

### RAYMORE PLANNING AND ZONING COMMISSION AGENDA

Tuesday, June 5, 2018 - 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. Acceptance of Minutes from May 15, 2018 meeting
  - b. Case #18003 Westbrook at Creekmoor Fourteenth Plat
- 6. Old Business None
- 7. New Business
  - a. Annual Review of the Unified Development Code
- 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 Community Development 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;
  - 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, MAY 15, 2018,** IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, DON MEUSCHKE, MATTHEW WIGGINS, ERIC BOWIE, MELODIE ARMSTRONG, CHARLES CRAIN, AND MAYOR KRIS TURNBOW. ABSENT WAS MARIO URQUILLA. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, ASSOCIATE PLANNER DAVID GRESS, ASSISTANT PUBLIC WORKS DIRECTOR GREG ROKUS 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

Commissioner Faulkner noted for the record that he would be abstaining in the vote as he is an adjacent property owner to the property involved in Case #18009. He also indicated there is a correction needed to the April 17, 2018 meeting minutes as identified on the correction sheet placed at the dias for Commission members.

- a. Acceptance of minutes of April 17, 2018 meeting
- b. Case # 18006 Sunrise Commons Minor Plat
- c. Case #18009 Second Replat of Kirby Estates

Motion by Commissioner Meuschke, Seconded by Commissioner Crain to accept the consent agenda as corrected and submitted.

### **Vote on Motion:**

Chairman Faulkner Abstain Commissioner Wiggins Ave Commissioner Armstrong Abstain Commissioner Bowie Abstain Commissioner Crain Aye Commissioner Fizer Aye Commissioner Meuschke Aye Commissioner Urquilla Absent Mayor Turnbow Aye

Motion passed 5-0-3.

- 6. Old Business None
- 7. New Business -
  - A. Case #18007 Brightside Daycare Site Plan, 845 E. Walnut Street

Lelsie Pierce, owner of Brightside Daycare, presented the request for site plan approval. Ms. Pierce indicated there is a waiting list for the current facility. She purchased the property adjacent to her current facility to allow for an expansion. Proposing a third building of approximately 5,500 square feet.

Associate Planner David Gress presented the staff report. He indicated the property would contain the daycare facility as phase one with a second phase that includes auxillary space for a future use. The property is currently zoned "M-1" Light Industrial and is 1.7 acres in size.

Mr. Gress stated that the Engineering Division reviewed the site plan and recommends approval. Mr. Gress commented that the requirements of the UDC have been met. There will be a shared stormwater detention basin with the undeveloped property adjacent to the west.

Mr. Gress stated staff has submitted proposed findings of fact for the Commission to consider and recommends approval of the site plan subject to eleven conditions.

Chairman Faulkner asked about the delineation of Lot 1 for the daycare from Tract A as indicated on the plan.

Mr. Gress clarified that Tract A covers the common area of the site, including parking, landscaping and access area. Lot 1 only identifies the daycare site and makes it possible to sell the lot off separately.

Chairman Faulkner asked about the stormwater detention area that extends onto the adjacent property to the west but this property is not part of the site plan.

Mr. Gress stated the plan identifies the maximum building area for the adjacent property and the drainage area is designed for maximum development of the site.

Chairman Faulkner asked about what control the Commission has regarding the stormwater area being on the adjacent property.

Kevin Sterrett worked with the owner of the adjacent property to create this proposed regional detention. The stormwater pond is located in an existing easement area.

Commissioner Faulkner asked if there would be a written agreement on the future use and maintenance of the stormwater detention area.

Assistant Director of Public Works Greg Rokus stated that shared stormwater detention ponds are common and an agreement will need to be reached on future maintenance. The pond will be developed as part of the Brightside daycare.

Mayor Turnbow asked if an additional condition should be added to require a memorandum of understanding on the detention pond.

Mr. Gress commented that a condition could be added and that a maintenance agreement is a requirement.

Chairman Faulkner asked if the applicant is comfortable in the requirement.

Mr. Sterrett indicated yes.

Motion by Commissioner Crain, Seconded by Commissioner Fizer, to accept the staff proposed findings of fact and approve Case #18007 subject to the 11 conditions recommended by staff and a 12th condition requiring submittal of a joint maintenance agreement for the stormwater detention facility.

Mayor Turnbow clarified that the case number is 18007.

### Vote on Motion:

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

### Motion passed 8-0-0.

### B. Case #18010 - Kirby Estates Rezoning, "A" to "PO" (public hearing)

Chairman Faulkner recused himself from the case as he is an adjacent property owner.

Vice-Chairman Fizer assumed control of the meeting.

Alissa Karnes, representing Compass Health (locally known as Pathways), presented the rezoning request. She provided a general overview of the company and indicated they are requesting rezoning to allow for the future construction of a 55,000 square foot facility.

Mr. Gress presented the staff report. The property is located north of 58 Highway on the east side of Sunset Lane. The property is currently zoned agricultural and the parcel size is 8.23 acres.

Mr. Gress indicated the request requires a public hearing and entered the following items for the record: mailed notices to adjoining property owners; notice of publication in The Journal; the Unified Development Code; the application; the Growth Management Plan; the staff report; and the applicant's conceptual site plan.

Mr. Gress stated the request is to reclassify the zoning of the property to "PO" Professional Office District to allow for a new facility for Compass Health. A good neighbor meeting was held on May 2, with 14 residents attending. Mr. Gress provided a summary of the questions and responses given at the meeting.

Mr. Gress stated staff has presented proposed findings of fact for the Commission to consider and recommends the Commission forward the request to the City Council with a recommendation of approval.

Commissioner Mueschke asked about the extension of Sunset Lane.

Mr. Gress stated that Compass Health would need to extend Sunset Lane to the north property line of the project site.

Commissioner Bowie asked about the zoning history of the site and if there have been any previous rezoning requests on the property.

Community Development Director Jim Cadoret stated the zoning of the property has remained Agricultural since before 1997. The current zoning is used as a "holding" category until future land use could be determined.

Vice-Chairman Fizer opened the public hearing at 7:51 p.m.

No public spoke on the application.

Vice-Chairman Fizer closed the public hearing at 7:51 p.m.

Motion by Commissioner Meuschke, Seconded by Commissioner Wiggins to accept the staff proposed findings of fact and forward Case #18010 rezoning of Kirby Estates from "A" Agricultural District to "PO" Professional Office District to City Council with a recommendation of approval.

### Vote on Motion:

Chairman Faulkner Recused Commissioner Wiggins Ave Commissioner Armstrong Aye Commissioner Bowie Aye Commissioner Crain Aye Commissioner Fizer Aye Commissioner Meuschke Aye Commissioner Urquilla Absent Mayor Turnbow Aye

### Motion passed 7-0-0.

Chairman Faulkner resumed control of the meeting.

### 8. City Council Report

Mr. Zerr gave the City Council report for the May 14 Council meeting.

### 9. Staff Report

Community Development Director Jim Cadoret provided an overview of the upcoming cases to be considered by the Commission.

Mr. Rokos provided an overview of the status of current City infrastructure projects.

### 10. Public Comment

None.

### 11. Commission Member Comment

Commissioner Fizer reminded the Commission members of the upcoming Summer Scene to be held on June 9 at T.B. Hanna Station.

Mayor Turnbow commented that a ribbon cutting will be held on Friday for Fox Ridge Drive connection.

Chairman Faulkner commented that the Commission has an invitation to the 40th anniversary celebration for Foxwood Springs on June 12 from 2-5 p.m. He thanked staff for its work.

### 12. Adjournment

Motion by Commissioner Bowie, Seconded by Mayor Turnbow to adjourn the May 15, 2018 Planning and Zoning Commission meeting.

### **Vote on Motion:**

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

### Motion passed 8-0-0.

The May 15, 2018 meeting adjourned at 8:07 p.m.

