

RAYMORE PLANNING AND ZONING COMMISSION AGENDA

Tuesday, July 7, 2020 - 7:00 p.m.

City Hall Council Chambers
100 Municipal Circle
Raymore, Missouri 64083

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Personal Appearances - None
5. Consent Agenda
 - a. Approval of Minutes from June 16, 2020 meeting
6. Unfinished Business - None
7. New Business
 - a. UDC Annual Review
8. City Council Report
9. Staff Report
10. Public Comment
11. Commission Member Comment
12. Adjournment

Any person requiring special accommodation (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 16, 2020**, IN THE HARRELSON ROOM OF CENTERVIEW, 227 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, JIM PETERMANN, MARIO URQUILLA, ERIC BOWIE, MATTHEW WIGGINS, CALVIN AKCLIN, JEREMY MANSUR AND MAYOR KRIS TURNBOW. ALSO PRESENT WERE DEVELOPMENT SERVICES DIRECTOR JIM CADORET, CITY PLANNER KATIE JARDIEU, AND CITY ATTORNEY JONATHAN ZERR.

1. **Call to Order** – Chairman Faulkner called the meeting to order at 7:01 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 February 18, 2020 meeting.**
 - b. **Case #20006 - Brookside 10th Replat of Tracts X & Y**
 - c. **Case #20007 - Eastside at Creekmoor 1st Plat - Final Plat**

Motion by Commissioner Urquilla, Seconded by Commissioner Acklin, to approve the consent agenda.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

6. **Unfinished Business - None**
7. **New Business -**
 - a. **Case #20003 - Foxwood Springs Tract Rezoning (public hearing)**

Will Nulton, representing Husch Blackwell for American Retirement Corporation, presented the request to the Commission, highlighting the 4 acre tract and its relation to the overall Foxwood Springs development.

City Planner Katie Jardieu provided the staff report.

Ms. Jardieu stated the request is to reclassify the zoning of 4 acres located to the north from the current "A" Agricultural District zoning to "PUD" Planned Unit Development zoning so that the property is in line with the overall development of Foxwood Springs. She stated the area is surrounded by residential property on the west.

Ms. Jardieu stated the remaining property would remain zoned "A" and is not part of the rezoning.

Ms. Jardieu entered into the record the notices mailed to adjoining property owners; the notice of publication in The Journal; the Unified Development Code; the application submitted; the Growth Management Plan; the staff report; the proposed development plan; and the comments submitted by residents.

Chairman Faulkner opened the public hearing at 7:11 p.m.

Cathy Davis, 507 Winslow, expressed her knowledge of the history of the property and dealing with the Disciples of Christ church. She felt the area should be made available as a park which is what the church originally desired. Ms. Davis also expressed concern that if Foxwood Springs development was sold, as previously understood, then the "A" property would likely be further developed and not remain "A".

Robert Schmidt, 505 Winslow, expressed his concern for the request. He wanted to know what could be done with "PUD" zoning as well as what would happen with the current buffer that is in place behind the houses on Winslow.

Ronald Grant, 503 Winslow, shared his concern for the buffer removal as well. He also reiterated his comments about the surveyor's confusion as to who had hired him and what project he was working on. The surveyor had confusion and Mr. Grant then wanted to know if a road was proposed to go in behind the houses.

Chairman Faulkner closed the public hearing at 7:25 p.m.

Ms. Jardieu addressed Mr. Grant's comments concerning the surveyor, stating that the surveyor was hired by the city for the sewer project as well as hired by the applicant and this was stated at the Good Neighbor meeting earlier in the year. Ms. Jardieu also addressed the concern about what could be done on the 4 acres that is being rezoned, stating that the applicant would need to bring a plan to the Commission. In terms of a road being built, the property ends at a residential lot and therefore a road is not feasible in this location behind the single family housing at Harold Estates. If the other acreage that is not being rezoned would be developed, it would need to come back before Planning Commission to be rezoned and another Good Neighbor meeting and Public Hearing

Chairman Faulkner asked about the lot in yellow to the west of Foxwood Springs, and if this lot had any action being taken in regards to Kentucky Road.

