

RAYMORE PLANNING AND ZONING COMMISSION AGENDA

Tuesday, July 2, 2019 - 7:00 p.m.

City Hall Council Chambers
100 Municipal Circle
Raymore, Missouri 64083

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Personal Appearances - None
5. Consent Agenda
 - a. Approval of Minutes from the June 4, 2019 meeting
6. Unfinished Business - None
7. New Business
 - a. Case #19013 - HyVee Fast & Fresh Fueling Station CUP (*public hearing*)
 - b. Case #19018 - 31st Amendment to UDC - Medical Marijuana Facilities (*public hearing*)
8. City Council Report
9. Staff Report
10. Public Comment
11. Commission Member Comment
12. Adjournment

Any person requiring special accommodations (i.e. qualified interpreter, large print, hearing assistance) in order to attend this meeting, please notify the City Clerk at (816) 331-0488 no later than forty-eight (48) hours prior to the scheduled commencement of the meeting.

Meeting Procedures

The following rules of conduct apply:

1. Public can only speak during the meeting under the following circumstances:
 - a. The citizen has made a formal request to the Development Services Department to make a personal appearance before the Planning Commission;
or,
 - b. A public hearing has been called by the Chairman and the Chairman has asked if anyone from the public has comments on the application being considered;
or
 - c. A citizen may speak under Public Comment at the end of the meeting.
2. If you wish to speak to the Planning Commission, please proceed to the podium and state your name and address. Spelling of your last name would be appreciated.
3. Please turn off (or place on silent) any pagers or cellular phones.
4. Please no talking on phones or with another person in the audience during the meeting.
5. Please no public displays, such as clapping, cheering, or comments when another person is speaking.
6. While you may not agree with what an individual is saying to the Planning Commission, please treat everyone with courtesy and respect during the meeting.

Every application before the Planning Commission will be reviewed as follows:

1. Chairman will read the case number from the agenda that is to be considered.
2. Applicant will present their request to the Planning Commission.
3. Staff will provide a staff report.
4. If the application requires a public hearing, Chairman will open the hearing and invite anyone to speak on the request.
5. Chairman will close the public hearing.
6. Planning Commission members can discuss the request amongst themselves, ask questions of the applicant or staff, and may respond to a question asked from the public.
7. Planning Commission members will vote on the request.

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, JUNE 4, 2019**, IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, JIM PETERMANN, MARIO URQUILLA AND MATTHEW WIGGINS. ABSENT WERE MELODIE ARMSTRONG, ERIC BOWIE, CHARLES CRAIN AND MAYOR KRIS TURNBOW. ALSO PRESENT WAS ASSOCIATE PLANNER DAVID GRESS AND CITY ATTORNEY JONATHAN ZERR.

1. **Call to Order** – Chairman Faulkner called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Roll Call** – Roll was taken and Chairman Faulkner declared a quorum present to conduct business.
4. **Personal Appearances** – None
5. **Consent Agenda**
 - a. **Approval of the minutes of the May 21, 2019 meeting**

Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins, to approve the May 21, 2019 minutes, including the corrections as noted.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Armstrong	Absent
Commissioner Bowie	Absent
Commissioner Crain	Absent
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Absent

Motion passed 5-0-0.

6. **Unfinished Business - None**
7. **New Business -**

A. Case #19006 - Lofts at Fox Ridge Site Plan Amendment

Cassie Paben, representing the applicant GCP 711 Raymore LLC, presented the application to the Commission. Ms. Paben stated the site plan was originally approved in the fall of 2018. This amendment requests to modify the larger western building that was proposed in the back of the site by creating two separate buildings and adding garage units throughout the site.

Ms. Paben stated they anticipate to start site work in late summer or early fall.

Chairman Faulkner asked why covered parking spaces were included.

Ms. Paben stated when the larger back building was changed to two buildings, the planned parking area under the building was eliminated and those spaces had to be shifted elsewhere on the site. It made sense to provide covered parking stalls.

City Attorney Jonathan Zerr asked the applicant if they were agreeable to the conditions identified in the staff report for the project.

Ms. Paben stated the applicant is in agreement with the conditions.

Chairman Faulkner asked if the conditions for the amended site plan were the same as those initially established with the site plan.

Associate Planner David Gress commented that the conditions are the same but one condition that stipulated the site plan was contingent upon rezoning and plat approval was eliminated since those actions have now been completed.

Chairman Faulkner asked if the same number of parking spaces as originally approved are still provided.

Mr. Gress stated the number of parking spaces is similar to what was approved in 2018.

Mr. Gress provided the staff report for the application. He provided an overview of the project and indicated the clubhouse and pool area have been reconfigured.

Commissioner Wiggins asked for confirmation that the 609 identified parking spaces includes the garage spaces.

Mr. Gress indicated the garage spaces are included in the 609 total parking space number.

Chairman Faulkner asked about open space at the northeast corner of the site and if any changes were made in that area.

Mr. Gress indicated no changes were made.

Motion by Commissioner Urquilla, Seconded by Commissioner Petermann, to accept the staff proposed findings of fact and approve case #19006, Lofts at Fox Ridge Site Plan Amendment, subject to the conditions listed in the staff report.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Armstrong	Absent
Commissioner Bowie	Absent
Commissioner Crain	Absent
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Absent

Motion passed 5-0-0.

B. Case #19009 - Annual Review of the Unified Development Code

Mr. Gress presented the annual report that has been completed by staff. There are 9 topics staff wanted to review with the Commission for a potential amendment to the code.

Topic 1. In all instances referring to “Community Development Director” change to “Development Services Director”.

Topic 2. In all instances referring to “Community Development Department” change to “Development Services Department”.

Mr. Gress stated the first 2 topics are interrelated. In the fall of 2018 the name of the department was changed to Development Services and that change should be reflected in the UDC.

Topic 3. Section 465.020C5 is repealed in its entirety and re-enacted as follows:

Section 465.020 Planning and Zoning Commission

C. Terms

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, or more than twenty-five percent (25%) of the Commission’s regular meetings in a 12-month period, constitutes neglect of duty.

Mr. Gress stated staff is recommending the code change to be consistent with the requirements currently applicable to City Council members, Park Board members, and Arts Commission members.

Chairman Faulkner asked for clarification on what constitutes excused or unexcused absences.

Mr. Zerr stated there was some discussion on the topic by the Charter Review Commission. One example provided is if you announce that you will be absent at a future meeting, the absence can be considered an excused absence. If you are absent and do not advise anyone in advance, that absence can be considered an unexcused absence.

Topic 4. 4. Section 480.030C3 is added as follows:

Section 480.030 Remedies and Enforcement Powers

C. Revocation of Plans or Other Approvals

3. When a violation of this Code involves a failure to comply with a condition of approval of a Variance of Use, the Board of Adjustment may revoke the Variance of Use. The Development Services Director must provide notice to the person found to be in violation. The Board of Adjustment shall hold a public hearing prior to the revocation of any Variance of Use.

Mr. Gress commented that staff is requesting to add the language to ensure all conditions of approval for a property owner under a variance of use are complied with. The Board of Adjustment should have the ability to revoke the variance of use if conditions are not followed.

Topic 5. Section 470.160 is amended by the addition of the following:

Section 470.160 Site Plan Review

C. Pre-Application Conference

Prior to filing an application for site plan approval, the applicant must attend a pre-application conference in accordance with Section 470.010B.

Mr. Gress commented that the proposal is to include language on the requirement under the code section applicable to site plan review.

Topic 6. Section 420.010A4 is amended by the addition of the following:

Section 420.010 Use-Specific Standards, Residential Uses

A. Single-Family Attached and Multiple-Family Dwellings

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 facade.
- c. provide at least three of the following architectural design elements:
 - 1. changes in the roofline at intervals not greater than 40 feet in continuous length, such as variations in roof pitch, overhangs, projections, and extended eaves;
 - 2. distinctive window patterns that are not repeated within groupings of up to four dwelling units;
 - 3. variations in the setback of the front facade of the building by at least five feet between adjoining dwelling units;
 - 4. Stepbacks or projections on the facade of at least two feet in depth and four feet in width at intervals of not more than 30 feet;
 - 5. balconies, bays, or changes in the wall plane of the front facade of the building;
 - 6. garage door entrance(s) for automobiles located at the side or rear of the building; or
 - 7. other architectural elements that the Development Services Director determines accomplish the objective of visually dividing the structure into smaller identifiable sections.