Respectfully submitted,

Jim Cadoret



To: Planning and Zoning Commission

From: City Staff

Date: June 5, 2018

Re: Case #18003 - Westbrook at Creekmoor

Fourteenth Plat - Lots 371 thru

405, and Tracts MM, NN, OO, PP, and

QQ

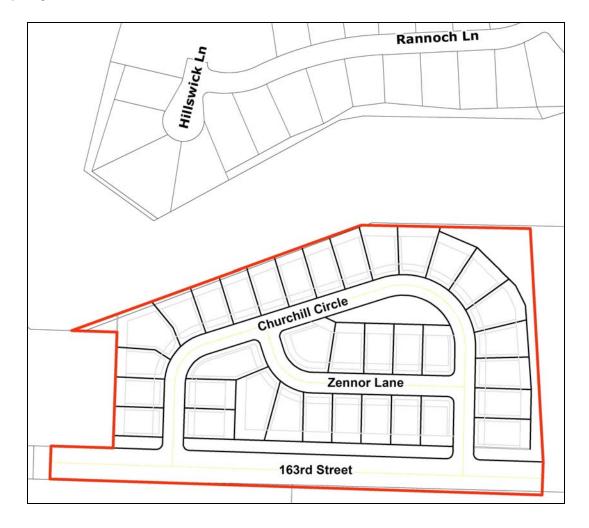
### **GENERAL INFORMATION**

**Applicant/** Cooper Land Development, Inc.

**Property Owner:** 903 N. 47<sup>th</sup> Street

Rogers, AR 72756

**Property Location:** 163rd Street, east of the Creekmoor Clubhouse



### 2016 Aerial Photograph:



**Existing Zoning:** "PUD" Planned Unit Development

**Existing Surrounding Zoning:** North: "PUD" Planned Unit Development

**South:** "A" Agricultural

**East:** "PUD" Planned Unit Development **West:** "PUD" Planned Unit Development

**Existing Surrounding Uses:** North: Golf Course, Single Family Residential

South: Undeveloped East: Undeveloped

West: Creekmoor Clubhouse

**Total Tract Size:** 13.67

**Total Number of Lots:** 35 **Density – units per Acre:** 2.56

**Growth Management Plan:** The Future Land Use Plan Map contained in the Growth Management Plan identifies this area as appropriate for low-density residential development.

**Major Street Plan:** The Major Thoroughfare Plan Map classifies 163rd Street as a Major Collector. Proposed Churchill Circle and Zennor Lane would be classified as local streets.

**Advertisement:** City Ordinance does not require advertisement for Final Plats.

Public Hearing: City Ordinance does not require a public hearing for Final Plats

### PROPOSAL

<u>Outline of Requested Action:</u> The applicant seeks to obtain Final Plat approval for Westbrook at Creekmoor Fourteenth Plat - Lots 371 thru 405, and Tracts MM, NN, OO, PP, and QQ

<u>City Ordinance Requirements</u>: 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 in order to final plat property, specifically, Section 470.130.

### PREVIOUS ACTIONS ON OR NEAR THE PROPERTY

- 1. The Preliminary Plan and Memorandum of Understanding (MOU) for Creekmoor were approved by City Council on January 26, 2004.
- 2. Westbrook at Creekmoor Twelfth Plat was recorded on April 17, 2017.
- 3. The Westbrook at Creekmoor Thirteenth Plat was recorded on December 12, 2017

### ENGINEERING DIVISION COMMENTS

In its attached memorandum the Engineering Division indicated the proposed final plat complies with the design standards of the City of Raymore and recommends approval of the final plat.

### STAFF COMMENTS

 The current and proposed bulk and dimensional standards for the "PUD" Planned Unit Development Residential District zoning classification for the property is provided below:

	Requirements				
Minimum Lot Area					
per lot	8,400 sq.ft.				
per dwelling unit	8,400 sq.ft.				
Minimum Lot Width (ft.)	70; 30 for cul-de-sac lots				
Minimum Lot Depth (ft.)	100				
Yards, Minimum (ft.)					
Front	25				
rear	25				
side corner	20				
side	7.5				
Maximum Building Height (feet)	35				
Maximum Building Coverage (%)	30				

- 2. 163rd Street will be extended from its current terminus to the eastern boundary of the proposed plat.
- 3. A ten-foot (10') wide asphalt trail will be required on the north side of 163rd Street, in Tracts MM, NN, and OO.
- 4. To comply with the lot width standards found in the Memorandum of Understanding, the front-yard setback has been increased from 25' to 30' on Lots 336-338.

### PLANNING COMMISSION PROPOSED FINDINGS OF FACT

Section 470.130 of the Unified Development Code states that the Planning and Zoning Commission will recommend approval and the City Council will approve the final plat if it finds the final plat:

1. is substantially the same as the approved preliminary plat;

The approved preliminary plan indicated that this phase of Westbrook would consist of 14 two-family lots, for a total of 28 dwellings. The proposed final plat shows 35 single family lots. Street alignments and naming are substantially the same.

2. complies with all conditions, restrictions and requirements of this Code and of all other applicable ordinances and design standards of the City; and;

The proposed final plat does comply with all conditions, restrictions and requirements of the Unified Development Code and all other applicable ordinances and design standards for the City.

3. complies with any condition that may have been attached to the approval of the preliminary plat.

The proposed plat complies with the conditions of the Memorandum of Understanding that was attached to the approval of the preliminary plat.

### REVIEW OF INFORMATION AND SCHEDULE

Action Planning Commission City Council 1st City Council 2nd June 5, 2018 June 11, 2018 June 25, 2018

### STAFF RECOMMENDATION

Staff recommends that the Planning and Zoning Commission accept the staff proposed findings of fact and forward Case #18003 Westbrook at Creekmoor Fourteenth Final Plat to the City Council with a recommendation of approval.





### **Memorandum**

**TO:** Planning and Zoning Commission

FROM: Greg Rokos, Assistant Director of Public Works - Engineering

**DATE:** 5/29/2018

**RE:** Final Plat - Westbrook 14th Plat

The Public Works and Engineering Department has reviewed the Final Plat application for Westbrook 14th Plat and determined that the plans and specifications comply with the standards adopted by the City of Raymore.

Staff recommends approval of this application.

## NOTES CONSTITUTING A PART OF THIS PLAT TO BE READ IN CONNECTION WITH THE PLAT AND ALL PROPERTY REFLECTED THEREON

### PLAT DEDICATION:

R LAND DEVELOPMENT, INC. ("DEVELOPER") IS OWNER OF ALL REAL ESTATE REFLECTED UPON THIS PLAT AND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER ON THE PLAT. THE PLAT IS FILED FOR RECORD AND RECORDED SUBJECT TO THE FOLLOWING PROVISIONS, AND THE SUBDIVISION SHALL BE HEREAFTER KNOWN AS:

# "WESTBROOK AT CREEKMOOR - FOURTEENTH PLAT - LOTS 371 THROUGH 405, AND TRACTS MM, NN, OO, PP AND QQ"

## COVENANTS AND RESTRICTIONS:

AT 1:44 OCLOOK P.M. ON SEPTEMBER 8, 2004, THE DEVELOPER, JOINED BY THE CREEKMOOR PROPERTY OWNERS ASSOCIATION, I.B.C. A MISSOURI NOT-FOR-PROFIT CORPORATION (ITEL ASSOCIATION). THE DEVELOPMENT, AND THE RECORDER OF DEEDS IN AND FOR CASS COUNTY, MISSOURI, AD DECLARATION OF COVENANTS AND RESTRICTIONS FOR CASS COUNTY, MISSOURI (PERCENDENCE AND WHICH PROTECTIVE COVENANTS BY A DECLARATION OF COVENANTS BY A DECLARATION AND FORMING A PART OF SAID DOR (PROPERTY COVENANTS). THE RECORDED IN SOUR PROPERTY OF SAID DOR (PROPERTY COVENANTS FOR CREEKMOOR, A PLANINED UNIT DEVELOPMENT. CASS COUNTY, MISSOURI (PROPERTY COVENANTS WAS DEAD BOOK 2083, PAGE 0157 AT FILE NUMBER 38902 IN THE OFFICE OF THE RECORDED ON ADD FOR CASS COUNTY, MISSOURI (PROPERTY COVENANTS WAS DEAD SOURCE).

