



Unified Development Code Annual Review

September 2021

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Development Services Department

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INTRODUCTION

Why complete an annual review?

The current Unified Development Code (UDC) for the City of Raymore, Missouri was adopted by the Raymore City Council by Ordinance 28117 on December 8, 2008. There have been thirty-three proposed amendments to the UDC, the most recent amendment approved on November 23, 2020.

In December of 2009 the Raymore City Council adopted a set of Goals for the City of Raymore that included the following goal:

“Evaluate current zoning and subdivision regulations to ensure that diversity in new developments is encouraged and that community goals and needs are supported”.

Completing an annual review of the UDC enables the Commission to ensure the code is an effective tool in achieving the Council goal that diversity in new developments is encouraged and that community goals and needs are supported. The UDC is one of the primary tools to ensure the goals of the City Growth Management Plan are achieved.

In 2012 the Planning and Zoning Commission commenced a program to complete an annual review of the UDC in June of each year. A report is prepared by City staff outlining activities affecting the UDC over the previous year and identifying any issues or concerns with any provision of the UDC.

The thirty-three proposed amendments to the UDC have been submitted in response to (1) a need to comply with state statute or case law, (2) a change to a general City code provision that impacted a provision of the UDC, or (3) a desire to provide clarification to a provision of the UDC. The 2021 annual review is the tenth attempt for the Commission to be proactive in reviewing the UDC as an entire document and determining if the UDC has been effective in creating a development that is meeting the goals of the Growth Management Plan and expectations of the residents of the City.

What will happen with the annual review results?

The Planning and Zoning Commission can decide if any amendments to the UDC should be proposed. The Commission can file an application to amend the text of the UDC. A public hearing would be held at a Commission meeting with the Commission then making a recommendation to the City Council for its consideration.

Summary of Previous Amendments

Amendment 1 – approved March 9, 2009

Amendment 1 changed the composition of the membership of the Planning and Zoning Commission to be consistent with Missouri State Statute. Additionally, the amendment included provisions regarding what happens when a Commission member moves out of the Ward he/she represents and the process for appointing a Commission member.

Amendment 2 – approved July 27, 2009

Amendment 2 included minor changes to several different chapters of the UDC, including clarification on when a 2nd driveway is permitted on a residential lot; clarifying that citizens are appointed to the Board of Adjustment by the Mayor with the advice and consent of the City Council; changing any reference of the City Administrator to City Manager; and adding a code provision regarding the expiration of applications that remain inactive for more than one year.

Amendment 3 – approved September 14, 2009

Amendment 3 established the code provisions regarding renewable energy systems.

Amendment 4 – approved November 9, 2009

Amendment 4 eliminated any listing of specific fees and charges and replaced the language with a reference to the adopted Schedule of Fees and Charges.

Amendment 5 – approved April 26, 2010

Amendment 5 established the Original Town Overlay Zoning District.

Amendment 6 – approved June 14, 2010

Amendment 6 included minor changes to several different chapters of the UDC, including clarifications on temporary uses; illumination of signs; inspection of public improvements in new subdivisions; and vacation of easements.

Amendment 7 – approved August 9, 2010

Amendment 7 clarified regulations pertaining to home occupations.

Amendment 8 – approved February 28, 2011

Amendment 8 included minor changes to several different chapters of the UDC, including clarification on the installation of sidewalks on residential lots; installation of street lights; posting of signs for required public hearings; and projection of structures into a required yard.

Amendment 9 – approved April 11, 2011

Amendment 9 included numerous changes to the sign chapter, including clarification of commercial message signs and non-commercial message signs; temporary signs; and sign definitions.

Amendment 10 – approved April 25, 2011

Amendment 10 added a definition of bar and definition of free standing fast food restaurant to the UDC and added 3 uses to the list of prohibited uses in the City Center Overlay Zoning District.

Amendment 11 – approved August 8, 2011

Amendment 11 included minor changes to several different chapters of the UDC, including projections into required setback areas; parking of recreational vehicles; and concrete mix utilized on residential driveways and public sidewalks.

Amendment 12 – approved June 25, 2012

Amendment 12 included minor changes to the requirements regarding installation of sidewalks on undeveloped lots. Code language was modified to reflect that sidewalks are required on undeveloped lots when 66% or more of the lots on the same side of the street in the same block already have a sidewalk and it has been 5 years from the effective date of the UDC.

Amendment 13 – approved September 24, 2012

Amendment 13 included several miscellaneous changes that were recommended as part of the 2012 UDC Annual Review and Report. Code provisions that were modified included: parking of vehicles; sign maintenance; accessible parking; residential fences; variances; and building setback along 58 Highway.

Amendment 14 – approved October 22, 2012

Amendment 14 adopted the new Flood Insurance Rate Maps for the City of Raymore.

Amendment 15 – approved February 11, 2013

Amendment 15 included changes to the requirements pertaining to temporary uses, including adding language regarding mobile vendors.