Mr. Gress stated that staff is requesting to add to the building design standards that would be

applicable to new multi-family developments. The added language provides options that the builder/developer can select from when designing new buildings. The elements would reduce the monotony that can exist when exterior building plans are repeated for adjacent multi-family buildings.

Mr. Gress explained that the proposal allows the applicant to choose those design elements they would like to incorporate into a project.

Topic 7. Section 420.010A is amended by the addition of the following:

Section 420.010 Use-Specific Standards, Residential Uses

A. Single-Family Attached and Multiple-Family Dwellings

7. Guest Parking

Off-street parking spaces shall be provided for quest parking in multi-family developments that contain more than four (4) dwelling units. One quest parking space shall be provided for every four (4) units in a development.

8. Trash Enclosures

Trash and recycling receptacles shall be provided within the development for the use of residents. The receptacles shall be screened in accordance with Section 430.110.

9. Foundation As-Built Drawings Required

As-built drawings of the building foundation may be required by the Public Works Director prior to the commencement of building framing for each multi-family dwelling unit under construction.

Mr. Gress commented that staff is requesting the additional standards for proposed new multi-family developments to eliminate issues that have appeared in other multi-family developments in the City.

Commissioner Wiggins asked for clarification on the language for trash and recycling receptacles. He thought the language may not be clear whether dumpsters or carts were being required.

Mr. Gress stated the language will apply to both townhome units and apartment communities.

Topic 8. Section 425.020A is amended by the addition of the following:

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, plus 0.25 per dwelling unit for guest parking

Two-family Dwelling (Duplex)	2 per dwelling unit
Multi-family Dwelling (3+ units)	1.5 per dwelling unit, plus 0.25 per dwelling unit for guest parking
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

Mr. Gress stated the amendment incorporates the requirement of providing guest parking spaces in new multi-family developments.

Topic 9. Section 445.03016 is amended as follows:

Section 445.030 Subdivision Design and Layout

I. Streets

6. Street Dimensions

- a. All streets must conform to the following requirements contained in the City of Raymore Technical Specifications and Design Criteria Manual.

	Major Arterial	Minor Arterial	Major Collector	Minor Collector	Local	Cul-de-sac	Alley	Pedestrian Way
Minimum right-of-way width (feet)	400	80	80	60	50	Per-Design Manual ²		
Maximum grade¹ (%)	6	6	6	8	40	45 (40 for turnaround only)	10	45
Minimum curve radius (feet)	500	250	250	200	150			
Minimum tangents between reverse curves (road centerline dimension, in feet)	400	400	400	400				

¹Unless necessitated by exceptional terrain and subject to the approval of the Director of Public Works.

²See City of Raymore Technical Specifications and Design Criteria Manual for cul-de-sac design requirements

- 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:

d. Design for Persons with Disabilities

Access ramps for disabled persons must be installed whenever new curbing or sidewalks are constructed or reconstructed in the City of Raymore. Such ramps must conform to the 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.

e. ~~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.~~

f. ~~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.~~

Mr. Gress indicated staff is requesting to eliminate conflicting language contained in the UDC by referencing the City design manual.

Mr. Gress discussed two general topics that staff is currently completing research on: Small Wireless Facilities and Medical Marijuana Facilities. Mr. Gress stated staff is completing research on both topics as recent changes in the Missouri Constitution and State Statute has created a need for City action on the topics.

Commissioner Urquilla asked if staff would be researching marijuana regulations that have been adopted in Colorado.

Mr. Zerr stated much research has been done on the topic and the Mid America Regional Planning Council has taken a lead on gathering information on the topic to share with regional communities.

Commissioner Urquilla asked about the conflict between the Federal law and Local law as it applies to medical marijuana.

Mr. Zerr commented that the City will rely upon the state guidance and regulations as we move forward in creating local regulations.

Motion by Commissioner Urquilla, Seconded by Commissioner Wiggins to accept the staff recommendations contained in the annual report and instruct staff to proceed forward with an amendment to the Unified Development Code.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Armstrong	Absent
Commissioner Bowie	Absent
Commissioner Crain	Absent
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Absent

Motion passed 5-0-0.

8. City Council Report

Mr. Zerr indicated Council has not met, other than a work session, since the last Commission meeting.

9. Staff Report

Mr. Gress provided an overview of the upcoming cases to be considered by the Commission.

10. Public Comment

Sarah Gaston, 400 N. Park Drive, thanked the Commission for the work that was done at the Commission meeting regarding the keeping of fowl.

11. Commission Member Comment

Commissioner Urquilla stated he is excited about several of the projects that will be occurring

12. Adjournment

Motion by Commissioner Wiggins, Seconded by Commissioner Petermann, to adjourn the June 4, 2019 Planning and Zoning Commission meeting.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Armstrong	Absent
Commissioner Bowie	Absent
Commissioner Crain	Absent
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Absent

Motion passed 5-0-0.

The June 4, 2019 meeting adjourned at 7:53 p.m.

