



**THE CITY OF
HARRISONVILLE**
WHERE TRADITION MEETS INNOVATION

**AGENDA
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
NOVEMBER 16, 2023
6:00 PM**

- 1. Call to Order**
 - A. Roll Call**
- 2. Approval of Minutes**
 - A. Planning & Zoning Commission - Regular Meeting - Sep 21, 2023 6:00 PM**
- 3. Agenda Items**
 - A. Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. – PUBLIC HEARING**
 - B. 4695 : Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. - CONSIDERATION**
 - C. 4693 : Appl. #SUP-23-001--SPECIAL USE PERMIT for Crematorium and Mortuary at 1505 Brookhart Rd. - PUBLIC HEARING**
 - D. 4696 : Appl. #SUP-23-001--SPECIAL USE PERMIT for Crematorium and Mortuary at 1505 Brookhart Rd. - CONSIDERATION**
 - E. Various Code Amendments – PUBLIC HEARING**
 - F. Various Code Amendments - CONSIDERATION**
- 4. Discussion Items**
- 5. Adjourn**

Posted on City Hall Bulletin Board this 9th day of November 2023,

Daniel Barnett, City Clerk



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

DRAFT
MINUTES
CITY OF HARRISONVILLE
PLANNING & ZONING COMMISSION
REGULAR MEETING
CITY HALL
SEPTEMBER 21, 2023
6:00 PM

1. Call to Order

The meeting was called to order at 6:10 PM by Chair Kevin Wood

Attendee Name	Organization	Title	Status	Arrived
Kevin Wood	Harrisonville	Chair	Present	
Chris Chiodini	Harrisonville	Vice Chair	Present	
Scott Milner	Harrisonville		Present	
Cheryl Bush	Harrisonville		Present	
Wilbert Crawford	Harrisonville		Absent	
Mike Zaring	Harrisonville	Mayor	Present	
Brian Pulliam	Harrisonville		Absent	
Milton Siegenthaler	Harrisonville		Absent	

Also in attendance were Steve Warger and Donovan Jones, Applicants; Robert and Lisa Linder, Applicants; Charles Weedman, Neighboring Property Owner; Dave Doerhoff, Alderman Liaison; Christina Stanton, Community Development Director; and Jamie Martin, Recording Secretary.

2. Approval of Minutes

A. Planning & Zoning Commission - Regular Meeting - Aug 17, 2023 6:00 PM

With no corrections or corrections, the minutes from the August 17, 2023, meeting were unanimously accepted.

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	Mike Zaring, Mayor
SECONDER:	Scott Milner
AYES:	Wood, Chiodini, Milner, Bush, Zaring
ABSENT:	Wilbert Crawford, Brian Pulliam, Milton Siegenthaler

3. Agenda Items

A. Appl. #FP-23-002--Final Plat for Harrisonville Commons, Lots 1-3 and Tract A PUBLIC HEARING

Director Stanton presented the Staff Report for the proposed Final Plat of Harrisonville Commons, Lots 1-3, and Tract A. She said the proposed final plat is consistent with the previously approved preliminary plat. Oriole Street is proposed to extend through this site from E. Mechanic Street to E. Elm Street and will have sidewalks on both sides. In accordance with Section 410.280.C of the City's Code of Ordinances, the Planning and Zoning Commission shall recommend approval of the Final Plat if it is substantially the same as the approved preliminary plat; there has been compliance with all conditions, restrictions and requirements of this Chapter and all other applicable ordinances and design standards of the City; and there has been compliance with any condition that may have been attached to the approval of the preliminary plat or applicable zoning ordinance. Staff recommends approval of the requested Final Plat with conditions that the Eastbound and Westbound left turn lanes of 140' in length with a 100' taper shall be constructed at the intersection of Oriole Street and MO-7 as recommended in the Traffic Impact Analysis, which is already shown on the Final Plat and Preliminary Development Plan, and an updated Traffic Impact Analysis accurately capturing traffic impacts from the nearby school, shall be provided and recommendations appropriately incorporated into the development plan, prior to final approval.

Kevin Wood stated that the Final Plat was consistent.

Charles Weedman, neighboring property owner, shared his concerns with the Commission. He said that the City has shirked its responsibilities on this property and that it has been a source for vagrants. He is concerned about the drainage and runoff at the western edge of the property onto neighboring properties. Kevin Wood responded that the City has the Stormwater Study that has been approved. Steve Warger, Project Engineer, told Mr. Weedman that there has been a completed and approved study and there will be detention on site. He also said that the City Engineer requested that the study was done based on green space as if the property had already been demolished. The City had requested a culvert to the west.

The Public Hearing was closed at 6:22 PM.

B. Appl. #FP-23-002--Final Plat for Harrisonville Commons, Lots 1-3 and Tract A CONSIDERATION

Mayor Zaring asked about the "Stay of Demolition" order from the Board of Building and Engineering Appeals. Jamie Martin explained that the developers asked for a "stay" until October 10, 2023, so that they could have their funding in order. The "stay" postponed the City from demolishing the structure and placing a lien on the property.

Director Stanton said that the developers will need an extension until the second reading at the Board of Alderman if this is passed.

Chris Chiodini made a motion to recommend approval to the Board of Alderman. Scott Milner seconded. The motion passed unanimously.

RESULT:	RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER:	Chris Chiodini, Vice Chair
SECONDER:	Scott Milner
AYES:	Wood, Chiodini, Milner, Bush, Zaring
ABSENT:	Wilbert Crawford, Brian Pulliam, Milton Siegenthaler

C. Appl. #RZ-23-003--Rezoning from M-1 to C-2 at Brickplant and Brookhart Roads PUBLIC HEARING

Director Stanton presented the Staff Report for Robert and Lisa Linder. They are seeking approval of a requested Rezoning from Light Industrial District, M-1, to Service Business District, C-2, with the intent to pursue proposed uses of a food truck court, hotel,

restaurant, event center, RV park with dog park and walking trails, and RV and boat storage. The applicants met with staff on April 6, 2023, to discuss their plan for the development of this property. Staff conveyed that the property must be rezoned in order for the proposed uses to be allowed. The uses of an RV park and/or RV and boat storage would require an approved Special Use Permit. Director Stanton said that the City's 2040 Comprehensive Plan shows the property and surrounding area as Preservation/Rural and Recreational Open Space within and around the floodplain and Employment, Heavy and Regional Commercial immediately adjacent to Brookhart Road. The area that is shown as Preservation/Rural and Recreational Open Space, which is largely located within the floodplain, was discussed during the pre-application meeting as proposed future RV park with dog park and walking trails. The applicants desire to locate an event center on the smaller tract located off of Brickplant Road. The applicants desire to locate a food truck court on the southernmost property off of Brookhart Road. Additional pre-application meeting may be needed as the property owners further develop their plans for the development of this property. Director Stanton stated that the proposed uses are appropriate uses for the proposed Service Business District. The uses are permitted by right, with the exception of the RV park and RV and boat storage, within the C-2 District and the development plans will be reviewed administratively if this rezoning is approved. Staff performed an in-depth review of the place types from the Comprehensive Plan for this property and adjacent properties. Staff considered the planned future extension of South Commercial Street and posits that given this extension, it is more logical for the immediate area to be considered the Regional Commercial place type, or zoned Service Business District. Staff recommends approval of the requested Rezone from Light Industrial District, M-1, to Service Business District, C-2.