MISSOURIE: AND WHICH DOER WAS AMENDED BY THE FIRST AMENDMENT TO DECLARATION OF COVENANTS WAS CREEKMOOR PLANINED UNIT DEVELOPMENT.

CITY OF RAYMORE. CASS COUNTY, MISSOURI, DATED AUGUST 19, 2016 AND FILED FOR RECORDE ON AUGUST 24, 2016 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR CASS COUNTY. MISSOURI, AND WHICH PROPERTY OF COVENANTS WAS DESTRICTIVE OF CREEKMOOR. A PART OF THE CORPORATION OF THE RECORDER OF DEEDS IN AND FOR CASS COUNTY. MISSOURI, DATED AUGUST 19, 2016 AND FILED FOR RECORD ON AUGUST 24, 2016 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR CASS COUNTY. MISSOURI, DATED AUGUST 19, 2016 AND FILED FOR RECORD ON AUGUST 24, 2016 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR CASS COUNTY. MISSOURI, DATED AUGUST 19, 2016 AND FILED FOR RECORD ON AUGUST 24, 2016 IN THE OFFICE OF THE RECORDER OF DEEDS IN AND FOR CASS COUNTY MISSOURI PROVIDED AND THE PROVISIONS OF THE DECLARATION AND RESTRICTIONS, EXECUTED BY THE DEVELOPER, MICHOLY HAS THE EFFECT OF BRINGING THE LANDS REFLECTED UPON THE PART WITH THE FILING PROVISIONS OF THE DECLARATION AND RESTRICTIONS, EXECUTED BY THE SUPERIENTAL DECLARATION AND THE REFERENCE MADE AS FORESAID SHALL CONTROL AS TO THIS PLAT EXCEPT ONLY AS TO THE PROVISIONS OF THE DECLARATION AFORESAID SHALL CONTROL AS TO THIS PLAT

## STREET DEDICATION:

NOT HERETOFORE DEDICATED FOR PUBLIC USE AS THOROUGHFARES ARE HEREBY DEDICATED.

## EASEMENT DEDICATION:

AN EASEMENT IS HEREBY GRANTED TO THE CITY OF RAYMORE, MISSOURI, TO CREEKMOOR PROPERTY OWNERS ASSOCIATION, INC., AND TO COOPER LAND DEVELOPMENT, INC. TO LOCATE, CONSTRUCT, OPERATE, AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION, OPERATION AND MAINTENANCE OF POLES, WIRES, ANCHORS, PIPES, CONDUITS, TRANSFORMERS, PEDESTALS, ANDORR STRUCTIVERS FOR WATER, GAS, ELECTROCTY, STORM SEWER, SANITARY SEWER, TELEPHONE, CABLE TELEVISION, SUBFACE DEPAINAGE, OR ANY OTHER NECESSARY PUBLIC UTILITY OR SERVICE, ANY OR ALL OF THEM UPON, OVER, UNDER AND ALVONG THOSE AREAS OUTLINED OR DESIGNATED ON THIS PROPERCY OF THE AUTHORISE OF THE CONTINUED ON THIS PROPERCY OF THE AUTHORISE OF THE CONTINUED ON THIS PROPERCY OF THE AUTHORISE OF THE CONTINUED ON THIS PROPERCY OF THE AUTHORISE OF THE ACCENTANCE OF THE ACCOUNTING TO MAINTENED UTILITIES FROM GOING UPON SAID EASEMENT IN EXERCISING THE RIGHTS GRANTED BY THE ACCENTENT NO EXCANATION OR FILL SHALL BE MADE OR OPERATION OF ANY KIND OR NATURE SHALL BE PERCORMED WHICH WILL REDUCE OR NUCLEARLY OF THE ACCOUNTING OF THE ACCOUNTING OR ANY KIND OR ANY KIND OR ANY LIE DEPOCRATED OR THE ACCOUNTING OR THE ACCURATION OF THE ACCURATE OR ACCOUNTING OF THE ACCURATE OR ACCURATE OR THE ACCURATE OR ACCURATE OR

BUILDING LINES, SETBACK LINES, AND UTILITY AND DRAINAGE EASEMENTS:
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UTILITY AND DRAINAGE EASEMENTS ARE RESERVED BY THE DEVELOPER UPON ALL PROPERTY COVERED BY THE PLAT PURSUANT TO ARTICLE XII OF THE DECLARATION AFORESAID UNLESS SPECIFICALLY DESIGNATED OTHERWISE ON THE PLAT OR IN THE NOTES.

## COMMON PROPERTY:

THE COMMON PROPERTIES RELECTED UPON THIS PLAT ARE FOR THE COMMON USE AND ENLOYMENT OF THE OWNERS OF LOT'S REFLECTED UPON THIS PLAT AS WELL AS THE OWNERS OF ALL PROPERTIES AS 90 DEFINED IN THE DECLARATION AFORESAID AND USE AND ENLOYMENT OF THE OWNERS DE LOCKSIDERED AS DEDICATED FOR THE USE OF THE GENERAL PUBLIC, MAINTENANCE OF SAID COMMON PROPERTIES SHALL BE PROVIDED FOR AS SET FORTH IN THE DECLARATION AFORESAID.

## RESERVED PROPERTIES REFLECTED UPON THIS PLAT ARE NOT A PART OF THIS PLAT OR A PART OF THE AFORESAID DECLARATION AND ARE SPECIFICALLY BY THE DEVELOPER RESERVED THEREFROM. RESERVED PROPERTIES:

ANY UNDEVELOPED LOT WITHIN THE SUBDIVISION PHASE SHALL BE REQUIRED TO CONSTRUCT A SIDEWALK ON THAT LOT 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 3 YEARS FROM THE DATE THE FIRST CERTIFICATE OF OCCUPANCY WAS ISSUED IN THE SUBDIVISION PHASE THAT CONTAINS THE UNDEVELOPED LOT.

## USE RESTRICTION:

ALL LOTS RELECTED ON THIS PLAT ARE ZONED FOR RESIDENTAL USE AND ONLY SINGLE FAMILY DETACHED STRUCTURES MAY BE CONSTRUCTED THEREON PURSUANT TO THE PROVISIONS, RESTRICTIONS, AND PROTECTIVE COVENANTS AS CONTAINED IN THE DECLARATION AFORESAID AND THE SUPPLEMENTAL DECLARATION, NO SINGLE FAMILY DETACHED STRUCTURE SHALL BE CONSTRUCTED WHICH SHALL HAVE A FLOOR SPACE OF LESS THAN THAT PROSCRIBED IN THE SUPPLEMENTAL DECLARATION.