Respectfully submitted,

Jim Cadoret

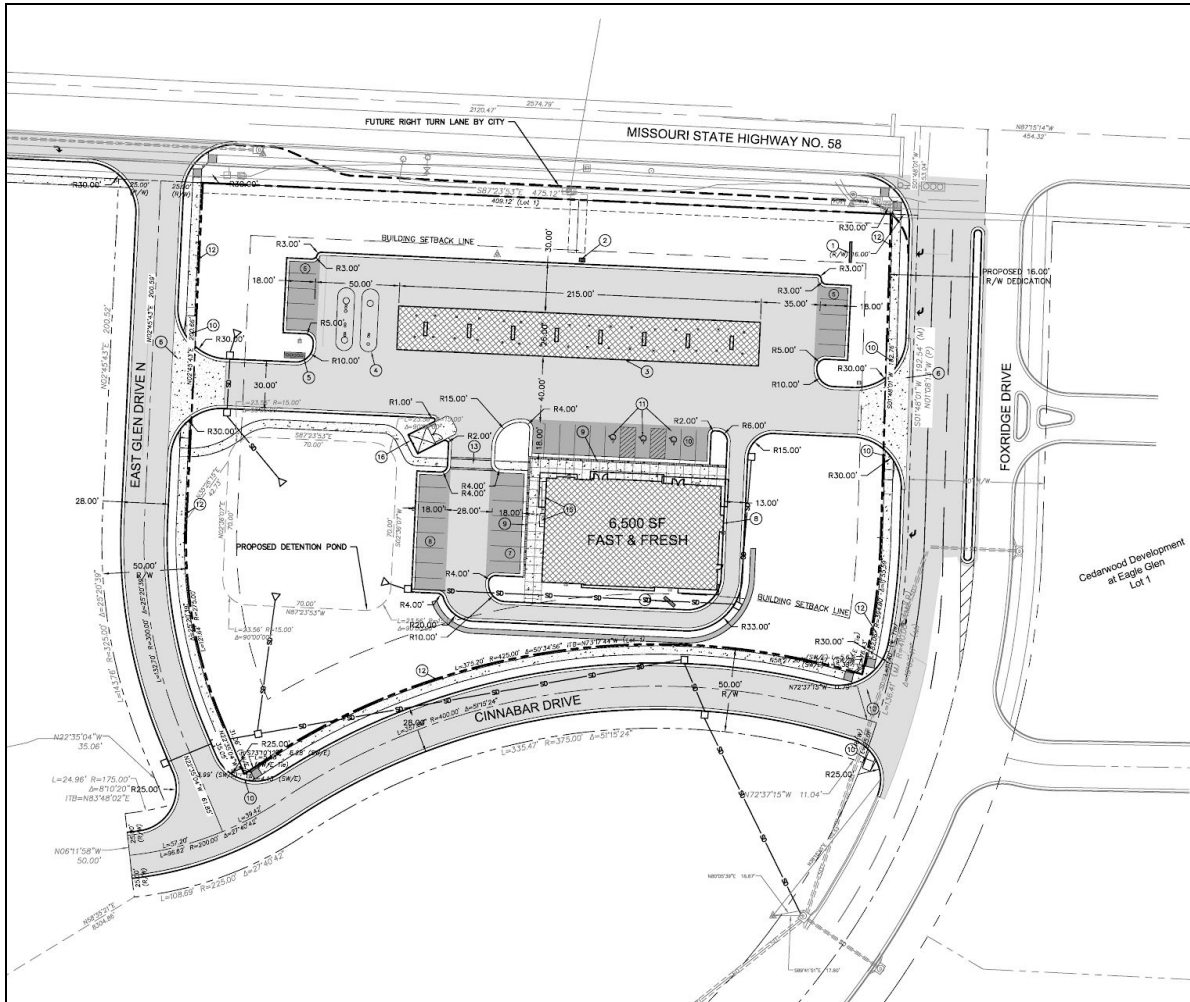


To: Planning and Zoning Commission
From: City Staff
Date: July 2, 2019
Re: Case #19011: HyVee Fast & Fresh CUP - Fueling Station

GENERAL INFORMATION

**Applicant/
Property Owner:** Hy-Vee, Inc.
5820 Westown Parkway
West Des Moines, IA 50266

Property Location: Southwest corner of 58 Highway and Fox Ridge Drive



2018 Aerial Photograph:



Existing Zoning: "C-3" Regional Commercial District

Existing Surrounding Zoning:
North: "C-2" General Commercial District
South: "R-3B" Apartment Community Residential
East: "C-2" General Commercial
"R-3BP" Apartment Community Planned Residential
West: "C-3" Regional Commercial District

Existing Surrounding Uses:
North: Commercial Shopping Center
South: Undeveloped
East: Commercial Pharmacy, Apartment Community
West: Undeveloped

Total Tract Size: 2.78 Acres

Growth Management Plan: The Future Land Use Plan Map contained in the Growth Management Plan identifies this area as appropriate for commercial development.

Major Street Plan: The Major Thoroughfare Plan Map classifies 58 Highway as a Major Arterial and N. Fox Ridge Drive as a as a Major Collector.

Advertisement: June 13, 2019 edition of **The Journal**

Public Hearing: July 2, 2019 Planning Commission Meeting

PROPOSAL

Outline of Requested Action: The applicant seeks to obtain a Conditional Use Permit to operate a fueling station on the property.

City Ordinance Requirements: In order for the applicant to accomplish the aforementioned action, they must meet the provisions of the Unified Development Code. Chapter 470 of the Unified Development Code outlines the requirements and actions that need to be taken for a Conditional Use Permit, specifically, Section 470.030.

PREVIOUS ACTIONS ON OR NEAR THE PROPERTY

1. The subject property, and the additional acreage surrounding the property (40 acres) was rezoned from "A" Agriculture District to "C-3" Regional Commercial District on September 27, 1999.
2. The Dean Commercial Preliminary Plat, which created the subject property, was approved by the City Council on May 13, 2019.

STAFF COMMENTS

1. The applicant's request for a CUP only applies to the fueling station component of the overall project. Other components of the project, including fresh food sales, coffee sales, etc... are allowed as a permitted use in the C-3 zoning district.
2. Section 420.030J outlines the use-specific standards for gas stations within the City:

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; have a minimum lot area of 20,000 square feet;
 7. only have drive-through facilities for restaurants or other uses subject to Section 420.030L
3. The site layout proposes a drive-thru facility as part of the project. Section 420.030L of the UDC outlines standard for drive-thru facilities within the City.

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	3
- ATM	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.

The proposed drive-thru does comply with the applicable standards.

4. The applicant has submitted a final plat and site plan application for the property as well. Staff is actively working with the applicant on the review on the applications.
5. The proposed site plan layout shows an access drive into the site between 58 Highway and Brome Drive. With the quick turn-over traffic that is typically associated with fueling stations, staff recommends that left-hand turns onto northbound Fox Ridge Drive from any access drive be prohibited

The location of the access would still allow for:

1. Right turns into the side from southbound Fox Ridge
2. Right turns out of the site onto southbound Fox Ridge

Left-hand turns onto northbound Fox Ridge Drive from Brome Drive would still be permitted.

STAFF PROPOSED FINDINGS OF FACT

Chapter 470, Section 470.030(E) of the Unified Development Code states that a Conditional Use Permit may be granted by the City Council by ordinance provided that specific written findings of fact have been made by the Planning and Zoning Commission based upon the particular evidence presented which supports the following conclusions :

1. **the proposed conditional use complies with all applicable provisions of the Unified Development Code.** Section 420.030(J) of the Unified Development Code outlines the use-specific standards that apply to gas station facilities within the City. The proposed Conditional Use Permit, and site layout do comply with all of the applicable provisions within the UDC.
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.** The requested CUP is in the general interest of the community, and will not have a significant adverse impact on surrounding properties.
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.** 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. The subject property, as well as adjacent property are zoned to accommodate existing or future commercial development, which is compatible with the proposed conditional use.

4. **it is compatible with the character of the surrounding property in terms of site planning, building scale, and project design.**

The proposed use is compatible with surrounding property. Site layout, building scale and design are consistent with adjacent developments.

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.**

The proposed use is compatible with surrounding properties in terms of operating characteristics. The subject property is adjacent to (2) pharmacies (CVS and Walgreens) to the east, and a liquor store and other commercial uses to the north, all of which have similar operational characteristics. The roadways surrounding the property were designed to handle traffic volumes associated with the proposed use.

Additionally, the site has been designed to minimize substantial impacts on existing roadways.

6. **the location and size of the conditional use, the 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** The location, nature and height of buildings, structures, wall and fences on the site will not prevent the development of neighboring properties under the existing zoning classification.
- b. **the nature and extent of landscaping and screening on the site.** Landscaping and screening on the site have been placed in such a way to minimize the visual impact of the proposed conditional use, including the screening of parking areas and fueling areas, trash and recycling enclosures.

7. **off-street parking and loading areas will be provided in accordance with the standards set forth in the Unified Development Code, and such areas will be screened from adjoining residential uses and located so as to protect such residential uses from any injurious effect.**

The property does not abut any residential zoning districts, however, parking areas, fueling areas, and other areas prone to traffic have been screened in accordance with the standards set forth in the Unified Development Code.

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.** Public infrastructure currently exists to serve the demands of the site under the proposed conditional use. Extensions of those facilities will need to occur in order to serve the site, which are being proposed as part of the site development process.
9. **it will not have a significant adverse impact on pedestrian safety and comfort.** Accommodations have been made, including sidewalk connections, ADA ramps, and crosswalk striping that will prioritize and delineate the separation of pedestrian traffic and vehicular traffic. The proposed use 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**

The preliminary plat contemplated the development of the property as such, and identified key access points and improvements both in and out of the site that will minimize impacts on existing roadways and intersections.

11. **all special conditions have been met as set forth by Chapter 420.**

All special conditions set forth by Chapter 420 of the Unified Development Code have been met.