Commissioner Urquilla stated that he didn't feel any action could be taken into consideration since that is not a part of this rezoning request.

Commissioner Wiggins added that Foxwood Springs is not allowing the City to connect to their roads and they intend for their roads to remain private without connection.

Mr. Nulton then addressed the question about future development and stated that nothing was changing and this was an effort to bring the maintenance shed into the rest of the development and clean up the lot line.

Chairman Faulkner then asked that Mr. Nulton's name be spelled consistently and correctly throughout the staff report.

Mayor Turnnbow asked if there was any intention for future improvements on the property and what the purpose of the rezoning was.

Mr. Nulton answered stating that while there are no intentions for improvements, there was initially an interest in selling the property and the buyer needed it to be zoned together.

Mayor Turnbow then followed up saying that the property is not going to change uses.

Commissioner Bowie stated the change in zoning does enhance the value of the property.

Commissioner Wiggins went over the process for making any changes or improvements which involves the applicant coming back to the Planning Commission and City Council.

Commissioner Urquilla asked if the 4 acres could be sold with the rest of the PUD and if it could be separated out from everything. He also asked what the purpose of retaining the rest of the agriculturally zoned property.

Ms. Jardieu stated that the property needs to be rezoned and could not be separated because it would not meet the City's standards for "A" zoning.

Mr. Nulton then stated he did not know what the company he represented wanted to do with the rest of the agriculture land.

Motion by Commissioner Urquilla, Seconded by Mayor Turnbow, to accept the staff proposed findings of fact and forward Case #20003: Foxwood Springs Tract Rezoning to the City Council with a recommendation of approval.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Nay
Commissioner Petermann	Aye
Commissioner Urquilla	Nay
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 8-1-0.

Commissioner Fizer commented she voted against the motion as she has concerns with more of the development being rezoned last.

b. Case #20005 - Original Town Block 8 Alley Vacation

Development Services Director Jim Cadoret presented the staff report. He indicated Block 8 is the location of T.B. Hanna Station Park.

Mr. Cadoret stated the request was to vacate an alley so that there was no legal right for others to drive through it. The utility easement would remain in place. The site plan for T.B. Hanna did anticipate this vacation.

Mr. Cadoret stated staff submitted proposed findings of fact on the alley vacation and recommends the Commission accept the proposed findings and forward Case #20005: Sunset Plaza Final Plat to the City Council with a recommendation of approval.

Commissioner Urquilla asked how we got this far into the process without the vacation.

Mr. Cadoret stated it wasn't a necessity as it was not likely that someone would actually drive over the alley, but would help clean it up.

Chairman Faulkner opened the public hearing at 7:49 p.m.

No public comments.

Chairman Faulkner closed the public hearing at 7:50 p.m.

Motion by Commissioner Wiggins, Seconded by Commissioner Bowie, to accept the staff proposed findings of fact and forward Case #20005: Original Town Block 8 Alley Vacation to the City Council with a recommendation of approval.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

c. Case #20001: Growth management Plan Annual Review and Update

Ms. Jardieu highlighted the changes made within the Land Use map.

Chairman Faulkner opened the public hearing at 7:54 p.m.

No public comments.

Chairman Faulkner closed the public hearing at 7:55 p.m.

Chairman Faulkner asked about a specific portion of the Land Use map at Sunset and 58 highway that should be changed as well.

Ms. Jardieu stated she would take a look further.

Commissioner Bowie asked about the traffic study that was mentioned and if the Planning Commission would get a presentation.

Ms. Jardieu stated staff has not gotten the final study but would make a presentation when finalized.

Mayor Turnbow then brought the Planning Sustainable Places grant initiative to the attention of Commissioners and asked Mr. Cadoret to go over the grant.