## IOTICE OF NON-APPLICABILITY:

DEVELOPER EXECUTED ON AUGUST 24, 2004, A SUPPLEMENTAL DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24 CREEKMOOR LOTS 1 THRU 25 CREEKMOOR AREA; SAUS SUPPLEMENTAL DECLARATION WAS FILED FOR RECORD BY A SET SECO. AND THEREBY CREEK TO THE WESTBROOK VILLAS AT CREEKMOOR AREA; SAUS SUPPLEMENTAL DECLARATION WIS HEREBY CREEK SUPPLEMENTAL DECLARATION WAS FILED CONTINUED AND THE FILING OF A PAIR OF "WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24" ON SEPTEMBER 2004 NUTHE OFFICE OF THE RECORDER OF DEEDS IN AND FOR CASS COUNTY, MISSOURI IN BOOK 18 AT PAGE 83. IT IS EXPRESSLY NOTED THAT NEITHER THE TERMS NOR CONDITIONS OF THE WESTBROOK VILLAS SUPPLEMENTAL DECLARATION NOR THE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24" ON SEPTEMBER 2 2004 NUTHE OFFICE OF THE RECORDER OF DEEDS IN AND FOR CASS COUNTY, MISSOURI IN BOOK 18 AT PAGE 83. IT IS EXPRESSLY NOTED THAT NEITHER THE TERMS NOR CONDITIONS OF THE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24" ON SEPTEMBER 3 2004 NUTHE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24" ON SEPTEMBER 3 2004 NUTHE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24" ON SEPTEMBER 3 2004 NUTHE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24" ON SEPTEMBER 3 2004 NUTHE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24" ON SEPTEMBER 3 2004 NUTHE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24" ON SEPTEMBER 3 2004 NUTHE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 24" ON SEPTEMBER 3 2004 NUTHE WESTBROOK VILLAS AT CREEKMOOR LOTS 1 THRU 25 APPLY TO THE WESTBROOK AT CREEKMOOR TWELTH PLAT LOTS 334 AND 335, LOTS 341 THROUGH 385. HORDING 385 THROUGH 386. AND TRACTS 66, HH AND II" OR TO THE SUPPLEMENTAL DECLARATION FOR WESTBROOK AT CREEKMOOR LOTS 385 THROUGH 388. AND TRACTS 66, HH AND II" OR TO THE SUPPLEMENTAL DECLARATION CREEKMOOR LOTS 341 AND 335, LOTS 341 THROUGH 385. LOTS 365 THROUGH 386. AND TRACTS 66, HH AND II" OR TO THE SUPPLEMENTAL DECLARATION CREEKMOOR LOTS 341 AND 335, LOTS 341 THR

LOW PRESSURE GRINDER PUMP SEWAGE SYSTEM: THE CREEKMOOR PLANNED UNIT DEVELOPMENT ("DEVELOPMENT") WILL BE SERVED BY A CENTRAL SEWER SYSTEM, THE CENTRAL SEWAGE DISPOSAL SYSTEM IN THE DEVELOPMENT WILL EMPLOY BOTH A GRAVITY FLOW METHOD AND A LOW PRESSURE GRINDER PUMP METHOD OF SEWAGE COLLECTION AND TRANSMISSION.

THE SERVING OF ANY LOT IN THE DEVELOPMENT BY THE LOW PRESSURE GRINDER PUMP SEWAGE SYSTEM REQUIRES INSTALLATION BY THE ASSOCIATION OF A PUMP TANK, INCHAIR PUMP, AND ASSOCIATED PLUMBING AND ELECTRICAL HARDWARE (COLLECTIVELY REFERRED TO AS THE "GRINDER SYSTEM") ON THE APPLICABLE LOT AT THE TIME OF NITIAL RESIDENCE CONSTRUCTION.

IN CONNECTION THEREWITH THE APPLICABLE LOT OWNER ("OWNER") OR BUILDER MUST, AT SUCH OWNERS OR BUILDERS EXPENSE: (AA) PROVIDE A SOURCE OF ELECTRICITY FROM THE RESIDENCE WIRING AND TO THE GRINDER PUMP WIRING: AND (8B) EXTEND THE RESIDENCE WIRING AND THE AND THE ASSOCIATION. THE FEBRUARY OWNECT ELECTRICITY TO THE GRINDER PUMP WIRING: AND (8B) EXTEND THE PUMPING OF THE RESIDENCE OUTSIDE THE MANN WALL OF THE RESIDENCE FOR CONNECTION OF THE PUMP TANK PROVIDED BY THE ASSOCIATION. THE COSTS OF SUCH INITIAL INSTALLATIONS INCURRED BY THE ASSOCIATION SHALL BE BORNE BY ALL CREEKMOOR OWNERS THROUGH GENERAL ASSESSMENTS LEVIED BY THE ASSOCIATION ("BOARD") SHALL, BY RESOLUTION, OTHERWISE ELECT ANOTHER METHOD OR METHODS TO

THE OWNER UPON WHOSE LOT THE GRINDER SYSTEM IS INSTALLED WILL OWN THE GRINDER SYSTEM, ONCE INSTALLED, AND AS INSTALLED SUCH GRINDER SYSTEMS SHALL NOT CONSTITUTE COMMON PROPERTY.

THE ASSOCIATION SHALL THEREAFTER BE RESPONSIBLE, ON BEHALF OF BOTH THE ASSOCIATION AND THE APPLICABLE OWNER, FOR MAINTENANCE OF THE GRINDER SYSTEM ONCE INSTALLED AND SHALL THEREAFTER MAINTAIN, REPAIR AND, IF NECESSARY, REPLACE, UTILIZING IN DOING SO ANY INSTALLATION OR EQUIPMENT WARRANTIES WHICH HAVE BUSH, THE GRINDER SYSTEM, ALL OF WHICH SHALL OCCUR, AT THE EXPENSE OF THE APPLICABLE OWNER, THE ASSOCIATION SHALL PAY, ON AN UNITAL BASIS AND ON BEHALF OF THE APPLICABLE OWNER, ALL COSTS TO THE GRINDER SYSTEM'S MAINTENANCE, REPAIR AND, IF NECESSARY, REPLACEMENT, AND MAY ASSESS ALL SUCH COSTS TO THE OWNER AS A SPECIFIC ASSESSMENT OR UTHE BOARDS DISCRETION AND AS THE BOARD DEEMS APPROPRIATE, OTHERWISE COLLECT SUCH COSTS FROM THE APPLICABLE OWNER BY ANY OTHER METHOD THE BOARD MAY DETERMINE.

PROMPT AND FULL REIMBURSEMENT OF THE ASSOCIATION, PURSUANT TO SUCH ASSESSMENT OR OTHER METHOD OF COLLECTION, OF ALL COSTS OF GRINDER SYSTEM MAINTENANCE, REPAIR AND REPLACEMENT UPON A LOT SHALL BE THE APPLICABLE OWNERS INDIVIDUAL RESPONSIBILITY AND SOLE EXPENSE, SUCH OWNERS FALLURE TO REIMBURSE THE ASSOCIATION, TIMELY AND FULLY, FOR ALL SUCH COSTS INCURRED SHALL FURTHER GIVE THE ASSOCIATION THE RIGHT TO FILE A LIEN OR LIENS UPON THE APPLICABLE LOT OR LOT'S IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION AND/OR TO PURSUE ANY OTHER LEGAL AND EQUITABLE REMEDY AVAILABLE UNDER APPLICABLE LOT OR LOT'S IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE DECLARATION AND/OR TO PURSUE ANY OTHER LEGAL AND EQUITABLE REMEDY AVAILABLE UNDER APPLICABLE LAW.

THE ASSOCIATION AND ITS DESIGNATED AGENTS OR EMPLOYEES SHALL HAVE THE RIGHT TO ENTER UPON ANY LOT OR OTHER PARCEL OF LAND TO PERFORM THOSE ACTS NECESSARY FOR THE INSTALLATION, OPERATION, INSPECTION, REPAIR, MAINTENANCE, AND REPLACEMENT OF THE ONLOT GRINDER SYSTEMS.

NOTE: NONE OF THE LOTS ON THIS PLAT IS TO BE SERVED BY A LOW PRESSURE GRINDER SYSTEM.

