays emitted by a lamp, light source or luminaire are completely eliminated (cut off) at a specific angle above the ground.
Cutoff Angle	The angle formed by a line drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source above which no light is emitted.
Cutoff-Type Luminaire	A luminaire with elements such as shields, reflectors or refractor panels which direct and cut off the light at a cutoff angle that is less than ninety degrees.
Day Care	A place where 3 or more unrelated children or adults are cared for by persons other than parents or guardians.
Day Care Center	A structure or place where care, supervision, custody or control is provided for more than six unrelated children or adults.
Day Care Home	A dwelling or structure in which care, supervision, custody or control is provided for six or fewer unrelated children or adults for any part of a 24 hour day up to 12 hours.
Dedication	An act transmitting property or interest thereto.
Density	The permitted number of dwelling units per gross acre of land to be developed.
Design Flood	The relative size or magnitude of a major flood of reasonable expectancy, which reflects both flood experience and flood potential and is the basis of the delineation of the floodway, the flood hazard area, and the water surface elevations.
Developer	The legal or beneficial owner or owners of a lot or of any land included in a proposed development. Also, the holder of an option or contract to purchase or any other person having enforceable proprietary interest in such land.
Development	A planning or construction project involving substantial property improvement and, usually, a change of land-use character within the site; the act of using land for building or extractive purposes. For the purposes of Chapter 460, development is any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, levees, levee systems, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

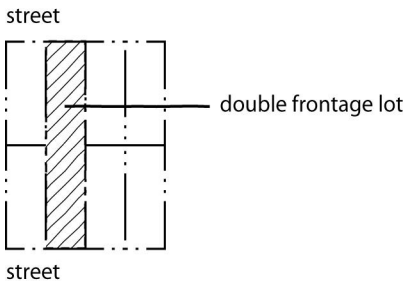
Development Regulations	Zoning, subdivision, site plan, official map, floodplain regulation or other governmental regulations of the use and development of land.
Director of Public Works	The officially appointed Engineer of the City of Raymore, Missouri or his/her designee.
Divided Street	A street having an island or other barrier separating moving lanes.
Drainage	The removal of surface water or groundwater from land by drains, grading or other means.
Drainage Facility	Any component of a drainage system.
Drainage System	The system through which water flows from the land, including all watercourses, water bodies and wetlands.
Drive-through Facilities	Facilities used to provide or dispense products or services, through an attendant or a window or an automated machine, to persons remaining in vehicles that are in a designated stacking aisle. A drive-through facility may be in combination with other uses, such as a financial institution, personal service use, retail store or eating establishment. A drive-through facility does not include a "Car Wash" or "Gas Station" as defined herein.
Driveway	A paved or unpaved area used for ingress or egress of vehicles, and allowing access from a street to a building or other structure or facility.
Dwelling	A building or portion thereof, not including manufactured homes, which is designed and used exclusively for residential purposes.
Dwelling, Accessory *(Amendment 18 – Ordinance 2014-006 2.10.14)*	A separate and subordinate dwelling that is contained on the same lot as the primary dwelling.
Dwelling, Multi-family	A building designed for or occupied exclusively by three or more families. A multi-family dwelling also includes the terms "tri-plex", "quad-plex" and "four-plex."
Dwelling, Single-family Attached	A dwelling unit designed for one family having its own ground floor entrance and open space, and joined to two or more dwellings by common walls or other horizontally unifying structural element. This use type includes townhouses, rowhouses, and other similar dwelling types.
Dwelling, Single-family Detached	A dwelling unit designed for one family that does not share a common wall with any other dwelling and is surrounded on all sides by open space located on the same lot.
Dwelling, Two-family	A building designed for or occupied exclusively by two families. A two-family dwelling also includes the terms "duplex" and "two-flat".
Dwelling Units Located Above the Ground Floor	Dwelling units located above the ground floor of a non-residential use or space located within the same building.
Easement	A right-of-way granted, but not dedicated, for limited use of private land for a public or quasi-public purpose and within which the owner of the property may not erect any permanent structures.
Elevated Building	For insurance purposes, a non-basement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns.
Eligible Community or Participating Community	For the purposes of Chapter 460, a community for which the Federal Flood Insurance Administrator has authorized the sale of flood insurance under the National Flood Insurance Program (NFIP).
Employee	Any and all persons, including managers, entertainers and independent contractors, who work in or at or render any services directly related to the operation of an adult business.
Employee Living Quarters	Living quarters for persons employed on the premises and not rented otherwise as a separate dwelling.
Engineer	A professional engineer registered in the State of Missouri.
Entertainment and Spectator Sports	Provision of cultural, entertainment, athletic and other events to spectators.
Entertainer	Any person who provides adult entertainment within an adult business, whether or not a fee is charged or accepted for entertainment.
Escrow	Money delivered to a third person to be delivered by him/her to the grantee only upon fulfillment of a condition.

Establishment *(Amendment 9 – Ordinance 2011-22 4.11.11)*	An individual business or tenant space.
Existing Construction	For the purposes of Chapter 460, for the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for the FIRMs effective before that date. "Existing Construction" may also be referred to as "Existing Structures".
Existing Manufactured Home Park or Subdivision	For the purposes of Chapter 460, a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community.
Expansion to an Existing Manufactured Home Park or Subdivision	For the purposes of Chapter 460, the preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installations of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).
Family	One or more persons related by blood, marriage or adoption, living together as a single housekeeping unit; or a group of not more than four unrelated persons living together as a single housekeeping unit; plus in either case, usual domestic services. A family may under no circumstances be construed as a boarding house, fraternity or sorority house, club, lodging house, hotel, motel or commune.
Farming	The use of a tract of land for the growing of crops, pasturage, nursery or the raising of livestock and poultry, including the structures necessary for carrying out farming operations and the residence or residences of those owning or operating the premises, a member of the family thereof, or persons employed thereon, and the family thereof, but such use shall not include feedlots, sale yards and auction yards for cattle and hogs.
Fence	A free standing structure of metal, masonry, composition or wood or any combination thereof resting on or partially buried in the ground and rising above the ground level, and used for confinement, ornamental, screening or partition purposes.
Fence, Chain-link	An open mesh fence made entirely of woven wire.
Fence, Decorative *(Amendment 8 – Ordinance 2011-9 2.28.11)*	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.
Fence, Privacy	A solid fence constructed of materials which creates an opaque wall or screen.
Fence, Security	A fence intended to guard property against unauthorized entry, and to protect goods and products from theft and other unauthorized handling. Security fences are often made of wrought iron or chain link, and may incorporate additional security features such as barbed wire.
Final Approval	The official action taken on a preliminarily approved major subdivision or site plan, after all conditions, engineering plans, and other requirements have been completed or fulfilled.
Final Plat	The final map of all or a portion of a subdivision which is presented for final approval and recording.
Flood or Flooding	A general and temporary condition of partial or complete inundation of normally dry land areas from: 1. the overflow of inland; and/or 2. the unusual and rapid accumulation or runoff of surface waters from any source.
Flood Boundary and Floodway Map (FBFM)	An official map of a community on which the Federal Flood Insurance Administrator has delineated both special flood hazard areas and the designated regulatory floodway.
Flood Elevation Determination	A determination by the Federal Flood Insurance Administrator of the water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year.
Flood Elevation Study	An examination, evaluation and determination of flood hazards.
Flood Fringe	The area outside the floodway encroachment lines, but still subject to inundation by the regulatory flood.