Mr. Cadoret differentiated between the two studies and that the City wanted to create a base study for Dean Avenue and 58 Highway and then as developers come in they can supplement the study.

Similarly the City, with Grandview and Belton, are participating in a grant study application for a study of alternative methods and connecting the communities along the I-49 corridor.

Motion by Commissioner Urquilla, Seconded by Commissioner Mansur, to accept the staff recommended changes and approve the updates to the Growth Management Plan.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

8. City Council Report

City Attorney Jonathan Zerr provided a review of the following Council meetings:

February 24 - Sunset Plaza public hearing

March 11 - 2nd Reading of Sunset Plaza which was approved

March 23 - Council allowed the Mayor to issue a state of emergency regarding COVID-19

April 13 - no Planning Commission items were presented

April 27 - Council extended the Mayor's State of Emergency

May 11 - GeoBond discussion

June 8 - no Planning Commission items were presented

9. Staff Report

Ms. Jardieu provided an update that the Board of Appeals met this evening at 6:00 p.m. and denied a variance request for a privacy fence at the lot line by a 3-2 vote.

10. Public Comment

No public comment

11. Commission Member Comment

Commissioner Wiggins was glad to see everyone and thanked staff for the help with some public safety items and would like to note that he will remember what was stated tonight regarding the rezoning for the future to help ease Commissioner Fizers concerns

Commissioner Bowie thanked staff for the updates

Commissioner Fizer appreciated Commissioner Wiggins comments.

Commissioner Acklin thanked everyone for the information and for the management plan. He also appreciates the parks in the City.

Commissioner Urquilla appreciated seeing everyone and all the City is doing. Happy Father's Day to all dads as well.

Commissioner Mansur thanked everyone for the appointment through at least the end of October

Mayor Turnbow highlighted the GO Bond issue for the ballot and how the City will be getting information disseminated and what the money would go towards if passed. He also stated meetings would be transitioning back to City Hall in July.

Chairman Faulkner thanked staff for setting everything up in Centerview to keep the meetings going. He also thanked the Commissioners. Lastly he discussed an article from the Kansas City Star in the June 3rd edition regarding residents raising chickens in urban areas.

12. Adjournment

Motion by Commissioner Wiggins, Seconded by Commissioner Acklin, to adjourn the June 16, 2020 Planning and Zoning Commission meeting.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Bowie	Aye
Commissioner Acklin	Aye
Commissioner Fizer	Aye
Commissioner Petermann	Aye
Commissioner Urquilla	Aye
Commissioner Mansur	Aye
Mayor Turnbow	Aye

Motion passed 9-0-0.

The June 16, 2020 meeting adjourned at 8:29 p.m.

Respectfully submitted,

Katie Jardieu



Unified Development Code Annual Review

July 2020

Report Prepared By:

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-one proposed amendments to the UDC, the most recent amendment approved on July 22, 2019.

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-one 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 2020 annual review is the ninth 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.

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, 2020

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

Note: Title of Director changed on November 1, 2018 to Development Services Director.

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

Note: Name of Department changed on November 1, 2018 to Development Services Department.

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, constitutes neglect of duty.~~

A Commissioner shall be deemed to be neglecting their duty if they fail to attend three (3) consecutive regular scheduled meetings of the Commission or more than twenty-five percent (25%) of the Commission’s regular scheduled meetings during any twelve (12) month period without being excused. The Commission may make a recommendation to the Mayor requesting the removal and replacement of a Commission member that is negligent in their duties for their remaining unexpired term as indicated in Article III. The Mayor may, with consent of the City Council, remove a member from the Commission for misconduct or neglect of duty.

Note: Staff is recommending the code change to be consistent with the amendment to the Rules of Procedure adopted by the Commission on February 18, 2020.

- 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 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.

Note: 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.

- 5. 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 latest edition of the Kansas City Metropolitan APWA specifications.