The Public Hearing was closed at 6:31 PM.

D. Appl. #RZ-23-003--Rezoning from M-1 to C-2 at Brickplant and Brookhart Roads CONSIDERATION

Chris Chiodini asked if they knew that a portion of this property is in the floodplain. Robert Linder said that this is largely in the flood way. Mr. Linder said that he has spoke with the City Engineer about putting the RV park in the flood way, and intends to clean up the floodplain part of the property.

Chris Chiodini asked if the applicants were aware the flooding events in the past 5 years. Mr. Linder said that they are aware and that they have owned the property for over 20 years.

Chris Chiodini asked what order they were planning for the different uses. Mr. Linder said that the first one they hope to do is the food truck court, with 8 to 10 spots for trucks, electric, sewer, and parking to the west. The RV park is planned second with about 35 spots.

Mayor Zaring made a motion to recommend approval to the Board of Alderman. Cheryl Bush seconded. The motion passed 4 Aye to 1 Nay.

RESULT:	RECOMMENDED FOR BOARD APPROVAL [4 TO 1]
MOVER:	Mike Zaring, Mayor
SECONDER:	Cheryl Bush
AYES:	Kevin Wood, Scott Milner, Cheryl Bush, Mike Zaring
NAYS:	Chris Chiodini
ABSENT:	Wilbert Crawford, Brian Pulliam, Milton Siegenthaler

E. Code Amendments--Creation of Design Standards and Amendment to Section 405.550.A.3.a PUBLIC HEARING

Director Stanton presented the Staff Report for various proposed Municipal Code changes to create design standards, consolidate and expand parking standards, and

remove contradictions and inconsistencies. She said the current Code references "guidelines" that were adopted in 2002 by resolution. The resolution stated it was intended for these guidelines to be made part of the Subdivision Regulations; however, since they were adopted by resolutions and not ordinances, the codes were not updated and as guidelines, they could only be recommendations or suggestions. Staff reviewed the design standards of Grandview, Belton, Lee's Summit, KCMO, Peculiar, Pleasant Hill, and Raymore; looking at building materials, parking, landscaping, and lighting. When reviewing parking standards staff also consulted the ITE Parking Generation Manual. Staff also considered the recent inquiries pertaining to detached accessory structures on larger R-1 lots and is proposing creating an exception for R-1 properties of 1.5 acres in size or larger that would allow for an additional detached accessory structure provided all setbacks are met and the lot coverage requirement is not exceeded. She explained further that currently the City's Zoning Regulations contain very little design standards; there are no standards pertaining to building materials except the recently adopted anti-monotony regulations; parking standards are very limited and in multiple locations; there are vague references to landscape design or landscape plan, but very little actual standards exist in Code; there are a few requirements pertaining to the screening of parking spaces, but they are not consistent throughout the Code; and the Subdivision Regulations reference the "Guidelines for Landscaping Along Arterial Roadways", but this "guideline" is not part of the Code, nor is it available on the City's website or enforceable; and there are no lighting standards in the City's Municipal Code except for those few listed under Special Use Permit for an Adult Use Facility. The proposed Code changes seek to rectify all of this by creating a design standards section of code that will include, Site and Building Design; Building Materials; Parking; Landscaping and Screening; and Lighting. She said that much of the existing language pertaining to Landscaping and Screening has been moved into the new design standards and greatly expanded to include, Contents of Landscaping Plan; Minimum Landscaping requirements such as plant sizes, encouragement of preservation of existing plant materials and use of native plants, riparian protection buffer, interior landscaping, foundational and parking, perimeter landscaping, street trees and screening of adjacent uses and districts; screening of trash enclosures, loading of areas and mechanical equipment; and Installation and Maintenance. The Lighting standards will include, when a lighting plan is required and what needs to be on the plan; Minimum Lighting Requirements, Parking Lot Lighting; Wall Mounted Lighting; Accent Lighting; Canopy and Drive Thru Lighting; and Outdoor Recreation Lighting. Director Stanton said that the proposed code changes were presented to the Board of Alderman for discussion during the August 21st, work session. The Board discussed the need for a downtown parking study. The ration required for shopping centers was questioned, but upon review, staff found that the C-2 District has required 5 spaces per 1,000 square feet since at least 1978. It was suggested that the screening for ground-level a/c units be more consistent with the standards already established for trash enclosures. Staff has made changes to that effect. Additionally, Staff added a subsection to the landscaping requirements stating the planting seasons. She said that Staff recommends approval of the requested Code changes.

Chris Chiodini asked how multi-family units are classified. Director Stanton said that 3-family and up is the classification.

Kevin Wood asked for clarification on the a/c screening, if it was just front facing or seen from the public right of way. Director Stanton said that it would be for commercial and industrial front facing a/c units.

The Public Hearing was closed at 6:46 PM.

F. Code Amendments--Creation of Design Standards and Amendment to Section 405.550.A.3.a CONSIDERATION

Chris Chiodini asked if staff had conversations with developers or builders before developing these changes. Director Stanton said she has had these multiple conversations, but not this draft specifically.

Kevin Wood said that a lot of times developers come in asking what the requirements are and said that these changes are a good start.

Mayor Zaring said that the Board of Alderman's biggest concerns about the changes were over burdening developers, but Staff has done a great job of checking neighboring cities to keep Harrisonville in the norm.

Chris Chiodini made a motion to recommend approval to the Board of Alderman. Scott Milner seconded. The motion passed unanimously.

RESULT:	RECOMMENDED FOR BOARD APPROVAL [UNANIMOUS]
MOVER:	Chris Chiodini, Vice Chair
SECONDER:	Scott Milner
AYES:	Wood, Chiodini, Milner, Bush, Zaring
ABSENT:	Wilbert Crawford, Brian Pulliam, Milton Siegenthaler

4. Discussion Items

Director Stanton told the Commission that there has not been anything submitted for an October meeting. However, she is working on some more code changes to bring to the Commission in November.

5. Adjourn

With nothing further to come before the Commission, Chris Chiodini made a motion to adjourn. Mayor Zaring seconded. The motion passed unanimously. The meeting was adjourned at 6:53 PM.