Flood Hazard Boundary Map (FHBM)	An official map of a community, issued by the Federal Flood Insurance Administrator, where the boundaries of the flood areas having special flood hazards have been designated as (unnumbered or numbered) A zones.
Flood Insurance Rate Map (FIRM)	An official map of a community, on which the Federal Flood Insurance Administrator has delineated both the special flood hazard areas and the risk premium zones applicable to the community.
Flood Plain	Any land area susceptible to flooding, which would have at least a one percent probability of flooding occurrence in any calendar year based on the basin being fully developed as shown on the current land use plan; i.e., the regulatory flood. This area may or may not be a regulatory flood plain. With respect to Chapter 460, any land area susceptible to being inundated by water from any source (see "flooding").
Floodplain Management	The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.
Floodplain Management Regulations	Zoning ordinances, subdivision regulations, land development codes, building codes, health regulations, special purpose ordinances (such as floodplain and grading ordinances) and other applications of police power. The term describes such State and local regulations, in any combination, that provide standards for the purpose of flood damage prevention or reduction.
Floodproofing	Any combination of structural and non-structural additions, changes or adjustments to structures that reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities or structures and their contents.
Floodway or Regulatory Floodway	The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.
Floodway Encroachment Lines	The lines marking the limits of floodways on Federal, State and local floodplain maps.
Floor Area	The gross floor area of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings and includes the following areas: 1. the area of each floor of the structure; and 2. the attic space having headroom of seven feet 10 inches or more.
Foot Candle	A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one candle.
Freeboard	A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as bridge openings and hydrological effect of urbanization of the watershed.
Free Standing Fast-food Restaurant *(Amendment 10 – Ordinance 2011-26 4.25.11)*	An establishment a substantial portion of whose business involves the sale of foods, frozen desserts or beverages in ready-to-consume individual servings to occupants of motor vehicles for consumption off-premises.
Frontage	The length of the property abutting on one side of a street measured along the dividing line between the property and the street right-of-way.
Functionally Dependent Use	For the purposes of Chapter 460, a use that cannot perform its intended purpose unless it is located or carried out in a close proximity to water. This term includes only docking facilities and facilities that are necessary for the loading and unloading of cargo or passengers, but does not include long term storage or related manufacturing facilities.
Funeral Home	An establishment providing services of preparing the dead for burial and arranging or managing funerals.

Garage Sale	The sale of personal items on an infrequent basis at a private residence.
Gas Station	Any building or premises whose principal use is the dispensing, sale or offering for sale at retail of any motor vehicle fuels, oil or accessories, where repair service or car wash facilities is incidental, where no motor vehicle storage is present and where no motor vehicles are offered for sale.
General Development Plan	A plan outlining general, rather than detailed, development intentions. It describes the basic parameters of a major development proposal, rather than giving full engineering details. As such, it allows general intentions to be proposed and discussed without the extensive costs involved in submitting a detailed proposal.
Glare	The brightness of a light source which causes eye discomfort.
Governing Body	The chief legislative body of the municipality.
Grade	The slope of a street or other public way, specified in percentage (%) terms.
Group Home	1. Any dwelling occupied by not more than 10 persons, including eight or fewer persons with a disability, as defined in this Code, who need not be related by blood or marriage and not to exceed two staff residents who need not be related by blood or marriage to each other or to the residents of the home, or 2. Any private residence licensed by the Division of Family Services or Department of Mental Health to provide foster care to one or more but less than seven children who are unrelated to either foster parent by blood, marriage or adoption; subject to occupancy limitations for the particular dwelling.
Group Living	Residential uses other than household living; usually provide common kitchen/dining facilities.
Group Living not Otherwise Classified	Group living uses that do not fit into any other category, such as fraternities, sororities, convents, and monasteries.
Gutter	A shallow channel usually set along a curb or the pavement edge of a road for purposes of catching and carrying runoff water.
Heavy Equipment Sales or Rental	Businesses that sell, lease, rent or wholesale from the premises heavy construction equipment, farm implements, tractors, trucks or aircraft, along with incidental maintenance.
Highest Adjacent Grade	For the purposes of Chapter 460, the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.
Historic Structure	Any structure that is: 1. listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register; 2. certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; 3. individually listed on a State inventory of historic places in States with preservation programs which have been approved by the Secretary of the Interior; or 4. individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either: a. by an approved State program as determined by the Secretary of the Interior; or b. directly by the Secretary of the Interior in States without approved programs.
Home Occupation	An accessory use of a dwelling unit for business or commercial purposes where the dwelling unit is the principal residence of the business operator, subject to the standards of the Unified Development Code.
Hospital	Uses providing medical or surgical care to patients and offering inpatient (overnight) care.
Hotel/Motel	An establishment containing lodging rooms for occupancy by transient guests. Such an establishment may provide customary hotel services such as maid and bellboy services, furnishing of and laundry of linens used in the lodging rooms, central desk, and meeting rooms.

Impervious Cover	Any manmade paved, hardened or structural surface regardless of material. Impervious cover includes but is not limited to rooftops, buildings, streets, roads, decks, swimming pools and any concrete or asphalt.
Impoundment	A body of water, such as a pond, confined by a dam, dike, floodgate or other barrier.
Improvement	Street work, utilities, sidewalks, drainage structures and other physical modifications which are to be installed or constructed by the subdivider for the benefit of the lot owners and for the proper development of the community as a condition precedent to the approval and acceptance of the final plat.
Inoperable Vehicle	A vehicle is deemed to be inoperable if it meets one or more of the following criteria regardless of the circumstances of how the vehicle came to be in its current location or ownership: 1. does not display current valid license plates registered to the vehicle; 2. does not display a valid inspection decal that is valid; 3. it has flat or missing tires or wheels; 4. it is wrecked or junked; 5. it is wholly or partially dismantled; 6. it is missing parts or equipment necessary to safely and legally operate on a public street; 7. it has mechanical or other problems that prevent the vehicle from being driven under its own power; 8. it has vegetation or debris is collected in, on, around or under the vehicle; and/or 9. it is used to store auto parts, household items, lawn equipment or other types of storage.
Junkyard	Any land or structure used for a salvaging operation, including, among other things, the storage and sale of wastepaper, rags, scrap metal and discarded materials, and the collecting, dismantling, storage and salvaging of unlicensed, inoperative vehicles.
Kennels	Any premises where three or more animals are owned, boarded, bred and/or offered for sale, including but not limited to boarding kennels, breeding kennels, dog training centers and animal rescue shelters.
Land Development	With respect to stream buffers and natural resource protection, any land change, including but not limited to clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, construction, paving and any other activity which results in an increase of impervious cover.
Land Development Activity	Those actions or activities which comprise, facilitate or result in land development.
Land Disturbance	Any land or vegetation change, including, but not limited to, clearing, grubbing, stripping, removal of vegetation, dredging, grading, excavating, transporting and filling of land, or other activities that involve construction, paving or any other installation of impervious cover.
Land Disturbance Activity	Those actions or activities which comprise, facilitate or result in land disturbance.
Landscaped	An area devoted to or developed predominately with plant material or natural landscape features, including lawn, ground cover, gardens, trees, shrubs, and other plant materials; and also including accessory decorative outdoor landscape elements such as pools, fountains, water features, paved or decorated surfaces or rock, stone, brick, block or similar material. This does not include driveways, parking, loading, or storage areas, and sculptural elements.
Lateral Sewers	Pipes conducting sewage from individual buildings to larger pipes called trunk or interceptor sewers that usually are located in street rights-of-way.
Light Equipment and Vehicle Sales/Rental	Businesses that sell, lease, rent or wholesale from the premises automobiles, noncommercial trucks, motorcycles, trailers with less than 10,000 pounds of gross cargo capacity, motor homes and boat dealers, along with incidental maintenance.
Live/Work *(Amendment 5 – Ordinance 2010-34 4.26.2010)*	A building and/or lot used by a single family for both dwelling purposes and a permitted commercial use.
Local Street	Roadway that is intended to provide access to abutting properties, tends to accommodate lower traffic volumes, serves short trips, and provides connection to collector streets.