### **WESTBROOK FOURT** EENTH **≫** CREEKMOOR-| PLAT

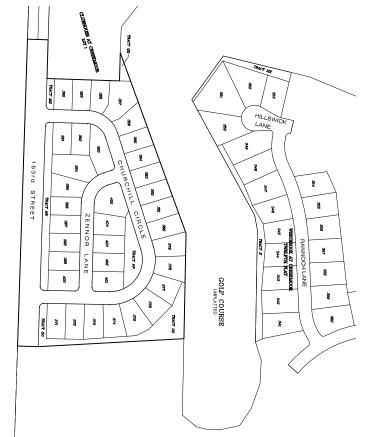
LOTS 371 THROUGH 405, AND TRACTS MM, NN, OO, PP AND QQ
A SUBDIVISION IN RAYMORE, CASS COUNTY, MISSOURI
SECTION 4, TOWNSHIP 46 N, RANGE 32 W

KENTUCKY ROAD

NORTH MADISON STREET

COUNTY LINE ROAD (155TH STREET)

S



COMMENORS AT THE SOUL 163RD STREET AS ESTABLIS SOUTH 88'0935' EAST, ALOIS SOUTH 88'035' EAST, ALOIS SOUTH 85'035' EAST, ALOIS SOUTH 85'035' EAST, ALOIS SOUTH 85'03' EAST, ALOIS SOUTH 85' EAST, ALOIS SOUTH 8

COUTHWEST CORNER OF SAID SOUTHWEST COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

SOUTHWEST CORNER OF SAID SOUTHWEST COUNTY RESOUTH RIGHT OF WAY LINE OF
BUILSHED BY THE PLAT OF FOXIBIDE AT CREEMOOR A SUBDIVISION IN ASID CITY, COUNTY, AND STATE, THENCE
ALONG THE SOUTH LINE OF SAID QUARTER AND ALONG SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 677.41
BEGINNING OF THE TRACT TO BE DESCRIBED HERRIN; THENCE CONTINUING ALONG SAID SOUTH LINE. SOUTH
NOE OF 1187.25 FETT, THENCE HORTH 15 1325 \*LST, A DISTANCE OF 500 THET; THENCE HORTH 302323\*WEST, A DISTANCE OF
'ON THE NORTH LINE OF LOT1, CULBHOUSE AT CREEKMOOR, A SUBDIVISION IN SAID CITY, COUNTY MOS STATE,
'EAST, THIS AND SUBSEQUENT COURSES ALONG THE NORTH, LOST SAID LOT, A DISTANCE
SOUTH 15 136 \*WEST, A DISTANCE OF 280.57 FEET; THENCE NORTH LINES OF SAID LOT, A DISTANCE
SOUTH 15 136 \*WEST, A DISTANCE OF 280.57 FEET; THENCE NORTH B87035\*WEST, A DISTANCE OF 500.57 FEET; THENCE NORTH LINES OF SAID LOT, A DISTANCE
ACRES MORE OR LESS.

PROPERTY DESCRIPTION, WESTBROOK AT CREEKMOOR - FOURTEENTH PLAT - LOTS 371 THROUGH 405, AND TRACTS MM, NN, OO, PP AND QQ: A TRACT OF LAND UN THE SOUTHWEST OWARTER OF SECTION 4. TOWNSHIP 46. NORTH, RANGE 32 WIEST, IN THE CITY OF RANDRE, CASS COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST QUARTER, SAID POINT BEING ON THE SOUTH RIGHT OF WAY LINE OF

SECT

TONS 4, 5, 8

VICINITY MAP & 9, TOWNSHIP 46 N, RANGE NOTTO SCALE

32 ¥ 58 HIGHWAY

NOTES:

1. THE FOLLOWING STAND.
WITHIN 12 MONTHS OF THE

DARD MONUMENTATION WILL BE SET UPON COMPLETION OF CONSTRUCTION ACTIVITIES WITH THIS PLAT OR HE RECORDING OF THIS PLAT, WHICHEVER IS EARLIER.

## IN WITNESS THEREOF: COOPER LAND DEVELOPMENT, INC., APRIL, 2018.

DAY OF

3. THE PROPERTY SHOWN H FLOODPLAIN, AS SHOWN ON REVISED JANUARY 2, 2013 A

2. THE BEARINGS SHOWN ON THIS PLAT ARE BASED UPON THE "MISSOURI COORDINATE SYSTEM OF 1983", WEST ZONE, AT JACKSON COUNTY CONTROL MONUMENT JA-75 (1989 ADJUSTMENT) USING A GRID FACTOR OF 0.9988985.

WHEREON IS LOCATED IN ZONE "X" (INISHADED), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE ON THE FLOOD INJURANCE FAIR MAPS NO, 200720028F. ENUSED LANUARY 12, 2013 AND NO, 20037C0029F. 3 AND FURTHER REVISED BY THE LOMRAF ON AUGUST 23, 2017, CASE NO. 17-217-1638A.

SEMI-PERMANENT MONUMENTS:
1/2" (RON BAR WITH PLASTIC CAP STAMPED "ASC MLS 76D KLS 3" SET AT ALL REAR LOT CORNERS AND OTHER POINTS MARKED
"•" ON THIS PLAT.
PERMANENT MONUMENTS:
56" (RON BAR WITH ALLUMINUM CAP STAMPED "ASC MLS 76D KLS 3" SET AT CORNERS MARKED "A" ON THIS PLAT.
CURB NOTICHES:
CURB NOTICHED AT THE PROLONGATION OF THE INTERIOR SIDE LOT LINES.

4. THE ABBREVIATION "MBE" SHOWN HEREON DENOTES MINIMUM BASEMENT ELEVATION.

BY: JODY LATHAM ITS PRESIDENT

COOPER LAND DEVELOPMENT, INC.

## **NOTARY CERTIFICATION:**

COUNTY OF BENTON STATE OF ARKANSAS

IN WITNESS WHEREOF: I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL IN MY OFFICE THE DAY AND YEAR LAST WRITTEN ABOVE

MY COMMISSION EXPIRES

LOTTED AREA COMMON PROPERTY STREETS 50' RIGHT OF WAY WIDTH LENGTH OF RECORDED STREETS TOTAL AREA 13.667 ACRES 1808 7.792 1.609 4.266 ACRES ACRES LINEAL FEET

80' RIGHT OF WAYWIDTH

1188 LINEAL FEET

### CITY OF RAYMOR CASS COUNTY, MISSOURI: ENTERED ON TRANSFER RECORD THIS DEPUTY COUNTY RECOR KRISTOFER P. TURNBO E, MISSOURI: DER OF DEEDS MAYOR ATTEST: CITY CLERK CITY ENGINEER

## **DEVELOPER:**COOPER LAND DEVELOPMENT, INC. 903 NORTH 47TH STREET, SUITE 101 ROGERS, ARKANSAS 72756 ENGINEER: RENAISSANCE INFRASTRUCTURE CONSULTING 5015 NW CANAL STREET RIVERSIDE, MO 64150