Respectfully submitted,

Jamie Martin, Recording Secretary

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: November 9, 2023
SUBJECT: Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. - PUBLIC HEARING

Type of Item: *Public Hearing*

A. Action Item (ID # 4692)

Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St.

Attachments:

Staff Rpt - Virginia Ford RZ 11-16-2023 P&Z (PDF)

Application (PDF)

Rezoning Exhibit (PDF)

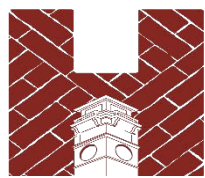
Ord 2216 (PDF)

Ord 2242 (PDF)

Ordinance No. 3669 (PDF)

Zoning Map (PDF)

Aerial Map (PDF)



To: Planning & Zoning Commission

From: Christina Stanton, AICP, Community Development Director

Date: November 16, 2023

Re: Appl. #RZ-23-002 – REZONING from Estate Planned (EP) District to Single-Family Residential (R-1) District on property located at 2701 E. Elm Street

GENERAL INFORMATION

Applicant: Virginia Ford

Requested Actions: Approval of Requested Rezone from Estate Planned (EP) District to Single-Family Residential (R-1) District

Date of Application: May 24, 2023

PROPOSAL

Ms. Virginia Ford is seeking approval of a requested Rezoning from Estate Planned (EP) District to Single-Family Residential (R-1) District, with the intent to split the existing lot into two lots as shown on the Exhibit. The property must be rezoned in order for the property to be further divided as the minimum lot size for the Estate Planned District is three (3) acres.

Please see the attached zoning and aerial maps.

The surrounding properties are currently zoned as follows:

North (across Elm St.): Orient Cemetery located in Cass County

East: A (Agriculture District) – Crown Care Nursing Facility

South: R-1 (Single-Family Residential District) – Single-Family Residences in East Elm Estates

West: R-1 (Single-Family Residential District) – Single-Family Residences in East Elm Estates

PREVIOUS ACTIONS

- March 25, 1996—The Board of Aldermen approved an Ordinance (#2216) to annex certain adjacent territory owned by Robert A. and Virginia L. Ford.
- May 13, 1996—The Board of Aldermen approved a Rezoning of property from unzoned to EP (Estate Planned) District for property located at 2701 E. Elm Street by Ordinance #2242.
- June 15, 2023—The Planning & Zoning Commission held a public hearing and voted 8-0 to recommend approval of the requested rezone from Estate Planned (EP) District to Single-Family Residential (R-1) District subject to the following conditions of approval:
 1. The builder of Lot 2 shall install a sewer lateral line to serve the house on that lot and said line shall connect to the existing sanitary sewer located between Lots 40 and 41 in East Elm Estates.
 2. The applicant shall obtain a variance to allow an additional detached accessory structure.

- **June 20, 2023**—The Board of Aldermen held a public hearing on the requested rezone. The Board read the Ordinance for the first time only and scheduled the second reading for the July 17, 2023, Board meeting, with the understanding that the applicant was going to be heard for a requested variance at the next Board of Zoning Adjustments meeting.
- **July 11, 2023**—The Board of Zoning Adjustments held a public hearing on the requested variance of Section 405.550.D.1 to allow for an existing additional detached accessory structure on property located at 2701 E. Elm Street. The Board of Zoning Adjustments discussed the request and discussed the need for the Code to be updated to accommodate larger residential lots. A motion for approval was made and seconded, but with a vote of 3 to 1 the motion failed and the variance application was denied.
- **July 13, 2023**—The applicant submitted a formal request for the rezoning application to be placed on-hold due to the denial of the requested variance. As a result, the application's associated ordinance was pulled from the July 17th Board of Aldermen meeting and no final action was taken on the application.
- **October 16, 2023**—The Board of Aldermen approved Code Amendments including an amendment to Section 405.550.A.3.a (formerly 405.550.D.1) to allow for an additional detached accessory building on properties zoned R-1 of 1.5-acres or larger in size provided all setbacks are met and the lot coverage requirement is not exceeded by Ordinance #3669.

KEY ISSUES

- This property is currently zoned Estate Planned (EP) District.
- The City's 2040 Comprehensive Plan shows the property and surrounding area as Suburban Neighborhood, which allows for single-family homes, cottage courts, townhomes, and small-scale apartments.
- The applicant is requesting to Rezone the property to R-1 (Single-Family Residential) District, which allows for single-family and accessory dwelling units for dwellings.
- The applicant is planning to divide the property into two lots as shown on the Exhibit but must first rezone to the R-1 District to be able to do so.
- The existing sanitary sewer that serves 2701 E. Elm Street is a 4-inch lateral line. The newly created lot will have to have a second sewer lateral line constructed for service on the Lot 2 property. The line will need to connect to the existing sanitary sewer located between Lots 40 and 41 in East Elm Estates.

STAFF COMMENTS AND SUGGESTIONS

The City's 2040 Comprehensive Plan shows this area as "Suburban Neighborhood". According to page 36 of the City's Comprehensive Plan, "While single-family homes are the predominate housing type, these neighborhoods may also include accessory dwelling units ("mother-in-law suites"), cottage courts, townhomes, and small-scale apartments". The use of the property as a single-family residence is compatible with the city's vision of this area being a "Suburban Neighborhood".

Additionally, the proposed new lots meet or exceed the zoning district requirements in the following ways:

Comparison of Minimum Dimensional Standards with Proposed Lots				
District/Standard	Lot Size	Lot Width	Lot Depth	% Impervious Coverage
R-1	8,500 sqft.	75 feet	N/A	35%
Proposed	76,585 – 76,974 sqft.	331.6 feet	230.4 - 232.7 feet	0 – 20%

The existing house and three (3) detached accessory structures meet or exceed all setback requirements, and the lot coverage requirement is not exceeded. With the recent Code Amendment there is no further need for a variance request.

Staff recommends approval of the requested rezone from Estate Planned (EP) District to Single-Family Residential (R-1) District with the condition listed below.

3.A.a

STAFF RECOMMENDATION

Staff recommends approval of the requested rezone from Estate Planned (EP) District to Single-Family Residential (R-1) District with the following condition:

- 1) The builder of Lot 2 shall install a sewer lateral line to serve the house on that lot and said line shall connect to the existing sanitary sewer located between Lots 40 and 41 in East Elm Estates.

