

City of Raymore Unified Development Code

Section 420.040 Use-Specific Standards, Other Uses

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.