Lot	A *"zoning lot"* unless the context clearly indicates a *"lot of record."* The term "lot" will be construed to include the terms "site," "parcel" and any other similar undefined term.
Lot of Record	A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.
Lot Area	The size of a lot measured within the lot lines and expressed in terms of acres or square feet. *See "Measurements and Exceptions,"Section 485.020.*
Lot, Corner	A lot abutting upon two or more streets at their intersection.
Lot Depth	*See "Measurements and Exceptions,"Section 485.020.*
Lot, Double Frontage	A lot having a frontage on two non-intersecting streets, as distinguished from a corner lot. *See also "Measurements and Exceptions," Section 485.020.* 
Lot Frontage	That portion of a lot extending along a street line.
Lot, Interior	A lot whose side lines do not abut upon any street.
Lot Width	The mean horizontal distance between side lines measured at right angles to the depth of the lot. *See "Measurements and Exceptions," Section 485.020.*
Lot, Zoning	A parcel or tract of land used, developed or built upon as a unit under single ownership or control. Said parcel or tract may consist of one or more lots of record, one or more portions of a lot or lots of record or any combination thereof; and must be contiguous parcels.
Lot Line	Lot boundary line. *See "Lot Line, Front"; "Lot Line, Rear"; "Lot Line, Side".*
Lot Line, Front	A street right-of-way line forming the boundary of a lot. If a lot has two or more front lot lines, the owner or developer must designate the yard which is to be the front yard.
Lot Line, Rear	The lot line that is most distant from, and is, or is mostly nearly, parallel to, the front lot line.
Lot Line, Side	The lot line on each side of a lot that connects the front and rear lot lines.
Lot of Record	A lot which is a part of a subdivision, the plat of which has been recorded in the office of the Recorder of Deeds; or a lot described by metes and bounds, the description of which has been recorded in the office of the Recorder of Deeds prior to the original adoption of the various Unified Development Code for the City.
Lowest Floor	For the purposes of Chapter 460, the lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable flood-proofing design requirements of this chapter.
Luminaire	A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.
Main	In any system of continuous piping, the principal artery of the system to which branches may be connected.
Maintenance Guarantee	Any security which may be required and accepted by a governmental agency to ensure that necessary improvements will function as required for a specific period of time.
Major Subdivision	Any subdivision not classified as a minor subdivision.
Manager	Any person who manages, directs, administers or is in charge of the affairs and/or conduct of any portion of any activity at any adult business.

Manufactured Home	A structure which is subject to the Federal Manufactured Home Construction and Safety Standards established pursuant to 42 U.S.C. § 5403, and constructed on or after June 15, 1976. With respect to Chapter 460, a manufactured home is defined as a structure, transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a recreational vehicle.
Manufactured Home Park	Any area, piece, parcel, tract or plot of ground equipped as required for support of manufactured homes and offered for use by the owner or representative for manufactured home park purposes and/or ground upon which three or more manufactured homes are parked, whether for compensation or not, including all accessory uses thereof. The term "manufactured home park" does not include sales lots of which unoccupied manufactured homes are parked for the purpose of inspection and sale. For the purposes of Chapter 460, a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale or rent; also known as a "manufactured home park."
Manufactured Home Residential-Design	A manufactured home which satisfies the following additional criteria: 1. minimum dimensions of 22 feet in width and 40 feet in length; 2. the pitch of the roof of the manufactured home has a minimum vertical rise of four feet for each 12 feet of horizontal run and the roof finished with a type of shingle that is commonly used in standard residential construction in the City; 3. all roof structures provide an eave projection of no less than 12 inches, exclusive of any guttering; 4. the exterior siding consists of vinyl or metal horizontal lap siding (whose reflectivity does not exceed that of low luster white paint), wood, or hardboard, comparable in composition, appearance and durability to the exterior siding commonly used in standard residential construction in the City; 5. is set up in accordance with the recommended installation procedures of the manufacturer and the standards set by the National Conference of States on Building Codes and Standards and published in "Manufactured Home Installations, 1987" (NCS BCS A225.1), and a continuous, permanent masonry foundation or masonry curtain wall, or poured concrete wall, unpierced except for required ventilation and access, is installed under the perimeter of the Residential-Design Manufactured Home; 6. stairs, porches, entrance platforms, ramps and other means of entrance and exit to and from the home are installed or constructed in accordance with the standards set by the building code and attached firmly to the primary structure and anchored securely to the ground; and 7. has substantially the appearance of an on-site, conventionally built, single-family dwelling.
Manufactured Home Space	A plot of ground within a manufactured home park which can accommodate one manufactured home and which provides the necessary utility services for water, sewerage, electricity, gas, etc.
Manufactured Home Subdivision	Any area, piece, parcel, tract or plot of ground used or intended to be used for the purpose of selling individual lots for occupancy by mobile homes.
Manufacturing, Production and Industrial Service, Limited	Manufacturing of finished parts or products, primarily from previously prepared materials, including but not limited to printing and related support activities; machinery manufacturing; food manufacturing; computer and electronic product manufacturing/assembly; electrical equipment, appliance, component manufacturing/assembly; furniture and related product manufacturing/assembly; and other manufacturing and production establishments that typically have very few, if any, negative external impacts on surrounding properties.

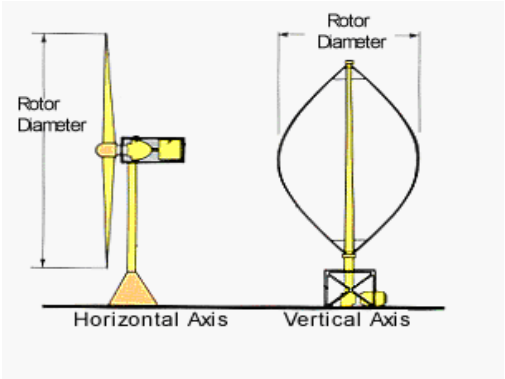
Manufacturing, Production and Industrial Service, General	1. Manufacturing of finished or unfinished products, primarily from extracted or raw materials, or recycled or secondary materials, or bulk storage and handling of such products and materials, including but not limited to: textile mills; textile product mills; apparel manufacturing; leather and allied product manufacturing; and wood product manufacturing. 2. Industrial service firms engaged in the repair or servicing of industrial or commercial machinery, equipment, products or by-products, including but not limited to: welding shops; machine shops; industrial tool repair; laundry, dry-cleaning, and carpet cleaning plants; and photofinishing laboratories.
Manufacturing, Production and Industrial Service, Intensive	1. Manufacturing of finished or unfinished products, primarily from extracted, raw, recycled or secondary materials, particularly those of a hazardous nature; or bulk storage and handling of such products and materials. Intensive manufacturing uses are those that have the greatest potential for negative external impacts on surrounding properties. 2. Typical intensive manufacturing, production and industrial uses include: manufacturing, processing or storage of chemicals, asbestos, metals, hazardous materials, plastics, rubber and rubber products, paper products, carpets, cleaning products, toiletries, electronics, nonmetallic minerals, transportation equipment, paints, and petroleum; gas and petroleum drilling; and the manufacture, storage, processing or warehousing of hazardous, radioactive, explosive or volatile materials.
Map	For the purposes of Chapter 460, the Flood Hazard Boundary Map (FHBM), the Flood Insurance Rate Map (FIRM) or the Flood Boundary and Floodway Map (FBFM) for a community issued by the Federal Emergency Management Agency (FEMA).
Market Value or Fair Market Value	For the purposes of Chapter 460, an estimate of what is fair, economic, just and equitable value under normal local market conditions.
Master Plan	A comprehensive long-range plan intended to guide the growth and development of a community or region. Includes analysis, recommendations, and proposals for the community's population, economy, housing, transportation, community facilities, and land use.
Major Arterial	Roadway that is of regional importance and is intended to serve high volumes of traffic traveling relatively long distances. A major arterial is intended primarily to serve through traffic, and access is controlled.
Major Collector	Roadway that provides for traffic movement between arterials and local streets and carries moderate traffic volumes over moderate distances. Collectors may also provide direct access to abutting properties except individual residences.
Maximum Permitted Illumination	The maximum illumination measured in foot candles at the interior setback yard line at ground level.
Mean Sea Level	For the purposes of the National Flood Insurance Program (NFIP), the National Geodetic Vertical Datum (NGVD) of the 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map (FIRM) are referenced.
Medical or Dental Clinic	An establishment where patients are not lodged overnight but are admitted for examination and treatment by a group of physicians or dentists practicing medicine.
Memorandum of Understanding	A written agreement executed by the Mayor of the City of Raymore and the property owner(s) of land included in a development proposal. This agreement typically outlines the specific details of any terms or conditions of development, such as land use, density, access to the property, infrastructure improvements, parkland dedications, and similar matters.
Meteorological Tower *(Amendment 3 – Ordinance 29092 9.14.09)*	A temporary facility consisting of a tower and related wind-measuring devices and equipment used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location. Also called an anemometer or met tower.
Mini Warehouse	Storage or warehousing service within a building for individuals to store personal effects and for businesses to store materials for operation of an industrial or commercial enterprise located elsewhere, where such storage space is not used for any retail, manufacturing, wholesale, business or service use.
Minor	Any person less than 18 years of age.