ATTACHMENTS

Application
Zoning Exhibit
Ordinance #2216
Ordinance #2242
Ordinance #3669
Zoning Map
Aerial Map

Attachment: Staff Rpt - Virginia Ford RZ 11-16-2023 P&Z (Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. -



THE CITY OF HARRISONVILLE

WHERE TRADITION MEETS INNOVATION

LAND USE – ZONING APPLICATION

Application Type

- ☒ Rezoning (Fee \$300.00 + \$65 Notice Fee) ☐ Preliminary Development Plan (Fee \$300.00 + \$65 Notice Fee)
- ☐ Special Use Permit (Fee \$300.00 + \$65 Notice Fee) ☐ *Final Development Plan (Fee \$200.00)
- * Staff-only approval required

Applicant and Owner Information

Applicant (Print): Virginia Ford Signature: Virginia Ford
 Company Name: _____
 Street Address: 2701 E Elm City: Harrisonville State: MO Zip: 64701
 Phone: 816-616-3877 Email: gs.house1@gmail.com

Property Owner Authorization (Provide contact information and signatures of all property owners.)

Property Owner Name (print): Virginia Ford Signature: Virginia Ford
 Street Address: 2701 E Elm City: Harrisonville State: MO Zip: 64701
 Phone: 816-616-3877 Email: _____

Firm Preparing Application:

Contact: _____
 Street Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____

*All correspondence should be sent to: Applicant _____ Property Owner _____ Firm _____

Project Information

General Location or Address: 2701 E Elm
 Project Description: ~~2701~~ Acres or Sq. Ft. _____
 Current Zoning: Estate Proposed Zoning: R1

Items to be Submitted 30 Days Before Planning Commission Meeting

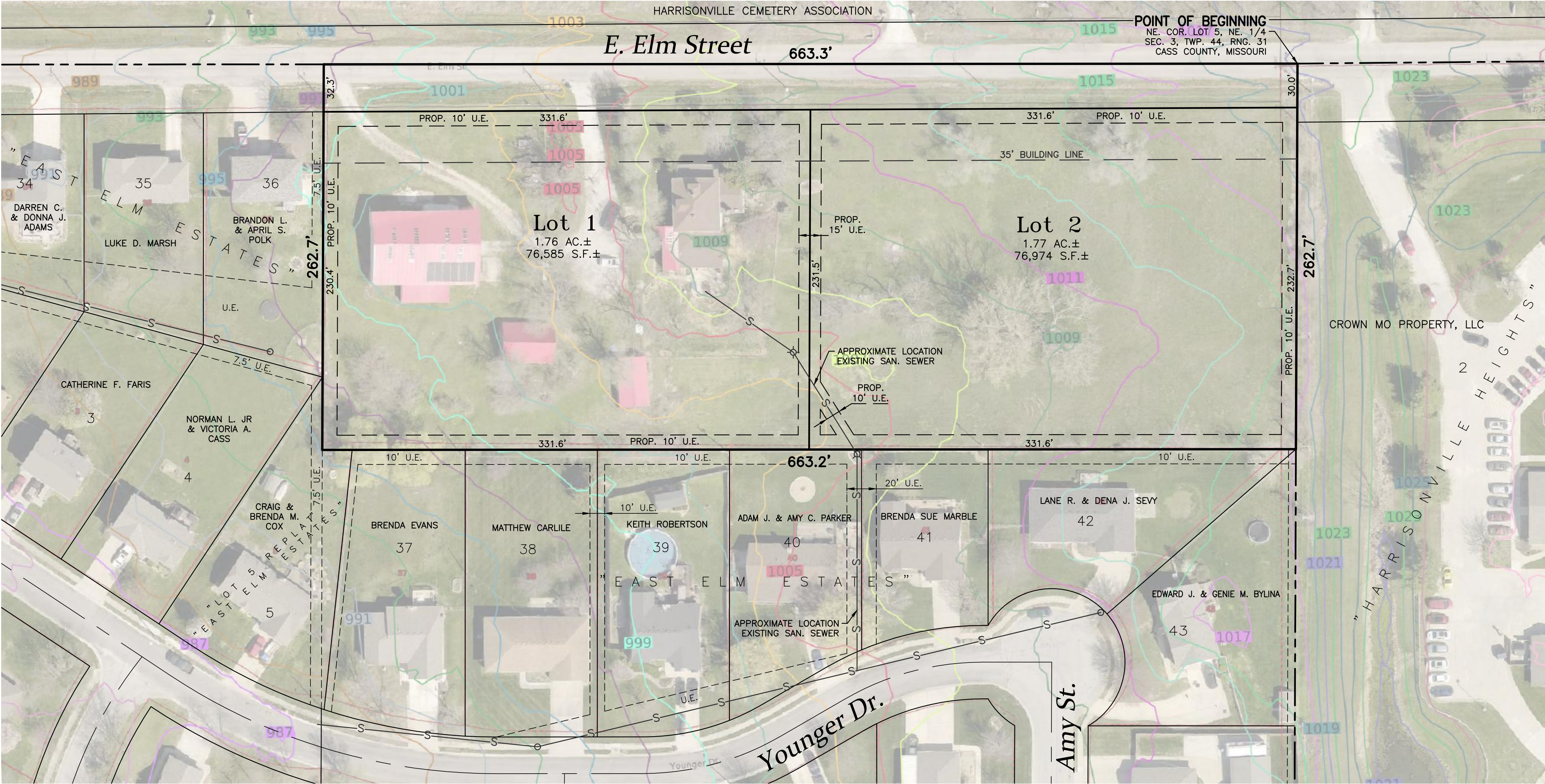
- ___ 1) Application
- ___ 2) Filing Fee – Payable to City of Harrisonville or contact the Community Development Office to pay by phone.
- ___ 3) Site Plan drawn to scale and showing adjacent tracts within 185 ft. and current ownership. Four (4) copies of at least 8 1/2" x 11", and one (1) electronic copy emailed to the planner.
- ___ 4) Email full legal description in WORD to planner (not assessor's abbreviated description).

City Staff may modify submittal requirements as necessary.

For Office Use Only

Case No RZ-23-002 Filing Fee: Amount Paid \$ 305.00 Date Application Received: 5/24/23
 Staff-only approval: _____ P&Z meeting: 6/15/23 BOA Meeting: 6/20/23

Zoning Sketch



Notes:

1. THIS DOES NOT CONSTITUTE A PROPERTY BOUNDARY SURVEY, THIS ZONING SKETCH IS FOR PLANNING PURPOSES ONLY. DIMENSIONS AND AREAS SHOWN ARE BASED ON DEED DIMENSIONS OF THE SUBJECT TRACT.
2. RECORD DEED AND ADJACENT PARCEL DEED INFORMATION WAS NOT PROVIDED BY THE CLIENT, THIS INFORMATION WAS OBTAINED BY THE SURVEYOR FROM THE CASS COUNTY GIS MAP. THE RECORD DEED USED FOR THIS ZONING SKETCH IS A WARRANTY DEED, BOOK 4070, PAGE 3, RECORDER OF DEEDS, CASS COUNTY, MISSOURI. IF OTHER DEEDS EXIST THAT AFFECT THIS TRACT THE CLIENT SHALL NOTIFY THE SURVEYOR AND PROVIDE A COPY OF SAID OTHER DEEDS TO THE SURVEYOR.
3. THIS SURVEYOR HAS MADE NO OTHER INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
4. APPROXIMATE SANITARY SEWER LOCATIONS HAVE BEEN SHOWN ON THIS ZONING SKETCH. NO OTHER ATTEMPT HAS BEEN MADE AS A PART OF THIS ZONING SKETCH TO OBTAIN OR SHOW DATA CONCERNING EXISTENCE, SIZE, DEPTH, CONDITION, CAPACITY, OR LOCATION OF ANY UTILITY OR MUNICIPAL / PUBLIC / PRIVATE SERVICE FACILITY. FOR INFORMATION REGARDING THESE UTILITIES OR FACILITIES, CONTACT THE APPROPRIATE AGENCIES.
5. THE SUBJECT PROPERTY IS NOT WITHIN THE LIMITS OF THE 100 YEAR FLOOD PLAIN AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NO. 29037C0187F AND NO. 29037C0189F, BOTH DATED JANUARY 2, 2013.
6. NO ATTEMPT HAS BEEN MADE AS A PART OF THIS ZONING SKETCH TO DETERMINE WHETHER JURISDICTIONAL WATERS OF THE UNITED STATES ARE PRESENT ON THIS PROPERTY; WHETHER THIS SOIL IS SUITABLE FOR A SEPTIC SYSTEM; WHETHER THE SOIL IS SUITABLE TO SUPPORT A FOUNDATION OR INFRASTRUCTURE IMPROVEMENTS; WHETHER ANY EXISTING SEWAGE TREATMENT FACILITIES THAT SERVE THIS PROPERTY MEET APPLICABLE HEALTH DEPARTMENT OR MISSOURI DEPARTMENT OF NATURAL RESOURCES REGULATIONS; WHETHER THIS PROPERTY HAS DRIVEWAY ACCESS TO A STATE, COUNTY, OR CITY ROADWAY RIGHT-OF-WAY OR THAT ONE WILL BE GRANTED; THAT ANY EXISTING OR PROPOSED DRIVEWAY OR ROAD ACCESS TO A PUBLIC ROADWAY MEETS SAFETY CRITERIA OF THE STATE, COUNTY, OR CITY; WHETHER UNDERGROUND OR OVERHEAD CONTAINERS OR FACILITIES OR UTILITIES OR WASTE MATERIALS MAY OR MAY NOT EXIST WHICH MAY AFFECT THIS PROPERTY.

Zoning:

CURRENT: "E" ESTATE DISTRICT
REQUESTED: "R-1" SINGLE-FAMILY RESIDENTIAL DISTRICT

Record Description:

BOOK 4070, PAGE 3
PART OF THE EAST HALF OF LOT 5 OF THE NORTHEAST QUARTER OF SECTION 3, TOWNSHIP 44, RANGE 31, IN, CASS COUNTY, MISSOURI, DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF LOT 5 OF THE NORTHEAST QUARTER OF SECTION 3, AFORESAID, AND RUNNING THENCE SOUTH 89 DEGREES 57 MINUTES 22 SECONDS WEST, ALONG THE NORTH LINE THEREOF, 663.29 FEET; THENCE SOUTH 0 DEGREES 12 MINUTES 33 SECONDS WEST, 262.71 FEET, THENCE NORTH 89 DEGREES 57 MINUTES 22 SECONDS EAST, 663.18 FEET TO A POINT ON THE EAST LINE OF SAID LOT 5; THENCE NORTH 0 DEGREES 13 MINUTES 58 SECONDS EAST, 262.71 FEET TO THE POINT OF BEGINNING. SUBJECT TO THE RIGHT-OF-WAY OF ELM STREET.

REVISED: 5/24/23 - LOT SIZES

FOR: VIRGINIA FORD PO BOX 536, HARRISONVILLE, MO 64701



Bowers Land Survey Co. LLC

P.O. BOX 541
1000 W. MECHANIC STREET
HARRISONVILLE, MISSOURI 64701
TELEPHONE: 816.225.0160
WEBSITE: BOWERSSURVEY.COM

SITE ADDRESS: 2701 E. ELM ST, HARRISONVILLE, MO 64701

SECTION	TOWNSHIP	RANGE	COUNTY	STATE	DATE	JOB NO.
3	44	31	CASS	MISSOURI	5/24/23	21831-22

DRAWING NO. 21831ZS.DWG DRAWN BY: TSB CHECKED BY: TSB

BOWERS LAND SURVEY CO. LLC, LAND SURVEYING, MISSOURI STATE CERTIFICATE OF AUTHORITY NO. LS-2020010824

COUNCIL BILL 024

ORDINANCE NO. 2216 (21-96)

AN ORDINANCE TO ANNEX CERTAIN ADJACENT TERRITORY OWNED BY ROBERT A. AND VIRGINIA L. FORD, INTO THE CITY OF HARRISONVILLE, MISSOURI.

WHEREAS, a verified petition was signed by the owners of the real estate hereinafter described requesting annexation of said territory into the City of Harrisonville, Missouri, was filed with the City Clerk; and

WHEREAS, said real estate as hereinafter described is adjacent and contiguous to the existing corporate limits of the City of Harrisonville, Missouri, and

WHEREAS, a public hearing concerning said matter was held at the City Hall in Harrisonville, Missouri, at the hour of 7:30 p.m. on Monday, March 11, 1996; and

WHEREAS, notice of said public hearing was given by publication of notice thereon in the CASS COUNTY DEMOCRAT MISSOURIAN, a weekly newspaper of general circulation in the County of Cass, State of Missouri; and

WHEREAS, at said public hearing, all interested persons, corporations, or political subdivisions were afforded the opportunity to present evidence regarding the proposed annexation; and

WHEREAS, the City and Property Owners have fully executed a certain Annexation Agreement addressing details pertaining to the annexation; and

WHEREAS, no written objection to the proposed annexation was filed with the Board of Aldermen, City of Harrisonville, Missouri, within fourteen (14) days after the public hearing; and

WHEREAS, the Board of Aldermen of the City of Harrisonville, Missouri, does find and determine that said annexation is reasonable and necessary for the proper development of the City; and

WHEREAS, the City is able to furnish normal municipal services to said area within a reasonable time after annexation;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1: Pursuant to the provision of Section 71.012 RsMO. the following described real estate is hereby annexed into the City of Harrisonville, Missouri, to-wit:

Part of the East Half of Lot 5 of the Northeast Quarter of Section 3, Township 44, Range 31, in Cass County, Missouri, described as beginning at the Northeast corner of Lot 5 of the Northeast Quarter of Section 3, aforesaid, and running thence South 89 degrees 57 minutes 22 seconds West, along the North line thereof, 663.29 feet; thence South 0 degrees 12 minutes 33 seconds West, 262.71 feet; thence North 89 degrees 57 minutes 22 seconds East, 663.18 feet to a point on the East line of said Lot 5; thence North 0 degrees 13 minutes 58 seconds East, 262.71 feet to the Point of Beginning. Subject to the right-of-way of Elm Street (Cemetery Road).