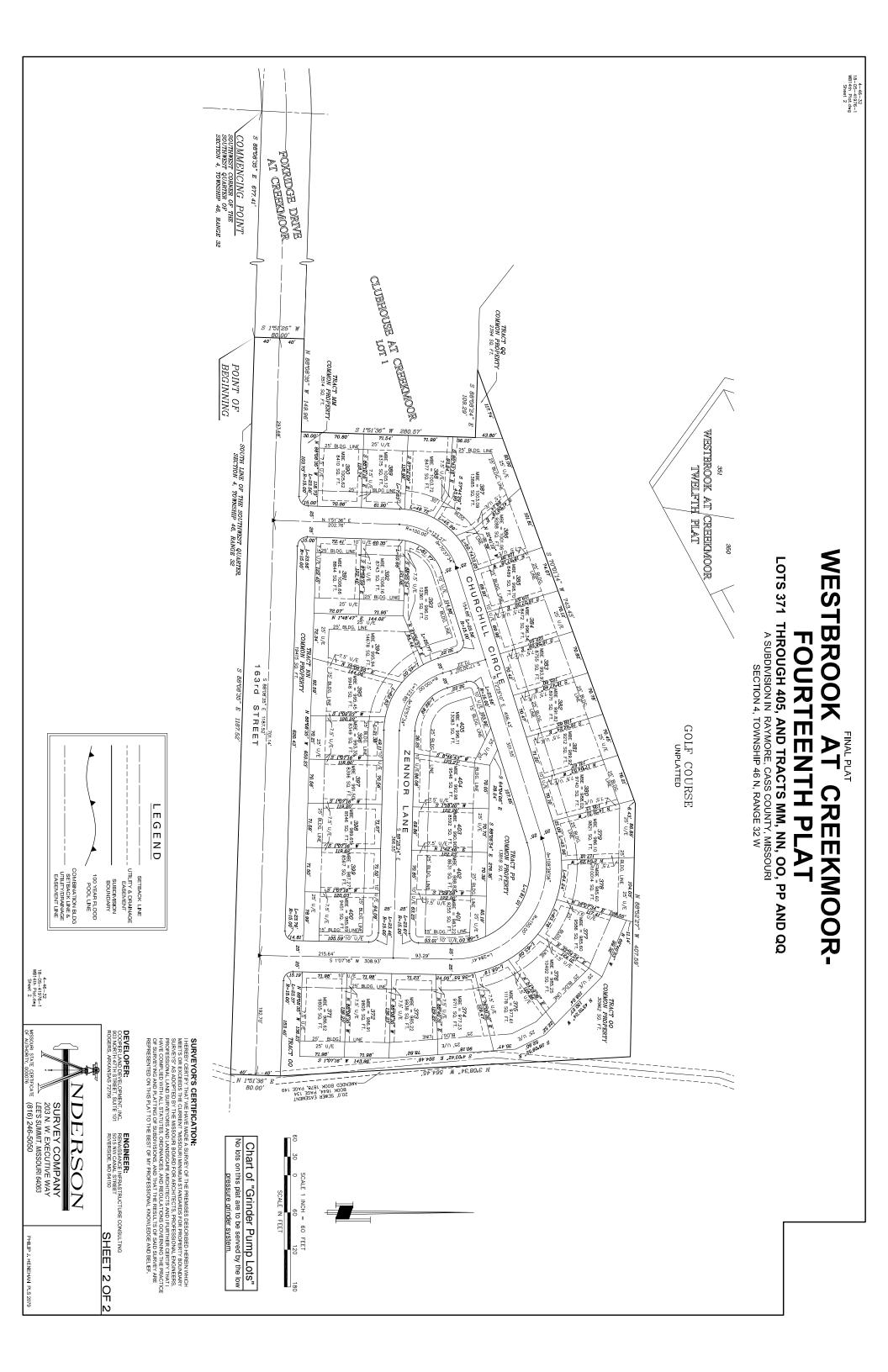
SURVEYOR'S CERTIFICATION:
IHEREBY CERTIFY THAT WE HAVE MADE A SURVEY
MEETS OR EXCEEDS THE CURRENT "MISSOURI MINI

I HEREBY CERTIFY THAT WE HAVE MADE A SURVEY OF THE PREMISES DESCRIBED HEREIN WHICH MEETS OR EXCEEDS THE CURRENT "MISSOURI MINIMUM STANDARDS FOR ROCHERTY BOUNDARY SURVEYS" AS ADOPTED BY THE MISSOURI BOANDE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS AND I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES, AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING AND PLATTING OF SUBDIVISIONS, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS PLAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.



MISSOURI STATE CERTIFICATE OF AUTHORITY, 000076

PHILIP J. HENEHAN PLS 2079





### Unified Development Code Annual Review

**June 2018** 

Report Prepared By:

Community Development Department

### CONTENTS

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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 twenty-six amendments to the UDC, the most recent amendment approved on January 22, 2018.

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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 twenty-six 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 2018 annual review is the seventh 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 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 2<sup>nd</sup> 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 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 - currently under review

Amendment 27 proposes to allow accessory dwelling units in all single-family residential districts. After a favorable recommendation from the Planning and Zoning Commission, City Council is currently considering approval of the amendment.

### 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?

Ruing #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.

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

### Topics for consideration by the Planning and Zoning Commission

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

1. Section 440.050 is added as follows:

### Section 440.050 Crime Prevention Through Environmental Design (CPTED)

- A. Site plan and building design shall incorporate CPTED design principles to improve the overall safety of the built environment and discourage potential criminal activity. Such design elements shall be balanced with other site and building design features such as overall aesthics of the building and site and building and engineering codes and standards.
- B. Design features shall include, but not be limited to, creating natural surveillance of the site and building; adequate lighting of the building and parking lot area; limiting hiding areas behind landscaping and screening areas; providing securing cameras, orientiation of parking; and other applicable design features.

Note: Staff is recommending the code change to provide public saftety officials with a set of principles on which to provide review comments for the Planning and Zoning Commission to consider on site plan applications.

### 2. Section 470.010A is repealed in its entirety and re-enacted as follows:

### Section 470.010 General Requirements

### A. Summary of Procedures

The following table provides a summary of the review and approval procedures of this chapter. In the event of conflict between this summary table and the detailed procedures contained elsewhere in this chapter, the detailed procedures govern.

	Community Development Director and Engineering Staff	Board of Adjustment	Planning & Zoning Commission	City Council	Board of Appeals
Zoning Map Amendments (rezoning)	R		[R]	[D]	
Text Amendments	R		[R]	[D]	
Conditional Uses	R		[R]	[D]	
Uses subject to special conditions	D				
Planned Unit Development (PUD)	R		[R]	[D]	
Zoning Variances	R	[D]			
Appeals of UDC Administrative Decisions		D			
Minor Subdivision Plat	R		R	D	
Preliminary Subdivision Plat	R		[R]	[D]	
Final Subdivision Plat	R		R	D	
Replat	D		A		
Zoning Certificate	D	Α			
Sign Permit	D	Α			
Site Plan Review	D or R		A or D	Α	
Right-of-way Vacation of Streets	R		[R]	[D]	
Interpretations	D	А			A (Chapter 455 or 460)
Administrative Adjustments	D	Α			
Natural Resource Protection Variance	R				D
Flood Plain Management Variance	R				D
Inflatable Sign Permits	R		D	А	
Easement Vacation	R			[D]	

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

Note: Staff is recommending the code change to clarify the review process utilized for right-of-way and easment vacation requests.

### 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
Manufactured Home	Any structure which is:  (a) subject to the Federal Manufactured Home Construction and Safety Standards established pursuant to 42 U.S.C. § 5403, and constructed on or after June 15, 1976;  (b) transportable in one or more sections, that is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities; or  (c) not constructed under the requirements of the International One and Two-Family Residential Code.  The term "manufactured home" does not include a recreational vehicle.

Note: Staff is recommending the code change to clarify the definition of manufactured home. This definition would include housing types typically referred to as tiny homes and container homes. A manufactured home is only allowed to be located within an approved manufactured home park.

### 4. Section 445.020D is amended as follows:

### Section 445.020 Improvements

### D. Certificate of Insurance

- 1. The contractors shall indemnify the City, with Certificate of Insurance with the City named as co-insured. Certificate of Insurance shall be on a form furnished by the City and in the amounts established by the City. The contractor shall secure and maintain throughout the duration of construction, insurance of types and in amounts as may be necessary to protect himself/herself and the interest of the City against all hazards or risk of loss. The form and limits of such insurance together with each underwriter, shall be acceptable to the City, but regardless of such acceptance it shall be the responsibility of the contractor to maintain adequate insurance coverage at all times.
- 2. The contractor may satisfy the liability limits required for each type of insurance by securing and maintaining an umbrella excess liability type policy.

**3.** Satisfactory Certificates of Insurance shall be filed with the City before a construction permit will be issued. The liability limits shall not be less than:

Workers Compensation	Statutory
Automobile Liability Bodily Injury	\$500,000.00 each person
Bodily Injury	\$2,000,000.00 each occurrence
Property or	\$300,000.00 each occurrence
Combined Single Limit	\$2,000,000.00 each occurrence
Comprehensive General Liability	\$500,000.00 each occurrence
(including products & completed operations)	\$2,000,000.00 aggregate

Note: Staff is recommending the code change to be consistent with current City policy.