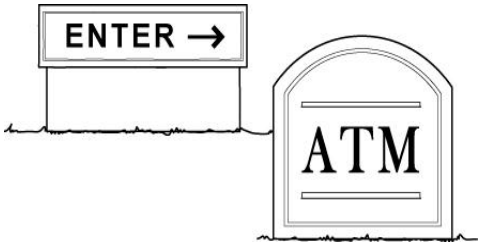
Minor Arterial	Roadway that is similar in function to major arterials, but operates under lower traffic volumes, serves trips of shorter distances, and provides a higher degree of property access than major arterials.
Minor Collector	Roadway that is similar in function to a major collector, but carries lower traffic volumes over shorter distances and has a higher degree of property access.
Minor Subdivision	A subdivision of land of not more than five lots, provided that such subdivision does not involve a planned development, any new street or the extension of a utility or other municipal facility.
Mobile Vendor *(Amendment 15 – Ordinance 2013-010 2.11.13)*	A portable cart, vehicle, apparatus, trailer, or structure used for the sale or display of food, beverages, goods or merchandise for walk-up customers.
Motel	*See "Hotel/Motel".*
Motor Vehicle Repair	A business or premises where repair work on or for motor vehicles, the replenishing of parts thereto, the changing of tires, the diagnosis of malfunctions of a motor vehicle or the estimating of damage and necessary repairs is conducted. Also includes painting and body work, and commercial vehicle repairs.
Mountable Curb	A low curb with a flat slope designed to be crossed easily without discomfort.
Neighborhood Park	A local park generally six or more acres that serves the residents living within a one-half mile radius of the park.
New Construction	For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of the floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.
New Manufactured Home Park or Subdivision	For the purposes of Chapter 460, a manufactured home park or subdivision for which the construction of facilities for servicing the lot on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by the community.
NFIP	The National Flood Insurance Program (NFIP).
Nonconforming Component of Use	An element of use of land including, but not limited to, off-street parking, off-street loading, and landscaping, which does not comply with the requirements of this code.
Nonconforming Structure	A structure which does not comply with the lot size requirements or bulk regulations applicable to new structures in the zoning district in which it is located.
Nonconforming Use	An existing use of a structure or land which does not conform with the regulations of the district in which it is situated as established by this chapter or any amendments hereto. A legal nonconforming use is one which was legally established prior to the effective date of this code.
Nude or Nudity	The appearance of the human bare buttocks, anus, human genitals, the areola or the nipple of the female breast or a state of dress which fails to opaquely or fully cover the anus, human genitals or the areola or the nipple of the female breast.
Nursing Care Facility	A facility that provides shelter and medical, nursing, and/or rehabilitation services for persons who require 24-hour skilled nursing supervision and care.
Official Zoning Map	The Official Zoning District Map, filed in the office of the City Clerk as from time to time amended in accordance with the Unified Development Code.
Off-Site	Located outside the lot lines of the lot in question but within the property (of which the lot is a part) that is the subject of a development application or on a contiguous portion of a street or right-of-way.
Off-Tract	Not located on the property that is the subject of a development application nor on a contiguous portion of a street or right-of-way.
Office	Professional, governmental, executive, management or administrative offices of private or governmental organizations.
On-Site	Located on the lot in question.

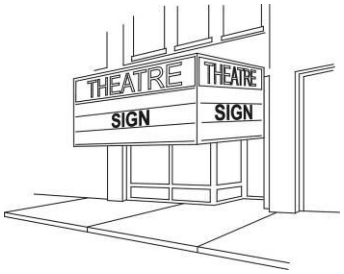
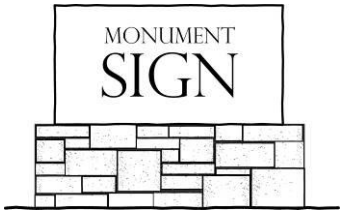
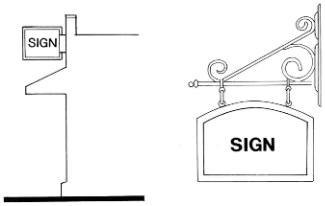
Open Space	An area of land or water or combination thereof planned for passive or active recreation but does not include areas utilized for streets, alleys, driveways or private roads, off-street parking or loading areas, or required front, rear or side yards.
Operate	To own, conduct or maintain the affairs of any adult business.
Operator	Any person owning, operating, conducting or maintaining an adult business.
Ordinary High Water Mark	A line on the bank established by the fluctuations of water and indicated by the physical characteristics such as clear, natural line impressed on the bank, shelving, changes in the character of the soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas.
Outdoor Event	The temporary outdoor use of property for a special occasion, such as a live Christmas nativity scene, summer festival, Halloween haunted house, or similar event.
Outdoor Sales Event	The display and sale of products outside of a building, typically located within a parking area, for a temporary period of time.
Parcel	Any plot, lot or acreage shown as a unit on the latest county tax assessment records.
Parking, Accessory	Motor vehicle parking facilities that provide parking that are accessory to a specific use or uses.
Parking, Non-accessory	Facilities that provide motor vehicle parking that are not accessory to a specific use, regardless of whether a fee is charged.
Parks and Recreation	Recreational, social or multi-purpose uses typically associated with public parks, public open spaces, outdoor recreation areas, public or private golf courses, and associated buildings.
Participating Community	For the purposes of Chapter 460, participating community means a community in which the Federal Flood Insurance Administrator has authorized the sale of flood insurance; also known as an "eligible community."
Patron	Any person who enters an adult business, without regard to whether a purchase is made from the adult business or compensation is paid to the adult business for merchandise, entertainment or service, provided that the term patron shall not include persons who enter an adult business for the sole purpose of providing service or merchandise to the adult business and who do not remain in the adult business after the purpose had been accomplished, including but not limited to persons performing construction, repair or maintenance on the premises or delivering goods or merchandise to the adult business and any similar activity.
Pawn Shop	An establishment or person (pawnbroker) engaged in the business of receiving property in pledge or as security for money or other things advanced to the pawner or pledger.
Payday Loan Store	An establishment other than a bank that engages in the business of offering payday loans, cashing checks or exchanging currency. A "payday loan" is a loan transaction where a post-dated check or other check that the parties agree will be held for a period of time before presentment for payment or deposit is accepted as collateral for the loan. Includes check cashing services.
Performance Guarantee	Any security that may be accepted by a municipality as a guarantee that the improvements required as part of an application for development are satisfactorily completed.
Permit	The permit issued by the (permitting authority) required for undertaking any land development activity.
Person	Any individual, partnership, firm, incorporated or unincorporated association, joint venture, public or Private Corporation, trust, estate, commission, board, public or private institution, utility, cooperative, city, county or other political subdivision of the State, any interstate body or any other legal entity or group of persons, however organized. For the purposes of Chapter 460, person includes any individual or group of individuals, corporation, partnership, association or any other entity, including Federal, State, and local governments and agencies.
Personal and Consumer Service	Sale of any service to individual customers for their own personal benefit, enjoyment or convenience. For example, consumer services include the provision of personal services such as beautician and barbering services, specialized instruction, laundry and dry cleaning services, and all other similar services.