Amendment 16 – approved August 26, 2013

Amendment 16 included miscellaneous changes recommended from the 2013 UDC annual review completed by the Planning and Zoning Commission at its June 4, 2013 meeting. The changes included (1) allowing an electronic sign along Arterial Streets in the Original Town Overlay District; (2) allowing accessory uses and structures on property zoned Agricultural without the necessity of having a principal structure on the property; (3) stating that no residential driveway may be constructed within a sight triangle; (4) allowing privacy fences to be within ten feet of the front corner of a house; (5) clarifying when the Community Development Director can determine if an application is inactive; and (6) clarifying what happens when a motion by the Commission on an application fails.

Amendment 17 – approved February 10, 2014

Amendment 17 included miscellaneous changes to the UDC. The changes included (1) requiring canopy lights to be recessed so the lens cover is flush with the bottom of the canopy; (2) clarifying that when a sidewalk is required to be constructed on an undeveloped corner lot that the sidewalk is installed along both street frontages; and (3) allowing the Commission to have final approval authority on inflatable sign permit applications.

Amendment 18 – approved February 10, 2014

Amendment 18 included changes that allow an accessory dwelling unit upon property that is zoned Agricultural, Rural Estate or Rural Residential.

Amendment 19 - approved September 8, 2014

Amendment 19 updated the stream buffer provisions contained within the UDC.

Amendment 20 - approved September 8, 2014

Amendment 20 established a new Stormwater Treatment section in the UDC. This code provision applies to all new land development activities within the City.

Amendment 21 - approved January 26, 2015

Amendment 21 included miscellaneous changes recommended as part of the 2014 annual review of the UDC. The changes included (1) clarifying that no outdoor display of commodities, products or merchandise associated with a home occupation is allowed; (2) clarified side and rear yard setbacks for an accessory structure; (3) clarified how sign height is measured for monument signs; (4) clarified that sign permit requests that are not in compliance with the UDC can be applied for as a conditional use permit; (5) included a prohibition of any portion of a non-residential platted lot to extend into floodplain area; and (6) included definitions of subject property and undeveloped lot.

Amendment 22 - approved September 14, 2015

Amendment 22 included miscellaneous changes recommended as part of the 2015 annual review of the UDC. The changes include 1) clarified all utilities in new subdivisions must be underground; 2) incorporated new cul-de-sac design; 3) clarified that sidewalk must be installed in common areas when adjacent lots are developed; 4) clarified stormwater treatment provisions; 5) Planning Commission can approve inflatable sign permits; 6) established specific findings of fact for a Conditional Use Permit for a sign; and 7) defined private utilities and public utilities.

Amendment 23 - approved December 28, 2015

Amendment 23 clarified that if any portion of a corner lot has frontage along a street that meets the threshold to require sidewalk to be installed (on an undeveloped lot), then sidewalk is required to be installed on all street frontages of the corner lot.

Amendment 24 - approved February 13, 2017

Amendment 24 included miscellaneous changes recommended as part of the 2016 annual review of the UDC. The changes include 1) clarify no building can be located in an easement; 2) eliminates requirement for developer to pay a fee for street lights; 3) clarifies corner lots require installation of an ADA ramp when sidewalk is installed; 4) modification to notification process for erosion control enforcement; 5) Replats can be approved by Community Development Director; 6) Replat procedures established; 7) terms unnecessary hardship and replat are defined; and 8) penalty section is modified.

Amendment 25 - approved August 28, 2017

Amendment 25 included miscellaneous changes recommended as part of the 2017 annual review of the UDC. The changes include 1) replaced term “mini-warehouse” with self-storage facility; (2) clarified the procedure to request a waiver to a design requirement in the Original Town zoning district; (3) clarified when outdoor patio dining areas are allowed; (4) added requirements for indoor self-storage facilities; (5) clarified applicable code sections for subdivision review; (6) clarified improvements required as part of subdivision development; (7) clarified enforcement procedures for removal of mud and debris deposited in the street; (8) clarified responsibility of subdivider for collector and arterial roads; (9) clarified subdivider responsibilities for construction of public improvements; (10) required street name changes to comply with the City Addressing Policy; and (11) clarified when park land is dedicated as part of a new subdivision.

Amendment 26 - approved January 22, 2018

Amendment 26 included miscellaneous changes recommended as part of the 2017 annual review of the UDC. The changes included clarification of code language related to the keeping of animals on residential lots and clarified language related to the installation of new solar energy systems.

Amendment 27 - approved June 11, 2018

Amendment 27 allows accessory dwelling units in all single-family residential districts.

Amendment 28 - approved September 10, 2018

Amendment 28 included miscellaneous changes recommended as part of the 2018 annual review of the UDC. The changes included increased right-of-way when street trees are proposed; requiring commercial recycling trash receptacles to be screened; and updating the definition of manufactured home.

Amendment 29 - approved January 14, 2019

Amendment 29 increased the minimum width of sidewalk in new residential developments to five feet.