### 5. Section 445.030l6 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:

	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	100 (diameter) Per Design Manual <sup>2</sup>		
Maximum grade <sup>1</sup> (%)	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				

<sup>&</sup>lt;sup>1</sup> Unless necessitated by exceptional terrain and subject to the approval of the Director of Public Works.

<sup>&</sup>lt;sup>2</sup>See City of Raymore Technical Specifications and Design Criteria Manual for cul-de-sac design requirements

### 6. Section 445.030I7 is amended as follows:

### Section 445.030 Subdivision Design and Layout

### I. Streets

### 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.

### a. 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.

### b. 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.

### c. 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.

### d. Approval of Subgrade

The Director of Public Works must approve the subgrade before any base course or surface is placed thereon. The subgrade must be constructed to be uniform in density throughout. The entire width and length shall conform to line, grade, and typical cross-section shown on the plans or as established by the Director of Public Works. If any settling or washing occurs or where hauling results in ruts or other objectionable irregularities, the contractor must re-shape and re-roll the subgrade before the base or surfacing is placed.

### e. Sewer and Water Work Before Base Construction

No base course work may proceed on any street until all trenching for storm and sanitary sewers and for water lines within an area extending one foot behind curbs has been properly backfilled satisfactory to the Director of Public Works. Wherever possible, the developer must schedule installation of gas or buried electric utility lines so that trenches for such lines can be properly backfilled before street base course construction.

### f. Storm Sewers and Inlets

Manholes, storm sewers, inlets and utility valves shall be adjusted to meet the proper grade of street or yard areas to the satisfaction of the Director of Public Works.

Note: Staff is recommending the code change to remove language that is more appropriate for the Manual of Standard Specifications for utility and street construction.

### 7. Section 445.030K1 is amended as follows:

### Section 445.030 Subdivision Design and Layout

### K. Sidewalks

### 1. Requirement

### a. Residential developments

- (1) Sidewalks shall be installed on both sides of all public streets except upon lots greater than 3 acres in size, or in the case of a residential subdivision, when the average lot size is greater than 3 acres.
- (2) Sidewalks shall be installed in the right-of-way, 1 foot from on the property line adjacent to the street, along the street frontage of all lots.
- (3) Sidewalks along private streets shall be determined as part of preliminary plat review.
- (4) Corner lots that do not contain an ADA curb ramp shall have the ramp installed at the time sidewalk is installed upon the lot.

### b. Commercial, Industrial and all other developments

- (1) Sidewalks shall be installed on both sides of all public streets.
- (2) Sidewalks shall be installed in the right-of-way, 1 foot from on the property line adjacent to the street, along the street frontage of all lots.
- (3) Sidewalks shall be provided along one side of access drives and shall connect to sidewalks along all public streets adjacent to the development.

(4) Corner lots that do not contain an ADA curb ramp shall have the ramp installed at the time sidewalk is installed upon the lot..

Note: Staff is recommending the code change to clarify the location of the sidewalk iin the right-of-way. If the minimum sidewalk width is increased to five feet, the sidewalk needs to be pushed to the property line to maintain the width of the tree lawn area at six feet.

### 8. Section 445.030K3 is amended as follows:

### Section 445.030 Subdivision Design and Layout

### K. Sidewalks

### 3. Sidewalk width

- **a.** Sidewalks along any street classified in the Transportation Master Plan as a collector or arterial shall be at least 5 feet in width. Sidewalks shall be a minimum width of five (5) feet.
- **b.** Sidewalks along any other public street shall be at least 4 feet in width. Sidewalks constructed in a residential subdivision with a final plat recorded prior to January 1, 2019 may be four (4) feet in width.
- **c.** Sidewalks along any access drive shall be at least 4 five (5) feet in width.

Note: Staff is recommending the code change to increase the minimum width of required sidewalks to five feet as recommended by the Walk Friendly Communities initiative.

### 9. Section 445.030K4 is added as follows:

### Section 445.030 Subdivision Design and Layout

### K. Sidewalks

### 4. Sidewalks on Cul-de-sacs

Within a development, sidewalks and trails shall be designed and integrated to form an on-site circulation system that provides and enhances pedestrian access to all on-site amenities and improves connectivity to all adjacent parks, greenways, and trail system segments, while minimizing conflict between pedestrian and vehicular traffic.

- a. Cul-de-sac streets consisting of eight or more lots, and abutting an arterial or collector road shall provide pedestrian access between the cul-de-sac bulb and the adjacent roadway via a sidewalk or trail.
- b. Cul-de-sac streets located within 300 feet of an existing or proposed trail segment shall provide pedestrian access linking the sidewalk network to the trail system.
- c. The Planning and Zoning Commission may alter or waive this requirement if natural features or topographical barriers exist that would prevent such connection, or where such requirement would create redundant connections within a development.

Note: Staff is recommending the code change to ensure pedestrian circulation in a subdivision containing cul-de-sacs.

### Section 430.070B is ameded as follows:

### Section 430.070 Street Trees

### A. Applicability

Street trees are required on any street designated as a greenway on the Transportation Plan. Where street trees are provided on other streets, they must comply with this section.

### B. Planting Requirements

- 1. Where required, street trees must be planted at a rate of one tree for every 50 linear feet. Driveway widths may be excluded from the calculation of the required number of street trees. Flexibility in locating trees is provided where it is not possible to locate trees every 50 feet due to the location of driveways.
- 2. To reduce the risk of disease and/or insect infestation, no more than 25 percent of the street trees in any individual development or subdivision may be of one species.
- 3. Species of street trees to be utilized shall comply with this section and be chosen from the list of allowable species for street trees referenced in Section 430.090 and shall be approved by the City prior to installation.
- 4. Required street trees must be installed within the street right-of-way or within 10 feet of the street right-of-way. If street trees are to be located outside of the right-of-way, the City is authorized to require the establishment of a 15-foot landscape maintenance easement.

5. Street right-of-way shall be increased in width to accommodate an exclusive grass planting area of at least eight feet in width.

Note: Staff is recommending the code change to ensure adequate tree lawn area is provided between the curb of the street and the sidewalk when street trees are added as a subdivision amenity.

### 11. Section 425.020c5 is amended as follows:

### Section 425.020 Off-Street Parking Requirements

C. Parking Area Design and Construction

### 5. Curb and Gutter

- **a.** All off-street parking areas are required to have concrete curbs and gutter unless the drainage run-off from the parking lot is directed into a stormwater treatment area or other water quality feature.
- **b.** Temporary asphalt curbs may be used in areas to be expanded only as shown and approved on the site plan.

Note: Staff is recommending the code change to allow the elimination of parking lots curbs if the storm water runoff is directed into a water quality feature.

### 12. Section 425.040B1 is amended as follows:

### Section 425.040 Commercial and Industrial Driveways

The following standards apply to all commercial and industrial driveways providing ingress or egress to a public or private street.

### B. Standards for Right Turn Lanes and Tapers

Right turn lanes and tapers are required when:

- 1. expected right-turn ingress movements meet or exceed 50 45 vehicles per hour during a typical weekday peak traffic period;
- 2. driveway volumes are expected to meet or exceed 1,000 vehicles per day calculated using Institute of Transportation Engineers site generated traffic standards for the closest matching land use category as set forth in the Trip Generation Manual;

- **3.** the Director of Public Works can document through traffic analysis that such treatment is necessary to avoid congestion and /or unsafe conditions on the public street; or
- **4.** identified as necessary by a submitted traffic study.

Note: Staff is recommending the code change to match the current right-turn lane requirements of MoDOT.