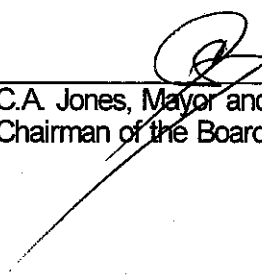
COUNCIL BILL 024
ORDINANCE NO. 2216 (21-96)
Page 2

Section 2: That the boundaries of the City of Harrisonville, Missouri, are hereby altered so as to encompass the above described tract of land lying adjacent and contiguous to the present corporate limits.

Section 3: That the City Clerk of the City of Harrisonville is hereby ordered to cause three certified copies of this ordinance to be filed with the Cass County Clerk.

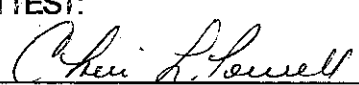
Section 4: That this ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Read two times by title only on March 25, 1996, and duly passed by the Board of Aldermen of the City of Harrisonville, Missouri, this 25th day of March, 1996.



C.A. Jones, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:



Cheri L. Powell, City Clerk

APPROVED by the Mayor this 25th day of March, 1996.

Attachment: Ord 2216 (Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. - PUBLIC HEARING)

COUNCIL BILL 054

ORDINANCE NO. 2242 (47-96)

AN ORDINANCE TO APPROVE REZONING APPLICATION OF ROBERT A. AND VIRGINIA L. FORD FOR REZONING OF PROPERTY FROM UNZONED TO EP (ESTATE PLANNED DISTRICT) CERTAIN PROPERTY LOCATED AT 2701 E. ELM STREET.

WHEREAS, the Planning and Zoning Commission of the City of Harrisonville, Missouri, held a public hearing on April 24, 1996, in regard to the rezoning application of ROBERT A. AND VIRGINIA L. FORD to rezone the hereinafter described property; and

WHEREAS, the Planning and Zoning Commission on April 24, 1996, recommended the hereinafter described property be rezoned from unzoned to EP (Estate Planned District);

WHEREAS, the Board of Aldermen of the City of Harrisonville, Missouri, held a public hearing on May 13, 1996; and after considering the property to be rezoned and the surrounding properties, and for the purpose of promoting the public health, safety, morals and considering the general welfare of the community, it is determined that the hereinafter described property should be rezoned; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1: That the Board of Aldermen of the City of Harrisonville, Missouri, hereby finds and declares that the following described property owned by ROBERT A. AND VIRGINIA L. FORD shall be rezoned from unzoned to EP (Estate Planned District), to-wit:

Part of the East Half of Lot 5 of the Northeast Quarter of Section 3, Township 44, Range 31, in Cass County, Missouri, described as beginning at the Northeast corner of Lot 5 of the Northeast Quarter of Section 3, aforesaid, and running thence South 89 degrees 57 minutes 22 seconds West, along the North line thereof, 663.29 feet; thence South 0 degrees 12 minutes 33 seconds West, 262.71 feet; thence North 89 degrees 57 minutes 22 seconds East, 663.18 feet to a point on the East line of said Lot 5; thence North 0 degrees 13 minutes 58 seconds East, 262.71 feet to the Point of Beginning. Subject to the right-of-way of Elm Street (Cemetery Road).

This property is generally located at the 2701 E. Elm Street.

Section 2: That the official zoning map of the City of Harrisonville shall be amended to reflect such changes in zoning.

Section 3: That this ordinance shall be effective immediately upon its passage and approval.

Attachment: Ord 2242 (Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. - PUBLIC HEARING)

COUNCIL BILL 054
ORDINANCE NO. 2242 (47-96)
Page 2

Read two times by title only on May 13, 1996 and duly passed by the Board of Aldermen and approved by the Mayor of the City of Harrisonville, Missouri, this 13th day of May, 1996.



C.A. Jones, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:



Cheri L. Powell, City Clerk

APPROVED by the Mayor this 13th day of May, 1996.

Attachment: Ord 2242 (Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. - PUBLIC HEARING)

Council Bill No. 2023-92

Ordinance No. 3669

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLES I, VI, VIII, IX, X, XI, XII, XV, XVII, XVIII, XIX, AND XX UNDER CHAPTER 405—ZONING REGULATIONS, AND ARTICLES V AND VI UNDER CHAPTER 410—SUBDIVISION REGULATIONS OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Harrisonville desires to amend various municipal code regulations under Title IV – Land Use; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearing on September 21, 2023, to review and make a recommendation. After said public hearing, the Planning & Zoning Commission voted 5-0 to recommend approval to the Board of Aldermen; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on October 2, 2023, and rendered a decision to approve as the Board believes that it is in the best interest for the citizens of Harrisonville.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1: The current Sections 405.565 and 405.570 are hereby removed in their entirety and replaced to read as follows:

“Section 405.565. Design Standards.

- A. Applicability. The following regulations are applicable to the construction and exterior appearance of all commercial, office, industrial and multi-family developments hereafter erected, constructed, altered or repaired.
- B. Purpose. The purpose of the following regulations is to:
 - 1. Protect property values, enhance community appearance, and preserve neighborhood character.
 - 2. Encourage developers to create more attractive, efficient, and pedestrian-friendly living, shopping, and working environments.
 - 3. Increase beauty and quality of community life by improving the character of building exteriors and surroundings.
 - 4. Increase beauty and quality of employees’ working and leisure-time experiences by improving the pedestrian environment and exterior building character in office, commercial, and industrial districts.
- C. Site and Building Design.
 - 1. The form and proportion of buildings should be consistent with the scale, form, and proportion of other development within the immediate surrounding area.
 - 2. The rhythm of structural mass to voids, such as windows and glass doors, of a front façade should relate to the rhythms established by adjacent buildings.

3. Care should be exercised to coordinate final grades and site arrangement with those of adjoining properties and streets.
4. Buildings shall incorporate four (4) sided architecture. Horizontal and vertical elements shall extend completely around the building and utilize the same, compatible, or complimentary materials on all building facades.
5. Consistent architectural design, including building materials and colors, should be carried throughout larger developments. Designs should provide visual interest and variety yet be consistent with the architectural character of the area.
6. A façade consisting of a single undifferentiated plane with a single texture or color, excluding windows, doors or overhead doors, is prohibited.