	Major Arterial	Minor Arterial	Major Collector	Minor Collector	Local	Cul-de-sac	Alley	Pedestrian Way
Minimum right-of-way width (feet)	100	80	80	60	50	Per Design Manual ²		
Maximum grade[*] (%)	6	6	6	8	10	15 (10 for turnaround only)	10	15
Minimum curve radius (feet)	500	250	250	200	150			
Minimum tangents between reverse curves (road centerline dimension, in feet)	100	100	100	100				

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

² See 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 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.~~

Note: Propose to delete requirements from UDC and simply reference the requirements as they are listed in the City Specification and Design Manual.

6. Section 440.030B1 is amended as follows:

Section 440.030 Fences

B. Agricultural and Rural Estate Districts

1. In agricultural and rural estate districts the following standards apply:

Type	Maximum Height	Permitted Location
Privacy fences, walls or hedges	6 feet	on any portion of the lot, provided a minimum setback of 50 feet from all street right-of-way lines is maintained
Chain link fences	6 feet	on any portion of the lot
Decorative fences	6 feet	on any portion of the lot
Barbed wire	n/a	on any portion of the lot
Electric fences (above ground)	n/a	on any portion of the lot

Note: Establishes the same fence requirements for lots zoned Rural Estate as currently exist in the UDC for Agricultural zoned lots, rather than requiring the RE zoned properties to comply with the fence requirements applicable to small subdivision lots.

7. Section 470.130F is amended as follows:

Section 470.130 Final Plat

F. Recording of the Final Plat

2. ~~Within 15 days of recordation of the final plat, t~~The subdivider must submit **one copy** ~~a minimum of three copies of the recorded~~ final plat, of which two will be paper prints and one will be opaque linen or mylar prints, to the Community Development **Services** Director, along with a recorded copy of the development agreement, declaration of covenants and restrictions and articles of incorporation establishing a property owners association if required

by this Code. No building permit shall be issued until the required copies **copy** of the recorded final plat and development agreement are submitted to the **Community Development Services** Director.

Note: Code already requires final plat to be recorded within 1 year of the date the plat was approved. No need to require a copy of the recorded plat to be submitted within 15 days. Only need to have a copy of the recorded plat prior to the issuance of the 1st building permit in the subdivision phase.

8. Section 435.070F2 is amended as follows:

Section 435.070 Temporary Event Signs

F. Duration

2. Real Estate/**Tenant Space** Sale or Lease. Initiation upon the actual availability of the parcel **or tenant space** for sale or lease, and termination upon ~~execution and acceptance of a final contract for transfer of ownership of~~ the real estate transaction **or occupancy of the new tenant.**

Note: Want to clarify that this section of code applies to individual tenant spaces.

9. Section 420.050B4 is amended as follows:

Section 420.050 Accessory Uses and Structures

B. Outdoor Swimming Pools, Spas and Hot Tubs

4. A swimming pool, spa or hot tub ~~may be located anywhere on a premise~~ **must be located at least 5 (five) feet from the property line, and may not be located** ~~except~~ in the required front yard or within any easement, provided that the pump and filter installations are located no closer than five feet to any property line.

Note: This clarifies and aligns with section 410.030B1 table that states "swimming pools and bathhouses, setback at least 5 feet from side or rear property line".

10. Section 435.060G1a is amended as follows:

Section 435.060 Additional Standards for Specific Sign Types

G. Incidental Signs

2. An incidental sign that is used for ordering products, such as a drive-thru menu board, shall not exceed 16 square feet in area or eight feet in height **comply with Section 435.060G.**

11. Section 435.060I should be added as follows:

I. Drive Thru Menu Boards

1. Location of the sign shall be included with development or site plans.
2. Sign cannot be located between the building and the right-of-way line of any arterial road.
3. Restaurants providing drive-thru but not curbside service may have no more than 2 (two) menu boards per drive-thru lane, not to exceed eight feet in height and 42 square feet in total size per menu board.
4. Restaurants providing curbside service may have no more than one menu board per bay not to exceed six square feet per sign face for each menu board.
5. Electronic menu boards are limited to changing 3 times per day maximum.