REVIEW OF INFORMATION AND SCHEDULE

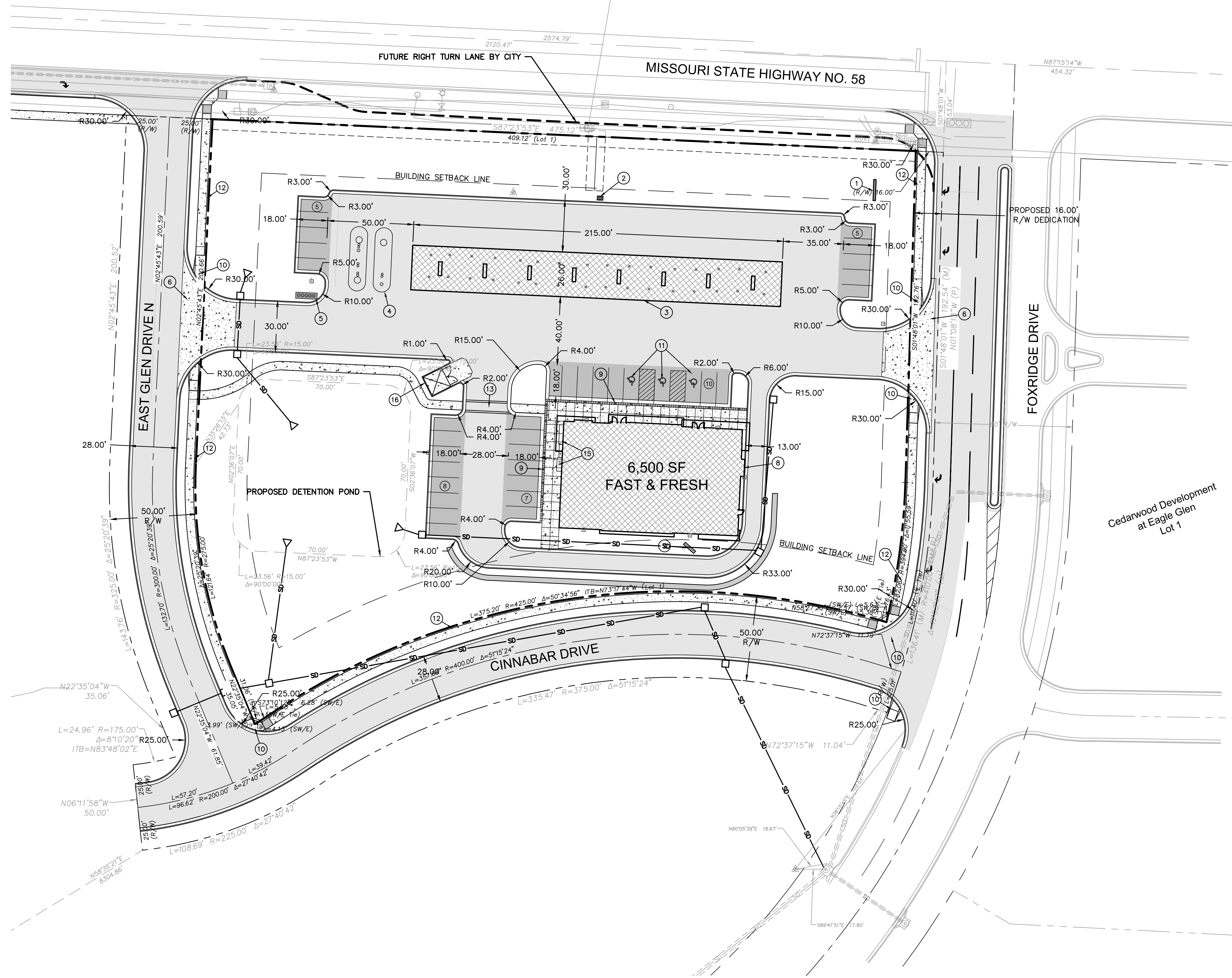
Action	Planning Commission	City Council 1 st	City Council 2 nd
Review	July 2, 2019	July 8, 2019	July 22, 2019

STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #19011: HyVee Fast & Fresh CUP - Fueling Station to the City Council with a recommendation of approval, subject to the following conditions:

1. Appropriate traffic control measures shall be incorporated into the site plan to prevent left-hand turning movements onto northbound Fox Ridge from the proposed access drive.

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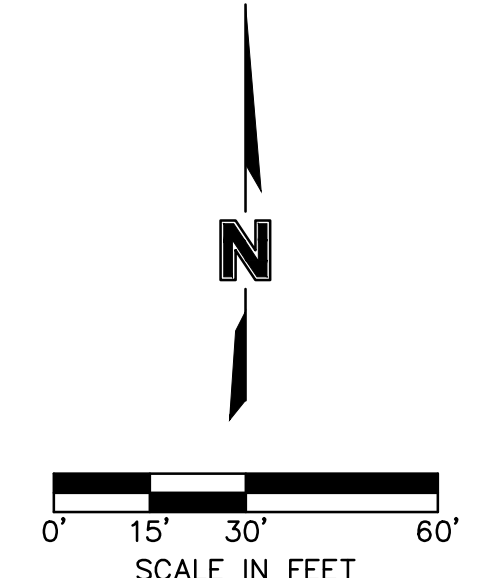
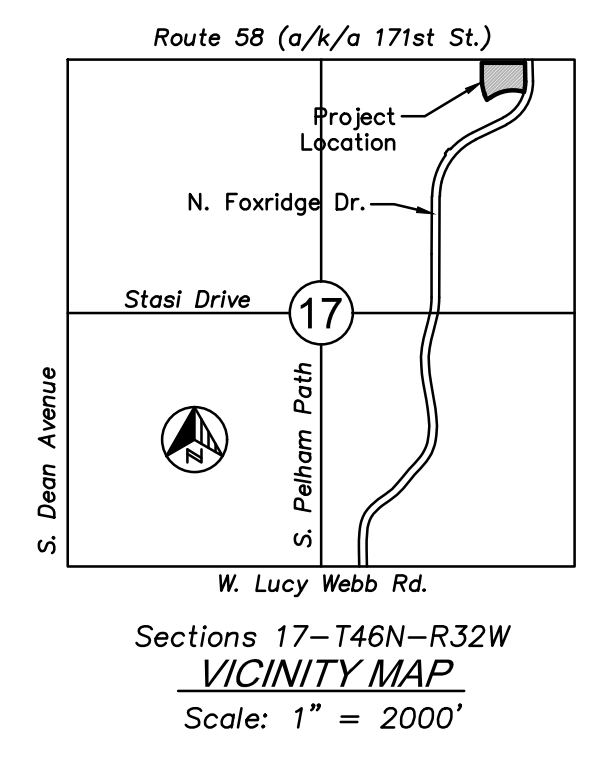


LEGEND

- PROPERTY LINE
- RIGHT OF WAY LINE
- LOT LINE
- CONSTRUCT CONCRETE CURB & GUTTER
- EXISTING SANITARY SEWER
- EXISTING STORM SEWER
- EXISTING ELECTRICAL LINE
- EXISTING DOMESTIC WATER
- EXISTING GAS SERVICE
- PROPOSED SANITARY SEWER
- PROPOSED STORM SEWER
- PROPOSED ELECTRICAL LINE
- PROPOSED DOMESTIC WATER
- PROPOSED GAS SERVICE
- PROPOSED FIRE PROTECTION
- PROPOSED LIGHT DUTY ASPHALT
- PROPOSED HEAVY DUTY ASPHALT
- PROPOSED CONCRETE PAVEMENT
- INTEGRAL COLOR PCC
- PARKING STALL COUNT

KEYNOTES:

- ① PROPOSED SIGN MONUMENT
- ② PROPOSED AIR STATION
- ③ PROPOSED FUEL CANOPY
- ④ PROPOSED 20,000 GALLON FUEL TANKS
- ⑤ PROPOSED REMOTE FUELING
- ⑥ PROPOSED CONCRETE APRON
- ⑦ PROPOSED MENU BOARD
- ⑧ PROPOSED PICK UP WINDOW
- ⑨ PROPOSED BOLLARDS, TYP.
- ⑩ PROPOSED ADA RAMPS
- ⑪ PROPOSED ADA PARKING
- ⑫ PROPOSED 5' SIDEWALK
- ⑬ PROPOSED CROSSWALK
- ⑭ PROPOSED ICE AND PROPANE SALES
- ⑮ PROPOSED PEDESTRIAN CONNECTION TO PUBLIC SIDEWALK
- ⑯ PROPOSED TRASH ENCLOSURE WITH 8' HIGH SOLID SCREEN WALL



