

"AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI AMENDING VARIOUS SECTIONS OF THE UNIFIED DEVELOPMENT CODE OF THE RAYMORE CITY CODE."

WHEREAS, the City Council of the City of Raymore, Missouri adopted the Unified Development Code as Ordinance 28117 on December 8, 2008; and,

WHEREAS, the Planning and Zoning Commission held a public hearing on the proposed 16th amendment on July 16, 2013, after notice of said hearing was published in a newspaper of general circulation in Raymore, Missouri, at least fifteen (15) days prior to said hearing; and,

WHEREAS, the Planning and Zoning Commission heard public testimony at the public hearing and has submitted its recommendation of approval to the Governing Body of the City of Raymore, Missouri; and,

WHEREAS, the Governing Body, City Council of Raymore, Missouri, held a public hearing on the proposed amendment on August 12, 2013 after notice of said hearing was published in a newspaper of general circulation in Raymore, Missouri, at least fifteen (15) days prior to said hearing; and

WHEREAS, the City Council of the City of Raymore, Missouri has determined the amendments proposed would be in the best interest of the health, safety and welfare of the citizens of Raymore.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:

Section 1. Section 410.020H of the Unified Development Code is hereby amended as follows:

Chapter 410: Business, Commercial and Industrial Districts

Section 410.020 Use Table

H. Use Standards

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
Animal Services									
Kennel	-	-	-C	-C	-C	C	C	-	Section 420.030E
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	CP	CP	-	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	-	

Section 2. Section 415.050F5 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Chapter 415: Overlay and Special Purpose Districts

Section 415.050 OT, Original Town District

F. District-Specific Design Requirements

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 free standing sign located on a local street shall be 24 square feet in copy area

Section 3. Section 420.030E of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Chapter 420: Use Regulations

Section 420.030 Use-Specific Standards, Commercial Uses

E. Kennels

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

Section 4. Section 420.050A of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 420.050 Accessory Uses and Structures

A. General

All accessory uses and structures must meet the following requirements:

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

Section 5. Section 420.060F of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 420.060 Temporary Uses

- F. Carnivals and Circuses**
A carnival or circus is permitted in the 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.

Section 6. Section 425.030 of the Unified Development Code is hereby amended by the addition of the following language

Chapter 425: Parking, Loading and Access

Section 425.030 Residential Driveways

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

Section 7. Section 440.030C1 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Chapter 440: General Development and Performance Standards

Section 440.030 Fences

C. Residential Districts

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

Section 8. Section 470.010C5 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Chapter 470: Development Review Procedures

Section 470.010 General Requirements

C. Applications

5. Inactive Applications

- 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.

Section 9. Section 470.020F2 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 470.020 Zoning Map and Text Amendments

F. Procedure

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.

Section 10. Section 470.030D2 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 470.030 Conditional Uses

D. Procedure

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.

Section 11. Section 470.050E2 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

Section 470.050 Planned Unit Development (PUD)

E. Procedure

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.

Section 12. Section 470.110C4 of the Unified Development Code is hereby amended by the addition of the following language:

- 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.

Section 13. Section 470.130C2 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

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.

Section 14. This Ordinance shall be known as the sixteenth amendment to the Unified Development Code.

Section 15. **Effective Date.** The effective date of approval of this Ordinance shall be coincidental with the Mayor's signature and attestation by the City Clerk.

Section 16. **Severability.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

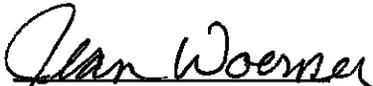
DULY READ THE FIRST TIME THIS 12TH DAY OF AUGUST 2013.

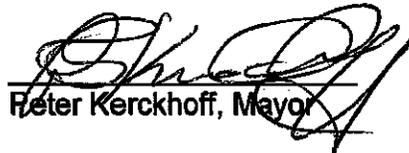
BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 26TH DAY OF AUGUST 2013 BY THE FOLLOWING VOTE:

Councilmember Abdelgawad	Aye
Councilmember Boehner	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Moorhead	Aye
Councilmember Piepho	Aye
Councilmember Stevens	Aye
Councilmember Wescoat	Aye

ATTEST:

APPROVE:


Jean Woerner, City Clerk


Peter Kerckhoff, Mayor

8/28/13
Date of Signature