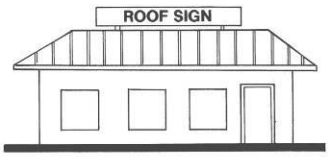
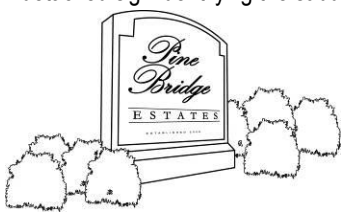
Planned Unit Development	An area of a minimum contiguous size, as specified by ordinance, to be planned, developed, operated, and maintained as a single entity containing one or more structures to accommodate commercial or office uses, or both, and appurtenant common area and other uses incidental to the predominant uses.
Planning and Zoning Commission	The officially appointed Planning and Zoning Commission of the City of Raymore; the term may be abbreviated in this chapter as the "Commission".
Plat	A map or maps of a subdivision or site plan.
Post Office	Uses associated with the processing and delivering of mail, including those either owned or leased by postal service companies.
Pre-application Conference	An initial meeting between developers and municipal representatives which affords developers the opportunity to present their proposals informally.
Preliminary Approval	The conferral of certain rights prior to final approval after specific elements of a development plan have been agreed upon by the City and the applicant.
Preliminary Subdivision Plat	A map indicating the proposed layout of a development and related information that is submitted for preliminary approval.
Principal Building	A building or structure in which a principal use of the lot on which the structure is located is conducted.
Principal Use	An activity or combination of activities of chief importance on the lot. One of the main purposes for which the land, buildings or structures are intended, designed, or ordinarily used.
Principally Above Ground	For the purposes of Chapter 460, at least 51 percent of the actual cash value of the structure, less land value, is above ground.
Private Utilities	Utilities that are not subject to city acceptance for operation or maintenance, including natural gas lines, power lines, telephone lines, cable television lines, fiber optic lines, and other communication lines, their appurtenances and any other component thereof.
Protection Area, or Stream Protection Area	With respect to a stream, the combined areas of all required buffers and setbacks applicable to such stream.
Public Facilities and/or Uses	Those municipal uses that include and/or accommodate governmental, municipal public utilities or recreational facilities and/or uses. Such facilities and/or uses are unique in that their proximity to sensitive land uses or facilities is not generally detrimental to the quality of life and in many cases are desirable, convenient or required.
Public Open Space	Any publicly-owned open area, including but not limited to parks and playgrounds, but not including streets, alleys, parking or loading areas.
Public Safety Services	Public safety services that provide fire, police or life protection, together with incidental storage and maintenance of necessary vehicles, including but not limited to fire stations, police stations, and ambulance services.
Public Utilities	Utilities that are subject to city acceptance for operation and maintenance, including water lines, sanitary sewer lines, storm sewer lines located in the right-of-way, and their appurtenances and any other components thereof.
PUD	*See "Planned Unit Development".*
Recreational Vehicle	A vehicular-type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. Examples are travel trailers, camping trailers, truck campers, and motor homes. Manufactured homes are not considered trailers or recreational vehicles. For the purposes of Chapter 460, a vehicle which is: 1. built on a single chassis; 2. 400 square feet or less when measured at the largest horizontal projections; 3. designed to be self-propelled or permanently towable by a light duty truck; and 4. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.

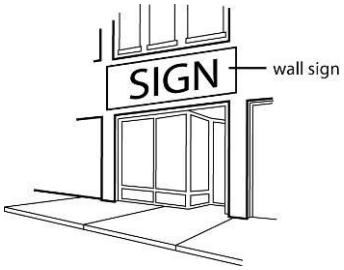
Recycling Facility	Any business that engages in the collection, storage or processing of any type of aluminum, glass, paper, plastic, rubber, textile, landscape waste or other similar materials for the purpose of marketing the material for use in the manufacturing process of new, reused or reconstituted products.
Regional Park	The largest of parks generally 100 or more acres serving the residents that live within a five mile radius of the park.
Religious Assembly	Religious uses commonly involving public assembly as customarily occurs in churches, synagogues, mosques, and temples.
Remedy a Violation	For the purposes of Chapter 460, to bring the structure or other development into compliance with Federal, State or local floodplain management regulations; or, if this is not possible, to reduce the impacts of its non-compliance.
Renewable Energy System *(Amendment 3 – Ordinance 29092 9.14.09)*	Equipment or a device that converts energy from a renewable resource such as wind or the sun into electrical or thermal energy to reduce or supplant the consumption of utility power.
Research Laboratory	A building or group of buildings in which are located facilities for scientific research, investigation, testing or experimentation, but not primarily facilities for the manufacture or sale of products.
Residential Density	The number of dwelling units per gross acre of residential land area including streets, easements, and open space portions of a development.
Restaurant	An establishment primarily engaged in serving prepared food to the public, including those with outdoor seating areas.
Retail Sales	Businesses that sell, lease or rent new or used products to the general public that are not intended for resale.
Retail Sales, Large	Retail sales uses with 100,000 square feet of gross floor area or greater.
Retail Sales, Small	Retail sales uses with less than 100,000 square feet of gross floor area.
Retention Basin	A pond, pool, or basin used for the permanent storage of water runoff.
Right-of-Way	A strip of land occupied or intended to be occupied by a street, alley, crosswalk, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer, or for another special use.
Riparian	Belonging or related to the bank of a river, stream, lake, pond or impoundment.
Risk Premium Rates	For the purposes of Chapter 460, those rates established by the Federal Flood Insurance Administrator pursuant to individual community studies and investigations which are undertaken to provide flood insurance according to Section 1307 of the National Flood Disaster Protection Act of 1973 and the accepted actuarial principles. Risk premium rates include provisions for operating costs and allowances.
Roadway	The actual road surface area from curbline to curbline, which may include travel lanes, and parking lanes. Where there are no curbs, the roadway is that portion between the edges of the paved, or hard surface, width.
Roof	A structural covering over any portion of a building or structure including projections beyond the walls or supports of the building or structure.
Rotor *(Amendment 3 – Ordinance 29092 9.14.09)*	A component of a small wind energy conversion system consisting of the blades and the hub.

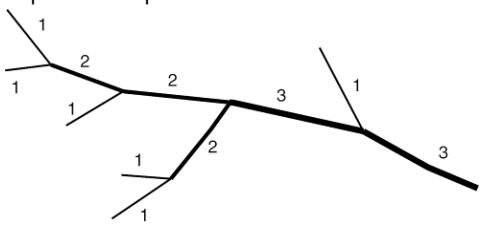
Rotor Diameter *(Amendment 3 – Ordinance 29092 9.14.09)*	The cross sectional dimension of the circle swept by the rotating blades of a wind energy conversion system. 
Sale or Lease	Any immediate or future transfer of ownership, including contract of sale or transfer of an interest in a subdivision or part thereof, whether by metes and bounds, deed, contract, plat, map or other written instrument.
Sanitary Landfill	A method of disposing of refuse by spreading and covering such refuse with earth to a depth of two feet or more on the top surface and one foot or more on the sides of the bank.
School	Public or private institutions that provide state-mandated basic education at the elementary, junior high or high school level.
Screened	Shielded, concealed, and effectively hidden from view by a person standing at ground level on an abutting site, or outside the area or feature so screened, by a fence, wall, hedge, berm, or similar architectural and landscaped feature.
Server	Any person who serves food and drink at an adult entertainment business.
Setback	The required minimum horizontal distance between the structure line and the related front, side, or rear property line.
Setback, Stream	With respect to a stream, the area established by Section 455.040 extending beyond any buffer applicable to the stream.
Sexually Oriented Toys or Novelties	1. Instruments, devices or paraphernalia which either depict specified anatomical areas or are designed or marketed for use in connection with specified sexual activities. In determining whether an item is designed for marketed for use in connection with specified sexual activities, the following guidelines may be considered: a. expert testimony as to the principal use of the item; b. evidence concerning the total business of a person or business, or a person or business establishment, and the type of merchandise involved in the business; c. national and local advertising concerning the use of the item; d. evidence of advertising concerning the nature of the business establishment; e. instructions, graphics or other material contained on the item itself or on the packaging materials for the item; f. the physical or structural characteristics of the item; g. the manner in which the item is displayed, including its proximity to other regulated merchandise or signage relating to items in a display area. 2. Any person may request an interpretive ruling from the Chief of Police, or his or her designee, as to whether a particular item is considered by the City to be designed or marketed for use in connection with specified sexual activities. An application for an interpretive ruling shall be made in writing on a form provided by the Chief of Police, and shall be accompanied by such other information as may reasonably be requested under the circumstances pertaining to the specific item about which a ruling is requested. The Chief of Police shall issue a written interpretive ruling within 10 business days following submission of a completed application. The decision of the Chief of Police may be appealed to the City Council within 15 days following the date of the interpretive ruling by submitting a written notice of appeal to the City Clerk.