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REVISIONS

REV. NO.	DATE	REVISIONS DESCRIPTION

2019

DIMENSION PLAN
SITE PLAN REVIEW

HI-VEE FAST AND FRESH STORE

RAYMORE, MO

drawn by: _____ SG
 checked by: _____ BS
 approved by: _____ BS
 QA/QC by: _____ MP
 project no.: 018-3410
 drawing no.: C_SIT_83410.DWG
 date: 05.31.19



To: Planning and Zoning Commission
From: City Staff
Date: July 2, 2019
Re: **Case #19018: 31st Amendment to the UDC – Medical Marijuana Facilities**

GENERAL INFORMATION

Applicant: City of Raymore

Requested Action: 31st Amendment to the Unified Development Code – Medical Marijuana Facilities

Advertisement: June 20, 2019 Journal Newspaper

Public Hearing: July 2, 2019 Planning and Zoning Commission

Items of Record:

- Exhibit 1. Growth Management Plan
- Exhibit 2. Unified Development Code
- Exhibit 3. Notice of Publication
- Exhibit 4. Staff Report

TEXT AMENDMENT REQUIREMENTS

Chapter 470: Development Review Procedures outlines the applicable requirements for amending the text of the Unified Development Code.

Section 470.020 (B) states:

“...text amendments may be initiated by the City Council or the Planning and Zoning Commission”.

Section 470.020 (F) requires that a public hearing be held by the Planning and Zoning Commission and the City Council.

Section 470.020 (G) (2) states:

“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. whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Raymore.
2. whether the proposed text amendment corrects an error or inconsistency in the code;
3. the areas which are most likely to be directly affected by such change and in what way they will be affected;
4. whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it; and
5. whether the proposed text amendment is in the best interests of the City as a whole.

STAFF COMMENTS

1. The voters of Missouri passed Amendment 2 to the Missouri Constitution in November of 2018 establishing a right to access medical marijuana and allowing for the limited production, distribution, sale and purchase of marijuana for medical use. The amendment allows state-licensed physicians to recommend marijuana for medical purposes to patients with qualifying medical conditions.
2. The Missouri Department of Health and Senior Services was charged with creating the rules to effectuate the provisions of the amendment. Draft rules were published in May that provided guidance in the preparation of the proposed UDC amendment.
3. Amendment 2 allows Missouri communities to place reasonable time, place and manner of operation restrictions on medical marijuana facilities. Communities are not allowed under the amendment to “ban” medical marijuana uses. In fact, regulations may not be “overly burdensome” to the point where facilities are effectively banned.
4. The UDC amendment establishes where a medical marijuana facility may be located in the City. A companion ordinance has been prepared that creates a new Chapter 660 of City Code that establishes the local regulations regarding medical marijuana facilities.
5. The definitions proposed in the UDC amendment come directly from the draft rules published by the Department of Health and Senior Services.

6. Under the UDC amendment medical marijuana facilities would not be permitted in residential zoned areas or in the same building that contains a residence.
7. Amendment 2 allows a 1,000 foot buffer between a medical marijuana facility and a primary or secondary school, child day-care center, or church. Cities may choose to lessen or waive the buffer requirement but cannot make it greater. Because schools, child day-care centers, churches and residential structures are often near commercial and industrial areas, many Missouri communities are lessening the buffer requirement.
9. The UDC establishes reasonable separation distances between the different types of medical marijuana facilities and different sensitive land uses, such as schools, day-care centers, a religious assembly and residential structures. The range of separation distances is based upon the type of medical marijuana facility and the potential impacts of the facility on the sensitive land use.
10. Amendment 2 allows Qualified Patients, defined as a Missouri resident diagnosed with at least one qualifying medical condition, as well as a primary caregiver, to grow up to six marijuana plants in an indoor, controlled environment within their home. Since this is directly allowed under the constitutional amendment, and would be considered an accessory use under the UDC, the use tables do not have to be modified. Those qualified patients and caregivers wanting to do personal cultivation in the home must acquire an enhanced I.D. card as well as a cultivation authorization from the Department of Health and Senior Services.
11. The UDC requirements and the requirements contained in the companion ordinance establishing Chapter 660 are in addition to the extensive rules and permit requirements established by the Department of Health and Senior Services.
12. The Department of Health and Senior Services has indicated it will limit the issuance of medical marijuana facility licenses as follows:
 - a. up to 60 cultivation facilities
 - b. up to 86 infused products manufacturing facilities
 - c. at least 2 testing facilities
 - d. up to 192 dispensary licenses (no more than 24 per congressional district)

Applications for facilities are officially accepted on August 3. Once applications are received, there will be a scoring system utilized to determine which applications are approved to be issued a license.

STAFF PROPOSED FINDINGS OF FACT

Under Section 470.020 of the Unified Development Code, the Planning and Zoning Commission is directed concerning its actions in dealing with a request to amend the text of the Unified Development Code. Under 470.020 (G) (2) the Planning and Zoning Commission is directed to make findings of fact taking into consideration the following:

- 1. whether such change is consistent with the intent and purpose of the Unified Development Code and plans adopted by the City of Raymore;**

The proposed amendment is consistent with the identified purpose and intent of Section 400.040 of the Unified Development Code and with the Growth Management Plan.

- 2. whether the proposed text amendment corrects an error or inconsistency in the code;**

The proposed sections of the ordinance do not correct an error or inconsistency.

- 3. the areas which are most likely to be directly affected by such change and in what way they will be affected;**

The changes would affect properties throughout the City.

- 4. whether the proposed amendment is made necessary because of changed or changing conditions in the areas and/or zoning districts affected by it; and**

The proposed amendment is made necessary due to the voter approved amendment to the Missouri Constitution that allows the new land use to exist in Missouri.

- 5. whether the proposed text amendment is in the best interests of the City as a whole.**

The UDC amendment will establish the time, place and manner restrictions allowed under the constitutional amendment for the new land uses. Having restrictions in place is in the best interests of the City by ensuring new facilities are adequately separated from identified sensitive land uses.

REVIEW OF INFORMATION AND SCHEDULE

<u>Action</u> Public Hearing	<u>Planning Commission</u> July 2, 2019	<u>City Council 1st</u> July 8, 2019	<u>City Council 2nd</u> July 22, 2019
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STAFF RECOMMENDATION

Staff prepared the 31st amendment to the Unified Development Code with the understanding that the voters of the State of Missouri approved Amendment 2, establishing a right to access medical marijuana. Staff reviewed the amendment language and the rules proposed by the Department of Health and Senior Services to ensure any local ordinance would be in full compliance with the laws of the state. Staff looked closely at the buffers between sensitive land uses and proposed medical marijuana facilities in order to ensure adequate separation while maintaining enough available land area for facilities to not be over burdensome with the regulations.

Staff recommends the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #19018, 31st amendment to the UDC, to the City Council with a recommendation of approval.