Note: Currently, menu board signs are mentioned under "Incidental Signs" with a maximum size of 16 square feet and a maximum height of 8 feet. Various establishments in town, including the most recent Culver's, have larger signs that are up to 42 square feet. Additionally it is becoming more common for drive thru restaurants to have a "pre sale" board in addition to the menu board. City staff feels the UDC should reflect what is currently in the community and perhaps have Menu Boards as a separate item within the sign code section of code. Furthermore, many drive through restaurants have begun moving to electronic displays. This allows for an easier menu change as well as visibility.

12. Section 430.110A is amended as follows:

Section 430.110 Trash and Recycling Receptacle Screening

- A. All outdoor trash receptacles, recycling receptacles, garbage areas, grease traps and trash compactors for nonresidential uses must be permanently screened from view as follows:
1. all screens must match the primary color and material of the structure served; if EIFS or wood is the primary material utilized on a building, the bottom 3 feet of the enclosure shall be constructed of brick, stone or other similar material.
 2. doors accessing storage areas must be steel or vinyl and remain closed at all times when not being accessed. ~~and~~
 3. chain link and slat screening is only allowed in industrial zones.
 4. The Planning and Zoning Commission may, as part of a site plan approval, allow landscaping to be substituted for masonry material.
- B. No receptacle may be located in a required front or side yard. If the site plan does not afford any other option the Planning and Zoning Commission may, as part of site plan approval, allow a receptacle in the front yard or side yard area.
- C. Temporary trash receptacles, or recycling receptacles for public use, are not required to comply with this section and shall comply with the requirements of Section 420.060I.
- D. All waste disposal, recycling receptacles, grease traps, trash compactors, etc. shall be maintained in safe, structurally sound conditions, and present a uniform appearance so as not to constitute a hazard, blight or condition of disrepair. This includes missing slats, missing gates, broken, damaged, peeling or cracking paint, rust, graffiti, or removed material.
- E. Should commercial areas determine the need for shared disposal among adjoining lots to improve operational efficiency and convenience, the following is required:
1. the enclosure must meet waste storage and disposal requirements of each participant.

2. a permanent access and use easement to ensure ongoing joint availability and establish responsibility of maintenance of the area shall be recorded with the plat and thus County.

Note: to establish local requirements regarding the design and construction of trash receptacle and other waste enclosures particularly for ongoing maintenance..

13. Section 420.010A4 is amended as follows:

A. Single-Family Attached and Multiple-Family Buildings

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 façade.
- c. Any portion of the building that is within 100 feet of a less intense zoning district, may not exceed 125% of the maximum height permitted in the less-intense zoning district.
- d. Four-sided design, including entryways, windows and consistent materials along with architectural details shall be utilized on all elevations to add diversity and visual character to the building(s).
- e. Front entrance features shall include pedestrian-scale design elements. This includes: side lights or transom windows, architectural ornamentation or single-story roofs or canopies that are then integral to the overall architectural design of the building.
- f. Variety in exterior materials is encouraged. Composition of entirely one material is prohibited. A brick, stone or similar material base is required up to at least three (3) feet of the front building facade.
- g. Prohibited building materials include:
 - (a) plywood sheet siding
 - (b) painted CMU
 - (c) corrugated metal
 - (d) painted metal
 - (e) wood shake roofing material
 - (f) plastic awning material
- h. Roof Mounted Equipment, including ventilators and satellite dishes, shall be completely screened from view using parapet walls at the same height

as the equipment. Screening shall be of the same materials and design as the larger building to maintain a unified appearance.

Note: to establish architectural design elements into multi family housing so as to avoid large blank facades, as well as work to distinguish multi-family housing from commercial property while maintaining design elements of residential character.

14. Section 440.010C1 is amended as follows:

C. Building Materials

1. Masonry Construction

A minimum of 50 percent of front and side façades shall consist of materials described by this sub-section.