Shopping Center	A unified retail commercial grouping in one or more buildings of a minimum five retail or service establishments.
Sidewalk	A paved path provided for pedestrian use and usually located at the side of a road within the right-of-way.
Sight Triangle	A triangular-shaped portion of land established at street intersections in which nothing is erected, placed, planted, or allowed to grow in such a manner as to limit or obstruct the sight distance of motorists entering or leaving the intersection.
Sign	Any device, structure or painting which displays or includes any letter, word, model, banner, flag, pennant, insignia, device, or representation used as, or which is in the nature of, an advertisement or announcement which directs attention to an object, product, place, activity, person, institution, organization, or business, but not including any display of official notice or official flag.
Sign Area	The area of a sign means the area encompassed by the perimeter of the sign. The area of the sign shall be computed from the area enclosed by the perimeter upon which the letters, logo, etc., are placed, except that when individual letters, logo, etc., are mounted individually and directly upon a building surface without change in the color or appearance of the surface background, the area of the sign shall be deemed to be the rectangle or other geometric form that encompasses the letters, logo, etc.
Sign, Billboard *(Amendment 9 – Ordinance 2011-22 4.11.11)*	A freestanding monument or ground sign that directs attention to a business, commodity, service, or entertainment conducted, sold or offered at a location other than the parcel on which the sign is located.
Sign, Changeable Copy	A sign or portion thereof designed to accommodate frequent message changes composed of characters, letters, or illustrations and that can be changed or rearranged, either manually or electronically, without altering the face or surface of such sign.
Sign, Commercial Message *(Amendment 9 – Ordinance 2011-22 4.11.11)*	A sign that directs attention to or advertises a business, office or any other commercial interest or activity, or that directs attention to a product, commodity or service offered for sale or lease.
Sign, Directly Illuminated	Any sign that is illuminated by an external or internal light source that is visible.
Sign, Electronic Message Center	Any sign that has copy change completed by electronic means. This definition includes television screens, plasma screens, digital screens, flat screens, LED screens, video boards, and/or the use of changing lights to form a message.
Sign, Freestanding *(Amendment 9 – Ordinance 2011-22 4.11.11)*	Any sign supported wholly or in part by some structure other than the building or buildings housing the use to which the sign pertains or any other building upon the property.
Sign, Ground *(Amendment 9 – Ordinance 2011-22 4.11.11)*	A freestanding sign with 2 or more posts in which the bottom of the sign face is less than six (6) feet above the ground, but not directly in contact with the ground.
Sign, Home Occupation	A sign that advertises or identifies a properly permitted home occupation.
Sign, Identification	A sign giving the name or other attributes of a business or entity, for purposes of identification.
Sign, Incidental	A sign providing information or direction regarding the use upon which the sign is located. Incidental signs include help wanted signs, open/closed signs, signs indicating hours of operation, signs directing traffic flow through the site, menu boards, signs identifying drive-thru lanes, and similar signs. 

Sign, Indirectly Illuminated	Any sign that is completely or partially illuminated at any time by an external light source that is so shielded as to not be visible at eye level.
Sign, Inflatable	A sign that is intended to be expanded by air or other gas for its proper display or support.
Sign, Marquee	Any sign attached flat against the marquee or permanent sidewalk canopy of a building and not extending above the roof line. 
Sign, Monument *(Amendment 9 – Ordinance 2011-22 4.11.11)*	A freestanding sign that rises from the ground and has no clearance under it, with an opaque base having a width at least 80 percent of the width of the sign at the widest point. 
Sign, Noncommercial Message *(Amendment 2 – Ordinance 29073 7.27.2009)*	A sign that does not direct attention to or advertise a business, office or any other commercial interest or activity, or does not direct attention to a product, commodity or service offered for sale or lease.
Sign, Permanent	A sign that is permanently affixed to a building surface, parapet or overhang or is a monument type sign designed to remain in the original location. (Defined as Marquee; Monument; Projecting; Roof; Subdivision Entrance Marker; Under Canopy; or Wall Signs.)
Sign, Pole *(Amendment 9 – Ordinance 2011-22 4.11.11)*	A freestanding sign with a single pole or post.
Sign, Portable	A sign that is not permanently affixed to one location and has the capability of being moved from one site to the next.
Sign, Projecting	Any sign extending more than one foot from the face of the building to which it is attached. 

Sign, Real Estate	A sign advertising a piece of real property for sale or lease located on the real property that is for sale.
Sign, Roof *(Amendment 9 – Ordinance 2011-22 4.11.11)*	A sign that extends above a roof or parapet wall of a building. 
Sign, Semi-Illuminated	Any sign that is uniformly illuminated internally over its entire area, including the area of the sign, by use of electricity or other artificial light.
Sign, Snipe	Any sign of a material such as cardboard, paper, pressed wood, plastic or metal that is attached to a fence, tree, light pole, utility pole or temporary structure or those staked into the ground, or any sign that is not securely fastened to a building or firmly anchored to the ground.
Sign, Subdivision Amenity	A sign directing traffic to amenities such as a clubhouse or swimming pool within the subdivision.
Sign, Subdivision Entrance Marker	A detached sign identifying the subdivision, located at one or more of the subdivision entrances. 
Sign, Temporary Event *(Amendment 9 – Ordinance 2011-22 4.11.11)*	A sign not intended, designed or installed for permanent display.
Sign, Under Canopy	A display attached to the underside of a marquee or canopy and protruding over public or private sidewalks or right-of-way.

Sign, Vehicle	A sign attached to, placed upon, mounted, painted, pasted or drawn on any vehicle or trailer that is parked on a property for the principal purpose of displaying the sign message and is not regularly and customarily used in the operation of the business.
Sign, Wall	A sign attached to or erected against an exterior wall of a building or structure that projects not more than 12 inches from a wall and presents only one face with advertising copy to the public and does not extend above the roofline. 
Site Plan	An accurately scaled development plan that illustrates the existing conditions on a land parcel as well as depicting details of a proposed development, including topographic characteristics; the location and dimensions of buildings, yards, courts, landscape, pedestrian and vehicular circulation and parking, fences and screening.
Social Club or Lodge	Any establishment, public or private, commercial or nonprofit, that provides a gathering place for people, with or without food and beverage, commonly known as, but not limited to the following: teen centers; youth centers; senior centers; and dance clubs.
Solar Collector *(Amendment 3 – Ordinance 29092 9.14.09)*	Any apparatus or equipment designed for the purpose of collecting and transforming solar energy into thermal or electrical energy. Solar collectors may include solar photovoltaic panels or solar thermal systems such as solar water heaters.
Solar Energy System *(Amendment 3 – Ordinance 29092 9.14.09)*	An assemblage of equipment designed to absorb, collect, transform, or otherwise use the sun's energy as a source of heat or electricity. This equipment may include a solar collector, mounting apparatus, inverter, and other appurtenant components.
Special Flood Hazard Area	*See "Area of Special Flood Hazard."*
Special Hazard Area	For the purposes of Chapter 460, an area having special flood hazards and shown on an FHBM, FIRM or FBFM as zones (unnumbered or numbered) A or AE.
Specified Anatomical Areas	1. Uncovered or exposed human genitals, pubic region or pubic hair, buttocks, female breast or breasts below a point immediately above the top of the areola encircling the nipple, or any combination of the foregoing; or 2. Human male genitals in a discernibly erect state, even if completely and opaquely covered.
Specified Sexual Activities	Any of the following acts of intended sexual arousal or excitement: 1. Sexual conduct including, but not limited to, actual or simulated acts of sexual intercourse, masturbation, oral copulation or sodomy; 2. Fondling or other intentional touching of a person's clothed or unclothed genitals, pubic area, buttocks, or the breast of a female; 3. Sadomasochistic acts; or 4. Acts involving animals or latent objects.

Sports and Recreation, Participant	Public and private facilities for the provision of sports, athletic, and other recreational activities. This use does not include private recreational facilities that are accessory to a multi-family or other residential development and are for the sole use of residents thereof.
Stable	A building or structure for the keeping of ponies, horses or mules owned by the occupants of the premises, and not kept for remuneration, hire or sale. *See also "Boarding Stables and Riding Schools."*
Start of Construction	For the purposes of Chapter 460, includes substantial improvements, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement or other improvements were within 180 days of the permit date. The "actual start" means either the first placement of permanent construction of a structure on a site, such as the pouring of slabs or footings, the installation of piles, the construction of columns, and work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling, the installation of streets and/or sidewalks, excavation for a basement, footings, piers, foundations, the erection of temporary forms, nor installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the "actual start of construction" means the first alteration of any wall, ceiling, floor or other structural part of the building, whether or not that alteration affects the external dimensions of the building.
State Coordinating Agency	For the purposes of Chapter 460, that agency of the State government or other office designated by the Governor of the State or by State Statute at the request of the Federal Flood Insurance Administrator to assist in the implementation of the National Flood Insurance Program (NFIP) in that State.
Stream	Any water course identified on the City of Raymore Stream Map as shown in the latest revision of the Raymore Watershed Management Plan dated May 22, 2006.
Stream Centerline	The sloping land that contains the stream channel and the normal flows of the stream.
Stream Channel	The portion of a watercourse that contains the base flow of the stream.
Stream Order	The Strahler classification system for streams based on stream hierarchy and the position within a watershed. The smaller the stream, the lower its numerical classification. Stream order is determined by a combination of factors, including the confluence of smaller streams, increased flow from contributing water sources and the size of the watershed that feeds the stream. First order streams are the smallest streams regulated by this Chapter; the term does not include roadside ditches. When two first-order streams come together, they form a second-order stream. When two second-order streams come together, they form a third-order stream. Streams of lower order joining a higher order stream do not change the order of the higher stream. Thus, if a first-order stream joins a second-order stream, it remains a second-order stream. It is not until a second-order stream combines with another second-order stream that it becomes a third-order stream. Streams orders are designated on the City of Raymore Stream Map. An example of stream orders is shown below. 
Stream Protection Area	*see "Protection Area."*
Street	A right-of-way dedicated to the public use which provides vehicular and pedestrian access to adjacent properties.
Street Line	A dividing line between a lot, tract, or parcel of land and the contiguous street.