BILL 3468

ORDINANCE

“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE UNIFIED DEVELOPMENT 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 31st amendment to the Unified Development Code on July 2, 2019 and has submitted its recommendation of xxxxxxxx to the Council; and,

WHEREAS, the Council held a public hearing on the proposed 31st amendment to the Unified Development Code on July 8, 2019 and 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 405.020H of the Unified Development Code is hereby amended as follows:

Section 405.020 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	A	RE	RR	R-1A	R-1	R-1.5	R-2	R-3	R-3A	R-3B	PR	Use Standard
COMMERCIAL USES												
Medical Marijuana Cultivation Facility	P	-	-	-	-	-	-	-	-	-	-	420.030N

Section 2. Section 410.020H of the Unified Development Code is hereby amended as follows:

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
COMMERCIAL USES									
Medical Marijuana									
Cultivation Facility (Outdoor)	-	-	-	-	C	C	C	-	420.030N
Cultivation Facility (Indoor)	-	-	-	-	P	P	P	-	420.030N
Dispensary Facility	-	P	P	P	P	P	P	-	420.030N
Infused Products Manufacturing Facility	-	-	-	-	P	P	P	-	420.030N
Testing Facility	P	P	P	P	P	P	P	-	420.030N

Section 3. Section 420.030 of the Unified Development Code is hereby amended by the addition of the following:

N. Medical Marijuana Facilities

Medical marijuana related uses and facilities as defined in Article XVI of the State of Missouri Constitution must comply with the following standards:

1. Location Restrictions:

- a. No outdoor medical marijuana cultivation facility shall be operated or maintained:
 - 1. within one-thousand feet (1,000') of an elementary or secondary school, day-care center, or religious assembly; or
 - 2. within one-thousand feet (1,000') of any residence.
- b. No indoor medical marijuana cultivation facility shall be operated or maintained:
 - 1. within five-hundred feet (500') of an elementary or secondary school, day-care center, or religious assembly; or
 - 2. within five-hundred feet (500') of any residence.
- c. No medical marijuana infused products manufacturing facility shall be operated or maintained:
 - 1. within five-hundred feet (500') of an elementary or secondary school, day-care center, or religious assembly; or
 - 2. within five-hundred feet (500') of any residence.

- d. No medical marijuana dispensary or testing facility shall be operated or maintained:
 - 1. within five-hundred feet (500') of an elementary or secondary school, day-care center, or religious assembly; or
 - 2. within one-hundred feet (100') of any residence.
- e. In the case of a free-standing medical-marijuana facility, the distance between the facility and a school, day-care center, religious assembly or residence shall be measured from the property line of the facility to the closest point of the property line of the school, day-care center, or religious assembly, or to the closest point of a residence.
- f. In the case of a medical marijuana facility that is part of a multi-tenant building, the distance between the facility and the school, day-care center, religious assembly or residence shall be measured from the property line of the school, day-care center, or religious assembly or the closest point of a residence to the facility's entrance. If the school, day-care center, or religious assembly is also located in a multi-tenant building, then the distance shall be measured from the closest entrance of each use.
- g. In the case where a residence is located on the same property as a medical marijuana facility, said residence does not have to comply with the minimum separation requirement from the medical marijuana facility.
- h. No medical marijuana dispensary facility shall be located in a building that contains a residence.
- i. No medical marijuana facility shall be located within one-thousand feet (1,000') of another medical marijuana facility. Combined facilities owned by a single entity at a single location are allowed.
- j. Measurements shall be made in a straight line at the closest point between property lines or buildings, without regard to any intervening buildings.

- k. When a new school, day-care center, religious facility, or residence is located within the location restriction areas applicable to an existing medical marijuana related use, the medical marijuana use may continue to operate indefinitely provided a valid occupational license is maintained.

2. Outdoor Storage:

All operations and storage of materials, products, or equipment for a medical marijuana facility located in the PO, C-1, C-2, or C-3 zoning district shall be within a fully enclosed and secured building where the medical marijuana facility is located.

Section 4. Section 485.010 of the Unified Development Code is hereby amended with the addition of the following definitions:

Term	Definition
Marijuana or Marihuana	Means <i>Cannabis indica</i> , <i>Cannabis sativa</i> , and <i>Cannabis ruderalis</i> , hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. “Marijuana” or “Marihuana” does not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent on a dry weight basis, or commodities or products manufactured from industrial hemp.
Marijuana-Infused Products	Products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.
Medical Marijuana Cultivation Facility	A facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a Medical Marijuana Dispensary Facility, Medical Marijuana Testing Facility, or a Medical Marijuana Infused Products Manufacturing Facility.
Medical Marijuana Dispensary Facility	A facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana to a Qualifying Patient, a Primary caregiver, another licensed Dispensary Facility, a licensed Medical Marijuana Testing Facility, or a Medical Marijuana-Infused Products Manufacturing Facility.
Medical Marijuana Facility	A medical marijuana cultivation facility, medical marijuana dispensary, medical marijuana infused products manufacturing facility, and medical marijuana testing facility.
Medical Marijuana Infused Products Manufacturing Facility	A facility licensed by the State of Missouri to acquire, store, manufacture, transport, and sell marijuana-infused products to a Medical Marijuana Dispensary Facility, a Medical Marijuana Testing Facility, or to another Medical Marijuana-Infused Products Manufacturing Facility.
Medical Marijuana Testing Facility	A facility certified by the State of Missouri to acquire, test, certify, and transport marijuana.

Section 5. This Ordinance shall be known as the 31st amendment to the Unified Development Code.

Section 6. 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 7. 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 8TH DAY OF JULY, 2019.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 22ND DAY OF JULY, 2019, BY THE FOLLOWING VOTE:

Councilmember Abdelgawad
Councilmember Barber
Councilmember Berendzen
Councilmember Burke III
Councilmember Circo
Councilmember Holman
Councilmember Jacobson
Councilmember Townsend

ATTEST:

APPROVE:

Jean Woerner, City Clerk

Kristofer P. Turnbow, Mayor

Date of Signature

BILL 3469

ORDINANCE

“AN ORDINANCE OF THE CITY OF RAYMORE, MISSOURI, AMENDING THE RAYMORE CITY CODE OF ORDINANCES REGULATING MEDICAL MARIJUANA FACILITIES.”

WHEREAS, the voters of the State of Missouri approved an amendment to Article XVI of the State Constitution establishing a Right to Access Medical Marijuana and allowing for the limited legal production, distribution, sale, and purchase of marijuana for medical use; and

WHEREAS, the City desires to protect public health, welfare and safety by establishing reasonable regulations on Medical Marijuana related businesses.

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

Section 1. Chapter 660: Regulation on Medical Marijuana, is hereby established in the Municipal Code of the City of Raymore as follows:

CHAPTER 660: REGULATION ON MEDICAL MARIJUANA

SECTION 660.010: APPLICABILITY

- A. The regulations contained in this chapter apply to all property and medical marijuana uses located within the corporate limits of the City of Raymore.
- B. All medical marijuana related uses shall be located in accordance with the requirements of the City of Raymore Unified Development Code.

SECTION 660.020: DEFINITIONS

All terms used in this Chapter shall be as defined by the City of Raymore Unified Development Code or 19-CSR 30-95.10.

SECTION 660.030: PURPOSE

The purpose of this Chapter is to regulate the placement and licensing of facilities for the cultivation, manufacturing, storage, transfer, testing and distribution of medical marijuana and marijuana-infused products, to the extent permitted by the Missouri Constitution, applicable provisions of RSMo, and regulations promulgated by the Missouri Department of Health and Senior Services, and to protect the health, safety and welfare of the residents, businesses and property owners in the City.

SECTION 660.040: GENERAL PROVISIONS

No building shall be constructed, altered, or used for a medical marijuana facility without complying with the following regulations:

A. Compliance with State Regulations

All medical marijuana facilities must maintain compliance with all applicable rules adopted by the State of Missouri.

B. Definitions

Definitions contained in 19-CSR 30-95.10 are hereby adopted as the applicable definitions for this Section.

C. Public Consumption.

1. No marijuana may be smoked, ingested, or otherwise consumed on or within the premises of any medical marijuana facility, nor shall the licensee permit such consumption.
2. Public consumption of marijuana is prohibited.

D. Combination of Alcohol Sales and Medical Marijuana Sales

The sale or consumption of alcohol within a medical marijuana facility is prohibited.

E. Combination of Facilities

Medical marijuana facilities that propose having more than one type of facility on the same property or within the same building shall follow the regulations for the more restricted facility.

F. Hours of Operation

All medical marijuana facilities shall be closed to the public, no persons not employed by the medical marijuana facility shall be on the premises, and no delivery to or from the medical marijuana facility, between the hours of 10:00 P.M. and 8:00 A.M.