- a. Masonry construction shall include all masonry construction which is composed of solid, cavity, faced or veneered-wall construction, or similar materials approved by the Planning and Zoning Commission.
- b. Stone materials used for masonry construction may consist of granite, sandstone, slate, limestone, marble or other hard and durable all-weather stone. Ashlar, cut stone and dimensioned stone construction techniques are acceptable.
- c. Brick material used for masonry construction shall be composed of hard-fired (kiln-fired), all weather common brick or other all-weather common brick or all-weather-facing brick.
- d. Concrete finish or precast concrete panel (tilt wall) construction shall be exposed or aggregate, hammered, sandblasted or other finish as approved by the Planning and Zoning Commission.
- e. Stucco or approved gypsum concrete/plaster materials are also permitted.
- f. if EIFS or wood is the primary material utilized on a building, the bottom 3 feet of the building shall be constructed of brick, stone or other similar material.

15. Section 485.010 is amended as follows:

Section 485.010 General Definitions

For the purpose of the Unified Development Code, certain terms or words used herein are defined as follows, unless the context clearly indicates otherwise.

Term	Definition
EIFS	Exterior Insulation and Finish Systems is a non load-bearing, exterior wall system. For the purposes of this Code, EIFS shall be considered a masonry material.

Topics for Discussion

Staff has identified the following topics for discussion:

a. Park Land Dedication Requirement

The UDC requires park land to be dedicated to the City as part of new residential subdivision developments at a ratio of 20 acres per 1,000 people. This standard was first adopted by the City in 2004. Several developers have indicated that this ratio is much higher than other communities. Staff desires to complete further research on the topic to allow for informed discussion at a future date.