D. Building Materials.

1. Materials requiring low maintenance are recommended over high maintenance materials. For instance, materials with integral color are generally recommended over materials that require painting.
2. High-quality materials that are durable, economically maintained, and will retain their appearance over time include, but are not limited to: brick, glass, stucco, natural and fabricated stone, treated wood, integrally-colored, textured or glazed concrete masonry units (CMUs), pre-stressed concrete systems, water-managed Exterior Insulated Finish Systems (E.I.F.S.), or similar durable and visually pleasing materials.
3. Allowed building materials shall include:
 - a. Masonry. Brick, stone, concrete masonry units (CMUs) with split-face, fluted, scored or other rough texture finish. (Specifically excluding smooth finish CMU or concrete brick i.e. "Cherokee block", with the color and texture of clay brick.)
 - b. Concrete. Precast, exposed aggregate, cast in place, or tilt up panels provided a rough texture is present or to be added.
 - c. Stucco. Including E.I.F.S., Dryvit, but excluding pre-manufactured panels.
 - d. Structural Clay Tile. Excluding glazed surface finish.
 - e. Glass. Glass curtain walls, glass block, excluding mirror glass which reflects more than 40 percent of incident visible light.
 - f. Metal. Used only in an incidental role i.e., trim, architectural features, standing seam metal roofing or other architectural metal siding or roofing.
4. Exterior building materials shall be continued down to within nine inches (9") of finished grade on any elevation. Exterior masonry materials shall be continued to the top of grade.
5. If E.I.F.S. or wood is the primary material utilized on a building, the bottom three (3) feet of the building shall be constructed of brick, stone or other similar material.
6. The use of metal siding is permitted only in industrial districts and only for side and rear facades. The materials used on the front façade shall be incorporated into any façade visible from a public street to break up the monotony of those facades.
7. The use of corrugated metal panels, with a depth of less than three-quarter inch or a thickness of less than the U.S. Standard 26-gauge, shall be prohibited.
8. The use of unpainted panels, excluding panels made from copper, weathered steel, or stainless steel, shall be prohibited. The color finish of metal panels and

exposed fasteners shall have extended durability with high resistance to fade and chalk.

9. Corrugated metal facades shall be complemented with masonry, whether brick, stone, stucco or split-face block. Architectural metal panels may be an acceptable substitute for masonry.

- E. Parking. Shall be required for all structures erected. For all buildings or structures hereafter erected, constructed, reconstructed, moved or altered except in District "CBD-1", off-street parking in the form of garages or open areas made available exclusively for that purpose shall be provided. Such parking spaces shall be located entirely on private property with no portion except the necessary drives extending into any street or other public way. Where an existing building or use has insufficient parking at the time of passage of this Section or any amendment thereto, said building may be enlarged or use intensified only if adequate parking is provided for the entire building and all uses on the property in accordance with the requirements of this Section. Parking shall be provided as specified below:

Minimum Parking Required by Use	
Use Category/Specific Use	Minimum Parking Spaces Required
Residential	
Assisted Living Facility	1/dwelling unit (DU)
Efficiency or Studio Unit	1/dwelling unit (DU)
Elderly/Disabled	1/dwelling unit (DU)
Loft Dwelling	1/dwelling unit (DU)
Manufactured Home Park	2/manufactured home
Multi-Family Dwelling	1.5/dwelling unit (DU)
Single-Family Dwelling	2/dwelling unit (DU)
Two-Family or Duplex Dwelling	2/dwelling unit (DU)
Institutional	
Auditorium/Public Assembly	1 for 4 seats allowed under maximum occupancy
Church, Synagogue, Place of Worship	1 for 3 seats, or 1 per 12 feet of pew, or 1/30 sqft. in the largest assembly room
Civic Clubs, Fraternal Lodges	4/1,000 sqft. of GFA
Community Center	2.5/1,000 sqft. of GFA
Hospital	1 per 3 beds + 1 per 2 staff or visiting doctors
Library, Museum, Cultural Exhibit	2.5/1,000 sqft. of GFA
Post Office	1/1,000 sqft. of GFA
Public Safety Services (Fire, Police, Ambulance)	1/1,000 sqft. of GFA
School—Elementary, Junior High and Equivalent Parochial	2/classroom
School—High Schools, Colleges and Other Educational Institutions for Students of Driving Age	12/classroom + 1 for each 2 employees
Commercial	
Adult Business	2.5/1,000 sqft. of GFA

Amusement Center, Recreational Attraction, Roller Skating, or Ice-Skating Rink	6/1,000 sqft. of GFA
Animal Services (Boarding, Grooming, and Veterinary)	2.5/1,000 sqft., not including animal pen areas
Athletic Fields/Stadiums	1 for 4 seats
Automobile, Truck, Recreational Vehicle, Manufactured Home Sales/Rental/Service	2/1,000 sqft. of indoor sales area + 1/2,500 sqft. of outdoor display + 3/service bay
Automotive Supplies	3/1,000 sqft. of GFA
Bar	1/employee on maximum shift + 1 for each 4 seats or building capacity as determined by Building Code
Barber/Beauty Shop or Salon	3/employee on maximum shift
Boarding/Rooming House	1 per guest room + 1/employee on maximum shift
Body Shop	10/1,000 sqft. of GFA in the building, exclusive of basement storage areas, + 1 for each employee
Bowling Alley	5 for each lane
Car Wash	1/employee on maximum shift
Contractor's Supplies and Equipment, Sales and Service	2.5/1,000 sqft. of indoor sales area
Convenience Store/Gas Station	1/bay + 1/pump island, minimum 6 spaces
Crematorium	1 per 4 employees
Day Care Center	2.5/1,000 sqft. of GFA
Driving Range, Golf Course	1/tee; 4/green
Drug Store	2/1,000 sqft. of GFA
Financial Institution	4/1,000 sqft. of GFA
Funeral Home	1 per 3 seats + 1/30 sqft. of assembly area with no fixed seats
Furniture or Carpet Store	1.5/1,000 sqft. of GFA
Greenhouse, Nursery	1/employee on maximum shift + 4/1,000 sqft. of floor area accessible to the general public + 4/1,000 sqft. of general office space
Grocery Store/Specialty Market (Not a Supermarket)	4/1,000 sqft. of GFA
Group Boarding Home	1.5/employee on maximum shift
Hardware/Paint Store	1/1,000 sqft. of GFA
Health Club or Fitness Center	4/1,000 sqft. of GFA
Home Improvement Superstore	3/1,000 sqft. of GFA
Hotel/Motel with Restaurant or Lounge Open to the Public	1.5/Room
Hotel/Motel with No Restaurant or Lounge; or with a Restaurant or Lounge provided for guests only	1/Room
Laundry/Dry Cleaning	1/employee on maximum shift + 4/1,000 sqft. of floor area accessible to the general public + 4/1,000 sqft. of general office space

