

**“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 22nd amendment to the Unified Development Code on August 4, 2015, 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 22nd amendment to the Unified Development Code on August 24, 2015 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 COUNCIL OF THE CITY OF RAYMORE, MISSOURI, AS FOLLOWS:**

Section 1. Section 445.020G of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

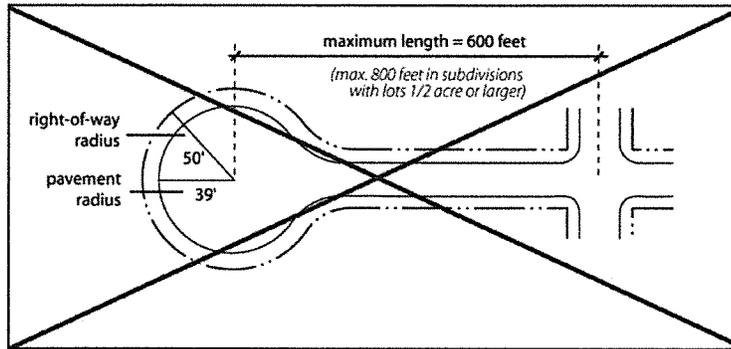
G. Construction of Improvements

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 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.

Section 2. Section 445.030110 of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

10. Cul-de-sac Streets
  - 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.

Section 3. Section 445.030K2a(2) and (5) of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

- a. Residential Developments
  - (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.
  - (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.

Section 4. Section 450.040C of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

- 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.

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 Section 470.010A of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

A. **Summary of Procedures**

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 provisions 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	R		[R]	[D]	
Interpretations	D	A			A (Chapter 455 or 460)
Administrative Adjustments	D	A			
Natural Resource Protection Variance	R				D
Flood Plain Management Variance	R				D
Inflatable Sign Permits	R		D		

*R = Recommendation D = Decision A = Appellate Authority [ ] Public Hearing Required*

**Section 6.** Section 470.030E of the Unified Development Code is hereby repealed in its entirety and re-enacted as follows:

**E. 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 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 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 for 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:

1. the size of the sign is appropriate for the property;
2. the location selected for the sign does not interfere with the visibility of any conforming sign installed on adjacent property;

3. the number of signs requested for the property is appropriate;
4. 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;
5. whether the sign, due to its height, size, location, or total number of signs on the property will have a significant adverse impact on the general welfare of the neighborhood or community; and
6. whether the sign is compatible with the general character of surrounding property.

**Section 7.** Section 485.010 of the Unified Development Code is hereby amended by the addition of the following definitions:

<b>Term</b>	<b>Definition</b>
<b>Private Utilities</b>	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 components thereof.
<b>Public Utilities</b>	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 components thereof.

**Section 8.** This Ordinance shall be known as the twenty-second amendment to the Unified Development Code.

**Section 9.** 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 10.** 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.

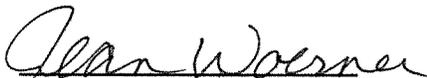
**DULY READ THE FIRST TIME THIS 24TH DAY OF AUGUST, 2015.**

**BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 14TH DAY OF SEPTEMBER, 2015 BY THE FOLLOWING VOTE:**

Councilmember Abdelgawad	Aye
Councilmember Barber	Aye
Councilmember Burke, III	Aye
Councilmember Holman	Aye
Councilmember Hubach	Aye
Councilmember Kellogg	Aye
Councilmember Moorhead	Aye
Councilmember Stevens	Aye

ATTEST:

APPROVE:

  
Jean Woerner, City Clerk

  
Peter Kerckhoff, Mayor  
Derek Moorhead

9/15/15  
Date of Signature