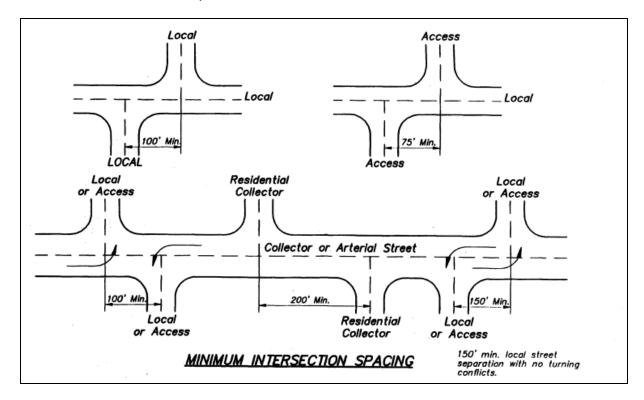
### 13. Section 425.040D is amended as follows:

### Section 425.040 Commercial and Industrial Driveways

The following standards apply to all commercial and industrial driveways providing ingress or egress to a public or private street.

### D. Driveway Spacing

- 1. Driveways must be spaced at least 125 feet apart, whether they are on a single lot or adjoining lots. Spacing is to be measured from the center of the driveway throat to the center of the adjoining driveway throat.
- 2. Driveways shall be spaced in accordance with the minimum intersection spacing established by the American Public Works Association as illustrated below:



Note: Staff is recommending the code change to clarify driveway spacing at intersections..

### **Topics for Discussion**

Staff has identified the following topics for discussion:

a. Universal Design Standards

Note: One of the goals of the Communities for All Ages master plan was for the City to consider establishing universal design standards for new home construction. With the changing demographics of the community, and the high level of new home construction occurring, the timing is right for the City to discuss whether establishing standards is appropriate.



### MONTHLY REPORT April 2018

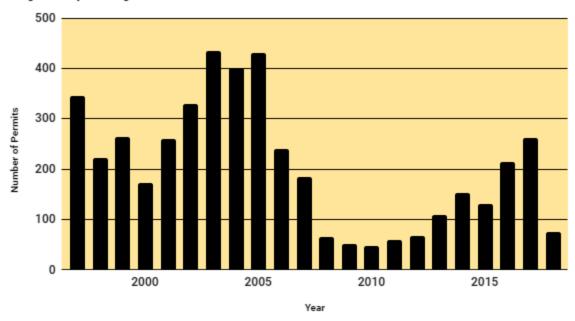
### **Building Permit Activity**

Type of Permit	Apr 2018	2018 YTD	2017 YTD	2017 Total
Detached Single-Family Residential	18	37	63	202
Attached Single-Family Residential	22	38	10	60
Multi-Family Residential	0	0	0	20
Miscellaneous Residential (deck; roof)	67	158	143	480
Commercial - New, Additions, Alterations	1	6	12	34
Sign Permits	1	16	18	49
Inspections	Apr 2018	2018 YTD	2017 YTD	2017 Total
Total # of Inspections	597	2,089	2,446	7,141
Valuation	Apr 2018	2018 YTD	2017 YTD	2017 Total
Total Residential Permit Valuation	\$6,997,600	\$14,346,500	\$11,413,800	\$53,027,000
Total Commercial Permit Valuation	\$2,185,900	\$2,914,400	\$2,767,100	\$5,394,550

### **Additional Building Activity:**

- Site work continues for the proposed Discover Vision Center building to be located at 1018 W. Foxwood Drive. Building construction is planned to start in Spring 2018.
- Construction work continues at the Recreation Activity Center in Recreation Park.
- Construction continues on 12 townhome units in the Timber Trails development, located south of Wal-Mart on the west side of Dean Avenue. 28 units have been completed.
- Construction has commenced on the new self-storage facility at 308 E. Walnut Street.

### Single Family Building Permits



### Code Enforcement Activity

Code Activity	Apr 2018	2018 YTD	2017 YTD	2017 Total
Code Enforcement Cases Opened	31	94	170	471
Notices Mailed				
-Tall Grass/Weeds	1	1	17	152
- Inoperable Vehicles	5	16	50	76
- Junk/Trash/Debris in Yard	11	31	22	75
- Object placed in right-of-way	2	5	9	22
- Parking of vehicles in front yard	4	16	43	87
- Exterior home maintenance	3	15	29	44
- Other (trash at curb early; signs; etc)	3	8	0	15
Properties mowed by City Contractor	0	0	0	60
Abatement of violations (silt fence repaired; trees removed; stagnant pools emptied; debris removed)	0	0	0	7
Signs in right-of-way removed	51	190	164	359
Violations abated by Code Officer	2	22	29	94

### Development Activity

### **Current Projects**

- Edgewater at Creekmoor 6th Final Plat
- Westbrook at Creekmoor 14th Final Plat
- Brightside Daycare Site Plan
- Sunrise Commons Minor Plat (Brightside Daycare)
   Compass Health Rezoning (northeast corner of 58 Highway and Sunset)
- Kirby Estates Replat

	As of Apr 30, 2018	As of Apr 30, 2017	As of Apr 30, 2016
Homes currently under construction	268	238	180
Total number of Undeveloped Lots Available (site ready for issuance of a permit for a new home)	390	568	722
Total number of dwelling units in City	8,286	8,031	7,842

### Actions of Boards, Commission, and City Council

### City Council

### April 9, 2018

 Approved on 1st reading the acquisition of aerial photography and elevation data for the City through an agreement with the Mid-America Regional Council.

### April 23, 2018

 Approved on 1st reading the acquisition of aerial photography and elevation data for the City through an agreement with the Mid-America Regional Council.

### **Planning and Zoning Commission**

### April 3, 2018

Meeting Cancelled.

### **April 17, 2018**

• Accepted the annual report of the Growth Management Plan.

### Upcoming Meetings – May & June

### May 1, 2018 Planning and Zoning Commission

Meeting cancelled

### May 14, 2018 City Council

- 1st reading 27th Amendment to the Unified Development Code (public hearing)
- 1st reading Brightside Daycare Easement Vacation (public hearing)

### May 15, 2018 Planning and Zoning Commission

- Sunrise Commons Minor Plat
- Brightside Daycare Site Plan
- Rezoning, Northeast corner of Sunset Lane and 58 Highway, A to PO
- Kirby Estates Replat

### May 28, 2018 City Council

Meeting cancelled

### June 5, 2018 Planning and Zoning Commission

• Annual review of the Unified Development Code

### June 11, 2018 City Council

- 2nd reading 27th Amendment to the Unified Development Code (public hearing)
- 2nd reading Brightside Daycare Easement Vacation (public hearing)
- 1st reading Sunrise Commons Minor Plat
- 1st reading Rezoning, Northeast corner of Sunset Lane and 58 Highway, A to PO
- 1st reading Kirby Estates Replat

### June 19, 2018 Planning and Zoning Commission

No items currently scheduled

### June 25, 2018 City Council

- 2nd reading Sunrise Commons Minor Plat
- 2nd reading Rezoning, Northeast corner of Sunset Lane and 58 Highway, A to PO
- 2nd reading Kirby Estates Replat

### Department Activities

• Director Jim Cadoret and Associate Planner David Gress attended the American Planning Association national conference.

- Director Jim Cadoret met with the City of Independence Planning and Zoning Commission to discuss benefits of participation in the Communities for all Ages program.
- Staff finalized the annual review and report of the Growth Management Plan.
- Staff continued work on creation of Standard Operating Procedures for the Department.
- A "Good Neighbor" meeting was held on the proposed rezoning of the northeast corner of Sunset Lane and 58 Highway.

### GIS Activities

- Desktop & ArcGIS server upgrade, enterprise components installed on new server
- Preparation for data migration to MS SQL Server 2016
- Orthophotos preparation of systematic review of preliminary delivery
- Committee input for LiDAR acquisition
- Office arrangement & wall maps
- Informational support for operations of planning & zoning, public works, etc
- Application for feature addition & field reporting of mapping error
- ArcGIS Pro training at MAGIC (Midamerica GIS Consortium) Biennial Symposium
- Styling of active server pages with 2018 brand standard, browser testing
- Preparation to better support https in response to emerging browser standards