Street Hierarchy	The conceptual arrangement of streets based upon the function. A hierarchical approach to street design classifies streets according to function, from high-traffic arterial roads down to streets whose function is residential access. Systematizing street design into a road hierarchy promotes safety, efficient land use, and residential quality.
Street Network	The following street designations are adopted as a part of the transportation component of the Comprehensive Plan. 1. Local street--provides access to properties. 2. Collector streets--conducts traffic from local streets to arterial streets, with access to properties. 3. Arterial streets--carries traffic out of and through the area, subject to certain control of entrances, exits and curb cuts.
Structural Alteration	*See "Alteration."*
Structure	Anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground. Among other things, "structures" include buildings, walls, fences, signs, billboards, sheds, towers, and bins. For purposes of this chapter, central air-conditioning condensing units and similar cooling system apparatus, other than so-called "window" or "room" conditioners, will be considered as structures. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. For insurance purposes, "structure" means a walled and roofed building, other than a gas or liquid storage tank, that is principally above ground and affixed to a permanent site, as well as a manufactured home on a permanent foundation. For the latter purpose, the term includes a building while in the course of construction, alteration or repair, but does not include building materials or supplies intended for use in such construction, alteration or repair, unless such materials or supplies are within an enclosed building on the premises.
Stub Street	A portion of a street for which an extension has been proposed and approved. May be permitted when development is phased over a period of time, but only if the street in its entirety has been approved in the preliminary plat.
Subdivider	A person, firm, corporation, partnership, or association which causes land to be divided into a subdivision for itself or for others.
Subdivision	The division of a tract of land into two or more lots or parcels for the purpose of transfer of ownership or building development, or, if a new street is involved, any division of a parcel of land. The term "subdivision" includes "resubdivision", and the term "resubdivision", as used herein, will include any further subdivision of a lot or parcel of land previously subdivided for sale, use, or other purposes, which vary from the latest, approved plat of the same.
Subject Property *(Amendment 21 – Ordinance 2015-005 1.26.15)*	The lot or portion thereof to which an application (rezoning, Conditional Use Permit, etc.) is applicable.
Substantial Damage	For the purposes of Chapter 460, damage of any origin sustained by a structure whereby the cost of restoring the structure to pre-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.
Substantial Improvement	For the purposes of Chapter 460, any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. The term includes structures which have incurred "substantial damage", regardless of the actual repair work performed. The term does not, however, include either: 1. any project for improvement of a structure to correct existing violations of state or local health, sanitary or safety code specifications that have been identified by the local Code Enforcement Official and which are the minimum necessary to assure safe living conditions, or 2. any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Surveyor	A professional land surveyor registered in the State of Missouri.
Tavern	An establishment primarily engaged in serving alcoholic beverages for consumption on the premises and in which the serving of prepared food and live entertainment may be provided.
Transitional Residence	A temporary residential living arrangement for persons receiving therapy or counseling for purposes including, but not limited to, the following: 1. recuperation from drug or alcohol addiction; 2. assistance with re-entering society while housed under supervision as an alternative to imprisonment, including pre-release, work-release and probationary programs; or 3. assistance with family or school adjustment problems that require specialized attention in order to achieve personal independence.
Trash Receptacle	A container used for the temporary storage of rubbish or materials pending collection.
Trash Receptacle, Commercial *(Amendment 15 – Ordinance 2013-010 2.11.13)*	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 *(Amendment 15 – Ordinance 2013-010 2.11.13)*	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.
Trucking/Freight Terminal	A building or area where freight is collected, stored and/or dispatched for intrastate or interstate shipment.
Undeveloped Lot *(Amendment 21 – Ordinance 2015-005 1.26.15)*	A lot, tract, or other parcel of land without a principal building upon the property.
Unified Development Code	The terms "Unified Development Code", "these regulations", "this Title," "this ordinance" or "this Code" mean the requirements contained in the Unified Development Code of the City of Raymore, Chapters 400 through 480 of the Raymore Municipal Code, as from time to time amended.
Use	Any purpose for which a structure or a tract of land may be designed, arranged, intended, maintained, or occupied; also, any activity, occupation, business, or operation carried on, or intended to be carried on, in a structure or on a tract of land.
USGS	United States Coast and Geodetic Survey.
Utility, Major	Services and utilities that have substantial impacts on surrounding areas, including but not limited to water and wastewater treatment facilities, public works garages, major water storage facilities, pumping stations, electric substations, gas regulator stations, telephone transmission structures, radio, and television and microwave relay towers.
Utility, Minor	Public utilities that have few, if any, impacts upon the surrounding neighborhood, such as electrical and gas distribution substations or power transmission lines.
Variance	A waiver from compliance with a specific provision granted to a particular property owner because of the practical difficulties or unnecessary hardship that would be imposed by the strict application of that provision of this chapter. For the purposes of Chapter 460, a grant of relief by the community from the terms of a floodplain management regulations. Flood insurance requirements remain in place for any varied use or structure and cannot be varied by the community.
Vehicle *(Amendment 8 – Ordinance 2011-9 2.28.11)*	Any car, truck, trailer, camper, recreational vehicle, boat or other device utilized for transporting goods, passengers or equipment.
Vehicle, Recreational Vehicle or Boat Storage/Towing	The operating of a vehicle towing service or the storage of automobiles, recreational vehicles or boats as a principal use.
Veterinary Services	Any building or portion thereof designed or used for the care, observation or treatment of domestic animals.

Violation	For the purposes of Chapter 460, the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certification or other evidence of compliance required by this chapter is presumed to be in violation until such time as that documentation is provided.
Warehousing and Wholesaling	Storage, wholesale sales and distribution of materials and equipment, including but not limited to storage warehouses, moving and storage firms, trucking or cartage operations, truck staging or storage areas, and wholesale sales of materials and equipment to parties other than the general public.
Water Ponding Area	Limits of the area inundated as a result of run-off from the 100-year storm.
Water Surface Elevation	The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929 (or other datum where specified) of floods of various magnitudes and frequencies in the floodplain.
Watercourse	The natural stream channel. For the purposes of Chapter 460, a running stream of water; a natural stream fed from permanent or natural sources, including rivers, creeks, and streams. It must flow in a definite channel, having a bed or banks. It must be something more than mere surface drainage over the land.
Watershed	The land area that drains into a particular stream.
Wind Energy Conversion System, Large *(Amendment 3 – Ordinance 29092 9.14.09)*	An assemblage of equipment designed for the purpose of converting wind energy into power. Large wind energy conversion systems may be designed to serve one or more properties and may have an electrical generating capacity of greater than 100 kilowatts. This equipment may include a horizontal or vertical axis wind turbine, tower, foundation, vane and associated control or conversion electronics.
Wind Energy Conversion System, Small *(Amendment 3 – Ordinance 29092 9.14.09)*	An assemblage of equipment designed for the purpose of converting wind energy into power. Small wind energy conversion systems shall be used primarily for the reduction of on-site utility power and shall have an electrical generating capacity of not more than 100 kilowatts. This equipment may include a horizontal or vertical axis wind turbine, tower, foundation, vane and associated control or conversion electronics.
Wireless Communication Facility	A facility related to the use of the radio frequency spectrum for the purposes of transmitting or receiving radio signals, and may include, but is not limited to radio towers, television towers, telephone exchanges, micro-wave relay towers, telephone transmission equipment buildings and commercial mobile radio service facilities. The wireless communication facility use category includes all associated equipment unless the written context clearly indicates that another meaning is intended. The term "associated equipment" is to be read broadly and in context. Associated equipment may include, but is not limited to: antenna, equipment shelter or platform, lighting, monopole tower, mounting hardware, and supporting electrical or mechanical equipment.
Wireless Communication Facility, Collocated	A wireless telecommunication facility that is attached to an existing pole, tower or other structure including, but not limited to, a structure that can accommodate the future installation of two or more antenna systems.
Wireless Communication Facility, Freestanding	A new tower, monopole or other unattached structure erected to support wireless communication antennas and connecting appurtenances.
Yard	A space on the same lot with a main structure, open, unoccupied and unobstructed by structures from the ground upward. *See "Measurements and Exceptions," Section 485.020.*
Yard, Front	*See "Measurements and Exceptions," Section 485.020.*
Yard, Rear	*See "Measurements and Exceptions," Section 485.020.*