G. Licenses

1. No medical marijuana or marijuana-infused products shall be acquired, certified, delivered, processed, sold, stored, tested or transported within the City, except by persons or entities licensed for such purposes by the Missouri Department of Health and Senior Services.
2. The applicable medical marijuana license issued by the State of Missouri shall be displayed in an open and conspicuous place on the premises.
3. No medical marijuana facility shall be operated within the City without a valid license issued by the Missouri Department of Health and Senior Services.

4. All medical marijuana facilities shall be licensed in accordance with Chapter 605 of the Raymore City Code.

H. Ventilation Required

All medical marijuana facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the facility. No odors shall be detectable by a person with a normal sense of smell outside of the boundary of the tenant space or property on which the facility is located.

I. Multi-Tenant Buildings

1. No odors shall be detectable by a person with a normal sense of smell outside of the boundary of the residential unit in a multi-tenant building.
2. No smoke shall be allowed to pass from one residential unit to another.
3. No medical marijuana may be smoked, ingested, or otherwise consumed in any hallway or common area of a multi-tenant building.

J. Location Restrictions

1. Medical marijuana facilities shall comply with the location restrictions identified in Section 420.030N of the City of Raymore Unified Development Code.
2. Each medical marijuana facility shall be operated from a permanent and fixed location. No medical marijuana facility shall be permitted to operate from a moveable, mobile, or transitory location.

K. Transportation and Possession

No person shall possess marijuana within the City, except:

1. A qualified patient for the patient's own personal use, in an amount no larger than the law allows; or
2. A caretaker of a qualified patient, or patients, but only when transporting the medical marijuana to a qualified patient or when accompanying a qualified patient or patients; or
3. An owner or employee of a medical marijuana facility within the enclosed building licensed as such, or when delivering directly to a qualified patient's or caretaker's residence or another medical marijuana facility.

L. Disposal of Medical Marijuana

No person shall dispose of medical marijuana or marijuana-infused products in an unsecured waste receptacle not in possession and control of the licensee and designed to prohibit unauthorized access.

M. Display of Products

No medical marijuana or marijuana-infused product shall be displayed as to be visible through glass, windows, or doors by a person of normal visual

acuity standing outside of the facility.

N. Access Restrictions

1. No person under the age of eighteen (18) shall be allowed in any portion of a medical marijuana cultivation facility, infused products manufacturing facility, or a testing facility.
2. The entrance to a medical marijuana facility shall be clearly posted with a notice indicating that persons under the age of eighteen (18) are precluded from entering the premises.
3. No person under the age of eighteen (18) shall be allowed in any portion of a medical marijuana dispensary facility, except that a qualifying patient who is under the age of eighteen (18) may enter if accompanied by a parent or legal guardian.

O. Signage

1. Signage associated with a medical marijuana facility shall comply with the requirements contained in Chapter 435: Signs of the City of Raymore Unified Development Code.
2. Facilities shall not use signage or advertising with the word "marijuana" or "cannabis" or any other word, phrase or symbol commonly understood to refer to marijuana unless such word, phrase or symbol is immediately preceded by the word "medical" in type and font that is at least as readily discernible as all other words, phrases or symbols.

P. Permits required to be Shown

Upon demand of a Law Enforcement Officer, a person in possession of medical marijuana shall provide the officer with their qualified patient or primary caregiver identification card. Failure to provide the identification card upon demand is a violation of this Chapter.

Q. Home Cultivation License

1. All cultivation activities occurring in residences or on residential property shall be conducted in accordance with 19 CSR 30-95.030.
2. No extraction or infused products manufacturing activities shall occur in a residence or on residential property or anywhere other than a licensed infused products manufacturing facility.

SECTION 660.050: VIOLATIONS

It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this Chapter.

SECTION 660.060 PENALTIES

Upon conviction or a plea of guilty, any person, firm or corporation violating or failing to comply with any of the provisions of this Chapter shall be subject to the penalty provisions provided for in Section 100.220 of the City Code.

Section 2. Section 270.010 of the Municipal Code of the City of Raymore is amended as follows:

CHAPTER 270: RESTRICTIONS ON SMOKING IN PUBLIC PLACES

Section 270.010: Definitions

As used in this chapter, the following terms shall have these prescribed meanings:

SMOKING: Inhaling, exhaling, burning or carrying any lighted cigar, cigarette, pipe or other lighted tobacco product, or any medical marijuana or marijuana-infused product, in any manner or in any form.

Section 3. Section 210.340 of the Municipal Code of the City of Raymore is amended as follows:

CHAPTER 210: OFFENSES

Section 210.340: Marijuana - Cultivation, Possession, Use, Distribution - Prohibited

It shall be unlawful for any person or any officer or employee of any firm, corporation or association, except as allowed under Chapter 195 of the Revised Statutes of Missouri, or as allowed under Article XIV of the Missouri Constitution regarding the cultivation, manufacturing, storage, transfer, testing, distribution, and use of medical marijuana and marijuana-infused products, to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away, or use, or offer to sell, furnish or give away, or to have in his/her their possession marijuana as defined in Chapter 195, RSMo.

Section 4. Section 210.350 of the Municipal Code of the City of Raymore is amended as follows:

CHAPTER 210: OFFENSES

Section 210.350: Drug Paraphernalia - Possession, Manufacture, Delivery, Sale - Prohibited

B. "Controlled Substance" as used herein shall be defined and include the following:

3. "Controlled substances" does not include:

- a. Medical marijuana or marijuana-infused products allowed under Article XIV of the Missouri Constitution; or
- b. Medical marijuana or marijuana-infused products allowed under any permit issued by the Missouri Department of Health and Senior Services; or

- c. Medical marijuana or marijuana-infused products in the possession of a qualifying patient or primary caregiver with a valid identification card issued by the Missouri Department of Health and Senior Services.

Section 5. 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 6. 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 8TH DAY OF JULY, 2019.

BE IT REMEMBERED THAT THE ABOVE ORDINANCE WAS APPROVED AND ADOPTED THIS 22ND DAY OF JULY, 2019, BY THE FOLLOWING VOTE:

Councilmember Abdelgawad
Councilmember Barber
Councilmember Berendzen
Councilmember Burke III
Councilmember Circo
Councilmember Holman
Councilmember Jacobson
Councilmember Townsend

ATTEST:

APPROVE:

Jean Woerner, City Clerk

Kristofer P. Turnbow, Mayor

Date of Signature

MONTHLY REPORT MAY 2019

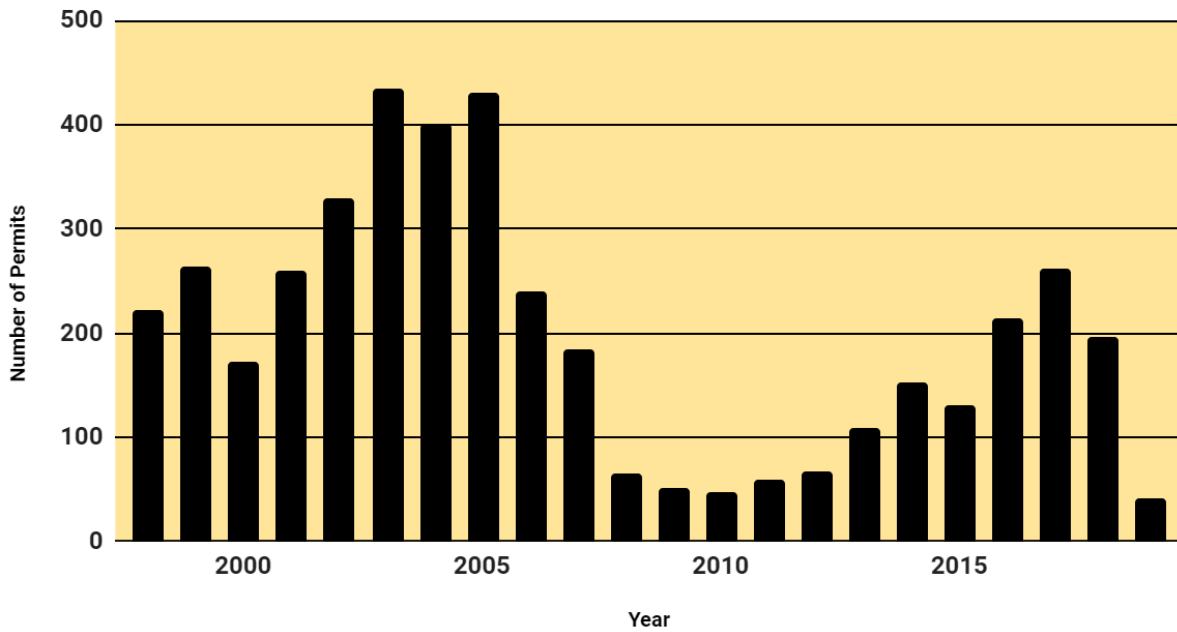
Building Permit Activity

Type of Permit	May 2019	2019 YTD	2018 YTD	2018 Total
Detached Single-Family Residential	7	42	68	153
Attached Single-Family Residential	0	0	38	44
Multi-Family Residential	0	0	0	0
Miscellaneous Residential (deck; roof)	73	265	248	604
Commercial - New, Additions, Alterations	2	11	6	17
Sign Permits	3	17	23	63
Inspections	May 2019	2019 YTD	2018 YTD	2018 Total
Total # of Inspections	345	1,500	2,481	5,947
Valuation	May 2019	2019 YTD	2018 YTD	2018 Total
Total Residential Permit Valuation	\$1,838,200	\$10,241,900	\$21,085,900	\$41,964,900
Total Commercial Permit Valuation	\$102,000	\$1,774,300	\$2,914,400	\$5,222,550

Additional Building Activity:

- Construction continues on the new self-storage facility at 308 E. Walnut Street.
- Construction work continues on the shelter, boardwalk and amphitheater at Hawk Ridge Park.
- A temporary Certificate of Occupancy was issued for the expansion to Brightside Day Care facility at 845 E. Walnut Street.
- Construction work has commenced for a tenant finish for Athletico Physical Therapy to locate at 2007 W. Foxwood Drive Suite D.
- Construction has commenced on the expansion to Benton House of Raymore
- Interior renovation work continues on Freedom Stop convenience store

Single Family Building Permits



Code Enforcement Activity

Code Activity	May 2019	2019 YTD	2018 YTD	2018 Total
Code Enforcement Cases Opened	85	178	175	461
<i>Notices Mailed</i>				
-Tall Grass/Weeds	41	45	42	147
- Inoperable Vehicles	11	22	21	54
- Junk/Trash/Debris in Yard	13	39	44	96
- Object placed in right-of-way	0	1	7	26
- Parking of vehicles in front yard	1	6	17	36
- Exterior home maintenance	2	5	19	35
- Other (trash at curb early; signs; etc)	0	2	11	38
Properties mowed by City Contractor	13	13	7	56
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	2	4	0	0
Signs in right-of-way removed	56	91	213	473
Violations abated by Code Officer	17	26	32	60

Development Activity

Current Projects

- Lofts at Foxridge Amended Site Plan
- Conway Place Rezoning and Preliminary Development Plan
- Foxridge Business Park Final Plat (southwest corner of 58 Hwy & Fox Ridge Drive)
- HyVee Fast and Fresh Store Conditional Use Permit and Site Plan - (southwest corner of 58 Hwy & Fox Ridge Drive)

	As of May 31, 2019	As of May 31, 2018	As of May 31, 2017
Homes currently under construction	129	221	239
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	382	439	554
Total number of dwelling units in City	8,587	8,365	8,045

Actions of Boards, Commission, and City Council

City Council

May 6, 2019 Work Session

- Development Services staff discussed issues surrounding recent shifts in developer and builder interest in residential development in Raymore.

May 13, 2019

- Approved the Dean Commercial Preliminary Plat

Planning and Zoning Commission

May 7, 2019

- Recommended approval of the Dean Commercial Preliminary Plat.

May 21, 2019

- Motion to recommend approval of the 30th amendment to the Unified Development Code (keeping of fowl on residential lots) failed 4-3-0 as a majority vote of all Commissioners is required for a motion to pass. The 30th amendment proceeds to the City Council with no recommendation from the Commission

Upcoming Meetings – June & July

June 4, 2019 Planning and Zoning Commission

- Lofts at Foxridge Amended Site Plan
- Annual Review of the Unified Development Code

June 10, 2019 City Council

- 1st reading - Good Ranch utility easement vacation (public hearing)

June 18, 2019 Planning and Zoning Commission

- Conway Place rezoning and Preliminary Development Plan (public hearing)
- Conway Place PUD Final Plat
- Edgewater at Creekmoor 7th Final Plat

June 24, 2019 City Council

- 1st reading - UDC 30th amendment backyard fowl - (public hearing)
- 1st reading - Chapter 205: Animal Control Code amendment - backyard fowl - (public hearing)
- 1st reading - Conway Place rezoning (public hearing)
- Resolution - Conway Place preliminary development plan (public hearing)
- 1st reading - Conway Place PUD Final Plat
- 1st reading - Edgewater at Creekmoor 7th Final Plat
- 2nd reading - Good Ranch utility easement vacation

July 2, 2019 Planning and Zoning Commission

- HyVee Conditional Use Permit - gas station (public hearing)
- UDC 31st Amendment - medical marijuana facilities (public hearing)

July 8, 2019 City Council

- 1st reading - HyVee Conditional Use Permit - gas station (public hearing)
- 1st reading - UDC 31st amendment - medical marijuana facilities (public hearing)

July 16, 2019 Planning and Zoning Commission

- No applications currently filed

July 22, 2019 City Council

- 2nd reading - HyVee Conditional Use Permit - gas station
- 2nd reading - UDC 31st amendment - medical marijuana facilities

Department Activities

- Director Jim Cadoret and Associate Planner David Gress met with the Communities for All Ages Task Force members to discuss progress made since the Master Plan was adopted in 2017 and to discuss future projects that are planned.
- Building Official Jon Woerner worked with representatives of the South Metropolitan Fire Protection District to commence inspections of buildings and tenant spaces within the Willowind Shopping Center. City Code authorizes inspections to occur every five years to determine compliance with building and fire safety codes.
- Associate Planner David Gress participated in the Mid-America Regional Council Solid Waste Management District Board meeting.
- Building Official Jon Woerner completed the HVAC Compliance Training course.
- Director Jim Cadoret attended policy training on Fair Housing Accessibility laws.
- Raymore hosted a meeting sponsored by the U.S. Census Bureau of Cass County communities regarding preparation work necessary for the upcoming 2020 Census.
- The U.S. Census Bureau released a new population estimate for the City of Raymore of 21,784. This is a 3% increase in population in the last year.
- Director Jim Cadoret and Associate Planner David Gress, along with Task Force members Vince and Annette Como, participated in the Communities for All Ages site visit to Hobby Hill Park in Gladstone. The new city park is a great example of an intergenerational park with amenities that accommodate visitors of all ages.

GIS Activities

- Troubleshooting of custom geoprocessing tasks after enforcement of TLS 1.2
- Optimization of disk space and removal/update of outdated server components
- Pre-implementation checklist for management of enterprise data by new desktop and mobile clients. Update of sewer data (points, lines & database topology) to specification.
- Distribution of (LiDAR) data specification & exercise using ReCAP workflow to convert LAS files to RCS or RCP for creation of Civil3D site surfaces
- Review of changes to statistical geography ahead of next US Census proposed by Marc as part of the 2020 State Redistricting Program.
- Preparation of data for submission for US Census New Construction Program
- Analysis/data/map/reporting delivered as requested for asset replacement & new contract bidding

- Site map updates supporting recreation programming & events
- Registration of ArcGIS Server items in Portal, a component of Enterprise providing users an environment to create/share maps, scenes, apps, and geospatial information internally
- AGO API script to report consumption regularly for evaluation of hosted services