MONTHLY REPORT JUNE 2020

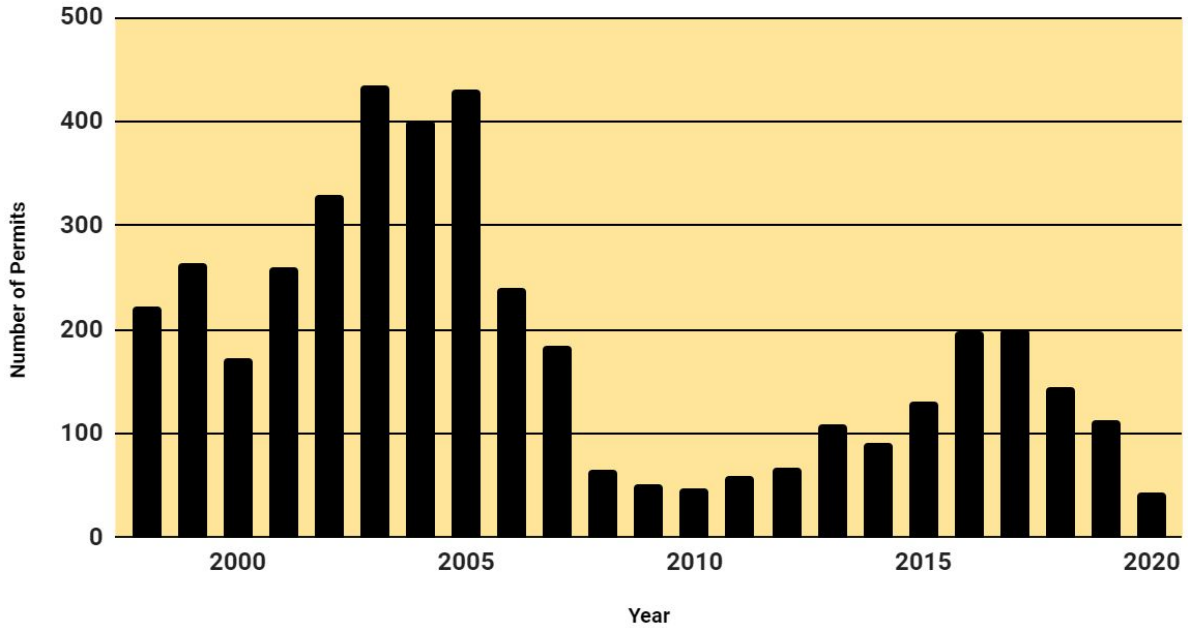
Building Permit Activity

Type of Permit	June 2020	2020 YTD	2019 YTD	2019 Total
Detached Single-Family Residential	7	44	61	113
Attached Single-Family Residential	2	14	0	26
Multi-Family Residential	0	0	0	0
Miscellaneous Residential (deck; roof)	243	589	345	720
Commercial - New, Additions, Alterations	0	10	11	18
Sign Permits	3	16	27	54
Inspections	June 2020	2020 YTD	2019 YTD	2019 Total
Total # of Inspections		1,686	1,824	3,858
Valuation	June 2020	2020 YTD	2019 YTD	2019 Total
Total Residential Permit Valuation	\$2,064,100	\$13,575,000	\$14,714,200	\$34,498,600
Total Commercial Permit Valuation	\$0.00	\$8,264,300	\$1,774,300	\$1,822,300

Additional Building Activity:

- Erection of the steel building frame continues on the Compass Health office building. Concrete floors are being poured.
- Foundation work and underslab utilities on the clubhouse and the first of twelve apartment buildings has commenced.
- Construction permits for the installation of the extension of Dean Avenue and for sanitary sewer main extension to serve the proposed Van Trust Industrial development at the southwest corner of Dean Avenue and North Cass Parkway have been issued
- Schlotzsky's Deli has opened.
- Site work continues at T.B. Hanna Station.

Single Family Building Permits



Code Enforcement Activity

Code Activity	June 2020	2020 YTD	2019 YTD	2019 Total
Code Enforcement Cases Opened	70	314	245	642
<i>Notices Mailed</i>				
- Tall Grass/Weeds	20	66	62	135
- Inoperable Vehicles	16	83	32	138
- Junk/Trash/Debris in Yard	16	47	58	146
- Object placed in right-of-way	0	3	2	14
- Parking of vehicles in front yard	1	10	6	13
- Exterior home maintenance	8	30	9	41
- Other (trash at curb early; signs; etc)	0	4	2	2
Properties mowed by City Contractor	17	36	22	71
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	0	6	10
Signs in right-of-way removed	47	245	126	370
Violations abated by Code Officer	9	81	42	126

Development Activity

Current Projects

- Rezoning, 4 acres located north of Foxwood Springs, from Agricultural to Planned Unit Development District (no development plan; rezoning to for consistency of maintenance building area zoning with the remainder of Foxwood Springs)
- Alley vacation, T.B. Hanna Station
- Eastbrooke at Creekmoor First Final Plat
- Brookside Tenth Replat of Tract X and Tract Y
- Park Side Subdivision, 160 acres south of 163rd Street, west of North Madison, rezoning from Agricultural to Planned Unit Development
- Oak Ridge Farms Subdivision, 23 acres north of Rambleswood, south of Heritage Hills at the extension of Pine Street, rezoning from R-1 (Single-Family Residential) to Planned Unit Development

	As of June 30, 2020	As of June 30, 2019	As of June 30, 2018
Homes currently under construction		132	221
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)		363	419
Total number of dwelling units in City		8,603	8,385

Actions of Boards, Commission, and City Council

City Council

June 8, 2020

- Approved on 1st reading the vacation of a portion of a utility easement at 1211 Dunvegan Lane
- Approved on 1st reading a development agreement with Compass Health on the extension of Sunset Lane to serve the new office building

June 22, 2020

- Approved on 2nd reading a vacation of a portion of a utility easement at 1211 Dunvegan Lane
- Approved on 2nd reading a development agreement with Compass Health on the construction of Sunset Lane
- Approved on 1st reading the rezoning of 4 acres located north of Foxwood Springs, from Agricultural to Planned Unit Development District
- Approved on 1st reading the vacation of an unimproved 14-foot alley located in T.B.Hanna Station Park
- Approved on 1st reading the Eastbrooke at Creekmoor First Final Plat
- Approved on 1st reading the Replat of Tract X and Tract Y in Brookside Tenth