Amendment 30 - denied by City Council on June 24, 2019

Amendment 30 proposed to allow the keeping of fowl on lots zoned RR, R-1A and R-1. At its May 21, 2019 meeting the Planning and Zoning Commission did not obtain the required number of votes for a binding recommendation. No majority vote of the entire Commission was obtained as the vote was 4-3 on a motion for a recommendation of approval. Five votes constitutes a majoring vote of the Commission. The amendment was forwarded to the City Council with no recommendation.

On June 24, 2019, on a motion to approve the amendment on 1st reading, the motion failed by a 2-6 vote. With the motion failing to get a majority vote, the amendment was not approved.

Amendment 31 - approved July 22, 2019

Amendment 31 established where a medical marijuana facility may be located in the City. A companion ordinance created a new Chapter 660 of City Code that establishes the local regulations regarding medical marijuana facilities.

Amendment 32 - approved October 12, 2020

Amendment 32 established the requirements for installation of small wireless communication facilities within the City.

Amendment 33 - approved November 23, 2020

Amendment 33 included miscellaneous changes recommended as part of the 2020 annual review of the UDC. The changes included minor language changes for clarification purposes to several code sections; established architectural design requirements for multi-family developments; and established standards for drive-through menu boards

Declaratory Rulings Issued

In accordance with Section 465.040B5 of the UDC the Community Development Director has the power and duty to render interpretations of the Unified Development Code. For purposes of consistency and documentation the Director issues all written interpretations in the form of a declaratory ruling. Each declaratory ruling is added to a Declaratory Ruling Book which is a compendium of all rulings issued since the adoption of the UDC. To date there have been ten (10) rulings issued. One of the rulings has been revoked due to a change in the UDC rendering the ruling obsolete.

Declaratory Rulings issued between January 11, 2009 and June 1, 2011:

- Ruling #1: What is the maximum size allowed for a subdivision entrance sign and how many signs are allowed per subdivision?
- Ruling #2: Are chickens allowed to be raised in the City?
- Ruling #3: Is a four (4) foot privacy fence allowed in a front yard setback area?
- Ruling #4: REVOKED. Is a kiosk for movie rental allowed to be installed or operated on the exterior of a building?
- Ruling #5: Does an adjustment to a lot line require a subdivision plat?
- Ruling #6: Can a fence be constructed in an easement?
- Ruling #7: Where is the midpoint of a residential structure in relation to where a fence can be located?

Declaratory Rulings issued between June 1, 2011 and June 1, 2012

- Ruling #8: How much of a property can be covered in buildings and other manmade structures?

Declaratory Rulings issued between June 1, 2012 and June 1, 2013

- Ruling #9: Is a mobile home allowed in the City of Raymore?
- Ruling #10: Can a business that is not licensed or approved as an adult business have adult media or sexually oriented toys or novelties available?

There were no Declaratory Rulings issued between June 1, 2013 and June 1, 2017

Declaratory Rulings issued between June 1, 2017 and June 1, 2018

Ruling #2 was updated to reflect code changes made as part of the 26th amendment to the UDC.

There were no Declaratory Rulings issued between June 1, 2018 and June 1, 2021

The Declaratory Ruling Book is available for review on the Raymore website at <http://www.raymore.com/home/showdocument?id=2204>.

Topics for consideration by the Planning and Zoning Commission

Staff recommends the following provisions of the UDC be amended for the reasons provided with each proposed change. Proposed new text is **highlighted**; deleted text is crossed out.

1. Section 460.080 is repealed in its entirety and re-enacted as follows:

CHAPTER 460: Flood Protection

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.
- c. 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.**

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.

2. Section 435.050 is repealed in its entirety and re-enacted as follows:

Section 435.010 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 per street frontage	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 facade 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 per street frontage	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 per street frontage	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 per street frontage	32	6	direct or indirect	See Section 435.060D
	Wall		3 per establishment plus one under canopy	10% of facade area	n/a	direct or indirect	See Section 435.060 A,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				

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 with 1 tenant	1 per street frontage	32	6	direct or indirect	See also Section 435.060D
		Individual building 2-4 tenants	1 per street frontage	48	6	direct or indirect	See also Section 435.060D
		Shopping center under 100,000 square feet	1 per street frontage	80	15	direct or indirect	See also Section 435.060D
		Shopping center 100,000 square feet or more	1 per street frontage	300	30	direct or indirect	See also Section 435.060D
	Monument or Ground	Billboard on lot under 2 ac	1 per street frontage	32	6	direct or indirect	See also Section 435.060D & E
		Billboard on lot 2-5 ac	1 per street frontage	48	6	direct or indirect	See also Section 435.060D & E
		Billboard on lot greater than 5 ac	1 per street frontage	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				

Topics for Discussion

Staff has identified the following topics for discussion:

a. Planning Commission work sessions

Commissioner Petermann indicated his interest in exploring the possibility of the Planning and Zoning Commission holding work sessions, similar to City Council and Parks and Recreation Board work sessions.

b. Minor Plat review Process

Minor subdivisions of land located on existing streets require the same review process as does a new subdivision plat with new street extensions. Staff would like to explore an expedited review process for minor subdivisions without new public infrastructure.