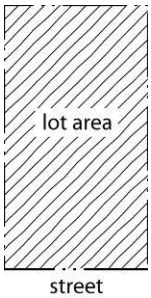
Yard, Side	*See "Measurements and Exceptions," Section 485.020.*
Yard, Through Lot	*See "Measurements and Exceptions," Section 485.020.*
Zone, District or Zoning District	A portion of the City the boundaries of which are designated on the Official Zoning Map and for which the regulations governing the use, height, area, size, and intensity of use of buildings and land are uniform.

Section 485.020 Measurements and Exceptions *(Amendment 13 – Ordinance 2012-074 9.24.12)*

A. Lot Area, Total

1. Measurement

Lot area includes the total land area contained within the property lines of a lot. No lot, yard, parking area, building area or other space may be reduced in area or dimension so as not to meet the provisions of this chapter.



2. Exceptions for Nonconforming Lots of Record

See Section 475.060 for rules governing nonconforming lots of record.

3. Exceptions for Lots not Serviced by Public Sewers

On lots with on-site sewage disposal systems, the minimum lot area may be required to be increased so the lot size is sufficient to permit the use of an on-site sewage disposal system designed in accordance with state of Missouri Department of Public Health requirements.

B. Lot Area per Dwelling Unit

1. Measurement

The lot area per dwelling unit refers to the minimum amount of lot area that is required for each dwelling unit on the property. For residential or mixed-use development, dwelling unit density is controlled through a minimum lot-area-per-dwelling-unit standard.

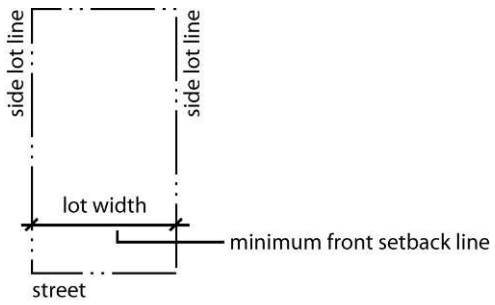
2. Rounding

When the number of dwelling units yielded by the density calculation results in a fraction, the fraction must be rounded down to the previous whole number. For example, if a minimum lot-area-per-unit standard of 6,000 square feet is applied to a 15,000 square foot lot, a maximum of two dwelling units would be allowed on the property.

C. Lot Width

1. Measurement

Lot width is the mean horizontal distance between side lines measured at right angles to the depth of the lot. Lot width is measured as the horizontal distance between the side lot lines measured at the minimum front setback line.

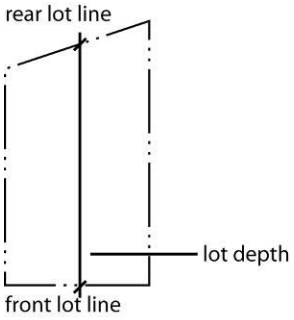


2. Exceptions for Nonconforming Lots of Record

See Section 475.060 for rules governing nonconforming lots of record.

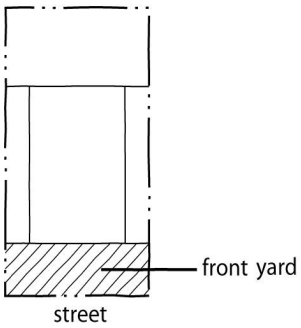
D. Lot Depth

Lot depth is measured as the mean horizontal distance between the front and rear property lines as measured along each side yard line.



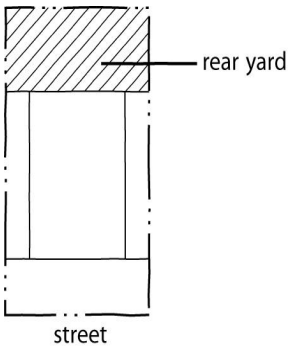
E. Front Yard

The front yard extends across the full width of the lot, adjacent to the street right-of-way. The front yard is to be measured from the front property line to the closest point of the structure on the subject lot, not including those projections and features allowed by this code. Corner lots have two front yards.



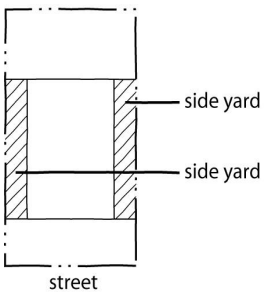
F. Rear Yard

The rear yard extends across the full width of the lot. The rear yard is to be measured from the rear property line to the closest point of the structure on the subject lot, not including those projections and features allowed by this code to project into the rear setback. On pie-shaped or triangular lots with side property lines that come to a point at the rear, the rear yard is measured from a line segment that connects the side property lines and is a minimum of 10 feet in length. In computing the depth of a rear yard for any structure where such a yard abuts an alley, one-half the width of such alley may be included in the required rear yard dimension.



G. Side Yard

The side yard extends from the front yard, or the front lot line where no front yard is required, to the rear yard. The side yard is to be measured from the side property line to the closest point of the structure on the subject lot, not including those projections and features allowed by this code to project into the side yard. Corner lots have two side yards and two front yards.



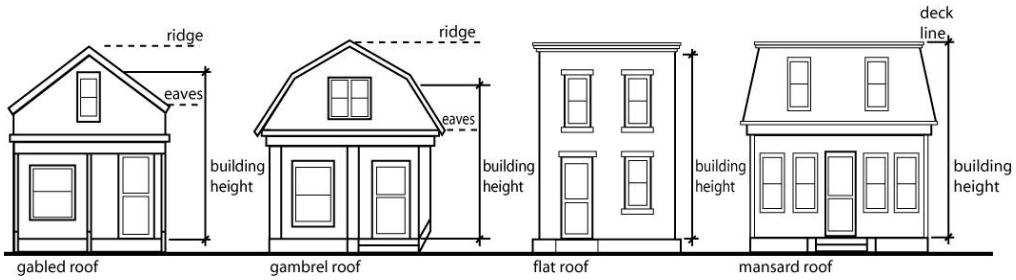
H. Through Lot Yards

On through lots, property lines that abut public right-of-way lines are considered front property lines and front yard requirements apply. Rear yard requirements do not apply.

I. Building Height

1. Measurement

Building height is to be measured from the average elevation of the finished grade adjoining the front building line to the highest point of the roof surface in the case of a flat roof; to the deck line of a mansard roof; and to the average height between the eaves and ridge of a gable, hip or gambrel roof.



2. Exceptions to Maximum Height Requirements

Certain structures and features may exceed the maximum permitted height requirements stipulated elsewhere in this chapter. The following are exempt from the height requirements of this chapter

a. Architectural projections such as spires, belfries, parapet walls, cupolas, domes, flues and chimneys.

b. Structures such as elevator penthouses, gas tanks, grain elevators, radio and television reception towers and aerials, roof-mounted mechanical equipment, cooling towers, fire towers, and smoke stacks.

c. Structures related to utility services such as water towers, electric power and communication transmission lines, traffic signals and light poles.

d. Radio transmission and reception antenna in residential districts may exceed the maximum permitted height, provided the height does not exceed three times its distance from the nearest property line.

e. Renewable energy systems in conformance with Section 420.070. *(Amendment 3 – Ordinance 29092 9.14.09)*

J. Building Coverage

Building coverage is to be measured as the percentage of lot area that is covered with principal and accessory buildings and above-grade structures, including garages, sheds, gazebos, covered decks, and covered porches. At-grade accessory structures such as driveways, patios, walkways, and other paved surfaces on a lot are not included in the calculation of maximum building coverage.

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