- Mayor Turnbow elected to serve as a member of the Planning and Zoning Commission
- City Council elected to not have a Council representative on the Planning and Zoning Commission

Planning and Zoning Commission

June 2, 2020

- Meeting Cancelled

June 16, 2020

- Recommended approval of the Eastbrooke at Creekmoor 1st Final Plat
- Recommended approval of the Replat of Tract X and Tract Y in Brookside Tenth
- Recommended approval of the rezoning of 4 acres located north of Foxwood Springs, from Agricultural to Planned Unit Development District
- Recommended approved on 1st reading the vacation of an unimproved 14-foot alley located in T.B.Hanna Station Park
- Accepted the changes proposed to the City Growth Management Plan

Board of Adjustment

June 16, 2020

- Denied a variance application to erect a privacy fence in the front yard area of a corner lot at 712 Meadow Lane

Upcoming Meetings – July & August

July 7, 2020 Planning and Zoning Commission

- Annual review of the Unified Development Code

July 13, 2020 City Council

- 2nd reading - Rezoning of 4 acres located north of Foxwood Springs from Agricultural to Planned Unit Development District
- 2nd reading - Vacation of the alley right-of-way in Block 8 of the Original Town Plat (T.B. Hanna Station Park)
- 2nd reading - Eastbrooke at Creekmoor First Final Plat
- 2nd reading - Brookside Tenth Replat of Tract X and Tract Y

July 21, 2020 Planning and Zoning Commission

- No development applications currently scheduled

July 27, 2020 City Council

- No development applications scheduled

August 4, 2020 Planning and Zoning Commission

- Oak Ridge Farms Subdivision, rezoning R-1 to PUD (public hearing)

August 10, 2020 City Council

- No development applications scheduled

August 18, 2020 Planning and Zoning Commission

- Park Side Subdivision, rezoning A to PUD (public hearing)

August 24, 2020 City Council

- 1st reading, Oak Ridge Farms Subdivision, rezoning R-1 to PUD (public hearing)

Department Activities

- City Planner Katie Jardieu attended the Community for All Ages virtual conference planning meeting as well as the Planning Sustainable Places grant meeting in conjunction with Grandview and Belton.
- Code Enforcement Officer Drayton Vogel has been busy assisting residents with grass/weed issues, as well as inoperable vehicles and other code infractions.
- Director Jim Cadoret presented to the City of Harrisonville City Management Team on the benefits of participating in the [Community for All Ages](#) program. Raymore is a Gold Level recognition community.
- Staff, in collaboration with Belton and Grandview city staff, submitted an application for a Planning Sustainable Places grant to support a [transportation study](#) along the I-49 corridor from Main Street in Grandview, MO south to North Cass Parkway in Raymore and Belton.
- The contractor for [The Lofts at Foxridge](#) apartment community in the Eagle Glen Subdivision secured building permits for the last 8 buildings in the development. There will be 12 apartment buildings, 6 garage buildings and a clubhouse and pool. The luxury apartment community will consist of 396 apartments when completed.
- Building Official Jon Woerner inspected the firework tents to ensure compliance with City codes prior to opening for sales on June 28.

GIS Activities

- Database administration & development - orphan removal in lock tables & indexing
- Server & web development - active directory for powershell
- Transformation of submittals to geospatial feature data
- Midyear/biennial updates & QA/QC of feature datasets

- Developed resources as requested for specific business operation
- Responded to requests for information from external agencies, public & professional services
- Prepared task guidance for others - enterprise & AGO
- Exercise - introduction of Arcade expressions & interpolation of point surfaces
- Republishing of base mapping services to deliver imagery prior to 2012 for use with enterprise mashup functionality
- Adapted geoprocessing models to assist with biennial updates & quality assurance;