Liquor Store	2/1,000 sqft. of GFA
Miniature Golf	15 for each 9 holes
Motor Vehicle Repair	1/bay + 1/pump island, minimum of 6 spaces
Nursing Home	1 per 3 beds + 4/1,000 sqft. of office space
Office, General and Professional	3/1,000 sqft. of GFA
Office, Medical/Dental	4/1,000 sqft. of GFA
Restaurant	10/1,000 sqft. of GFA
Retail Establishments Not Otherwise Listed	3/1,000 sqft. of GFA
Shopping Centers (Excluding Pad Sites): 25,000 – 399,999 sqft.	5/1,000 sqft. of GFA
Shopping Centers (Excluding Pad Sites): 400,000 – 599,999 sqft.	4.5/1,000 sqft. of GFA
Shopping Centers (Excluding Pad Sites): 600,000+ sqft.	4/1,000 sqft. of GFA
Supermarket	5/1,000 sqft. of GFA
Swimming Pool	1/30 sqft. of gross pool area
Theater	1 for each 4 seats + 1 for each employee on maximum shift
Industrial	
Freight Terminal	1/1,000 sqft. of GFA
Frozen Food Lockers	1/100 sqft. of service floor area
Manufacturing/Warehouse	1/1,000 sqft. of GFA + 4/1,000 sqft. of office space
Mini-Warehouse/Self Storage Facility	1/employee + a minimum of 4 customer spaces
Salvage Yard	1/10,000 sqft. of storage area + 1/employee
Vehicle Storage/Towing	1 per employee

1. Rules for Computing Parking Requirements.

a. Multiple Uses. When a building or development contains multiple uses, the off-street parking requirement shall be calculated for each individual use and the total parking requirement shall be the sum of the individual parking requirements unless the uses operate at different hours and are able to utilize shared parking.

b. Uses Not Listed. Any use not included in the parking requirements in this Chapter, the Director of Community Development shall establish the parking requirements either based upon a listed use deemed most similar to the proposed use or based upon industry standards. The Director may require the applicant to submit a parking study or other evidence to help determine the most appropriate parking standard for the proposed use.

2. Dimensions Of Parking And Other Paved Areas. Parking stall dimensions shall be not less than nine (9) by twenty (20) feet plus the necessary space for maneuvering into and out of the space. For parking lots the minimum cross dimensions shall be as follows:

90° pattern	Single-loaded aisle — 42 feet Wheel stop to opposite curb
90° pattern	Double-loaded aisle — 60 feet

	Wheel stop to wheel stop
60° pattern	Single-loaded aisle — 40 feet Wheel stop to opposite curb
60° pattern	Double-loaded aisle — 56 feet Wheel stop to wheel stop
45° pattern	Single-loaded aisle — 34 feet Wheel stop to opposite curb
45° pattern	Double-loaded aisle — 47 feet Wheel stop to wheel stop
Parallel spaces	9 by 23 feet each space

Drives to parking areas, service areas, loading docks and other on-site facilities served by or serving motor vehicles shall not exceed thirty-five (35) feet in width measured at a point where drive curbs are generally parallel. Head-in parking, where vehicles use a part of a public street right-of-way for entering or backing from a parking space or where any part of the parked vehicle occupies street right-of-way, shall not be permitted.

3. Improvement Of Parking Areas.

(a) All parking areas and drives, except as specifically provided for in this Subsection 3(a), shall be ready for use upon occupying a building and shall be surfaced with a minimum of two (2) inches of hot-mix asphaltic concrete on a minimum four (4) inch compacted stone base or Portland cement concrete paving of equal strength (the "Hard Surface Requirement"). All such drives and off-street areas used by vehicles, except those serving single- and two-family dwellings, shall have curbs. The Director of Codes Administration may grant an extension by issuing a temporary certificate of occupancy when weather conditions are not satisfactory for placing paving materials. Exceptions to the Hard Surface Requirement are specified in Subsections 3(a)(1), (2), (3), and (4), below. None of these exceptions herein shall relieve the owner, occupant or developer from the requirements of the Americans with Disabilities Act regulations, including hard surfaced parking areas for those with disabilities.

[Ord. No. 3452, 11-5-2018]

(1) Required Driveway Connection Condition For Any Exception To Apply. Gravel may be used in lieu of the Hard Surface Requirement for the exceptions described in Subsections 3(a)(2), (3), and (4) of this Subsection 3(a), providing that any driveway connection from the parking lot to the street is constructed to the standard of the Hard Surface Requirement for at least ten (10) feet in depth from the street for the width of the driveway. Driveways shall also mean Drives to parking areas.

(2) Exceptions For Non-residential Uses. Except as required in Subsection 3(a)(1), above, existing gravel parking lots with a non-residential use may remain as gravel until a new principal use structure is constructed on the property at which time all parking areas shall meet the Hard Surface Requirement. This exception shall include a property with a previously approved Special Use Permit condition(s), provided the requirements in Subsection 3(a)(1) are met.

(3) Exceptions For Residential Uses — Single-Family. Except as required in Subsection 3(a)(1), above, driveways may be gravel for single-family

residences that extend more than one hundred (100) feet from the street to the house or accessory structure. This exception shall not apply to zoning districts described in Subsection 3(a)(4), below.

(4) Exceptions For Residential Uses "R-1B" and "R-2B." Except as required in Subsection 3(a)(1), above, the following exceptions apply to zoning districts for the Single-Family "R-1B" Near Downtown Single-Family Neighborhood District and "R-2B" Near Downtown Two-Family Neighborhood District:

- (i) Existing gravel driveways are not required to be improved when a single-family home is removed and replaced with a new single-family home, and
- (ii) Single-family residences may have one (1) gravel parking space in the side or rear yard.

(b) No parking spaces shall be located within three (3) feet of an adjoining lot in a District "E" to "R-4" inclusive. Any lights used to illuminate the parking area shall be so arranged as to direct light away from any adjacent premises in a residential district. In addition, the following regulations shall apply:

(1) In Districts "E" to "R-4" inclusive, no parking shall be permitted in the required front yard or within ten (10) feet of a public street, except that parking of motor passenger cars shall be permitted in customary driveways of single- and two-family dwellings.

(2) In District "C-O", no parking area in a front yard shall extend closer than ten (10) feet to the right-of-way and no parking area in a side yard of a corner lot shall extend closer than four (4) feet to a street. In Districts "C-1" to "M-2", no parking area shall extend closer than four (4) feet to a right-of-way measured to the back of the curb of the parking area.

(3) All parking lots and drives leading thereto, except those serving single-family and two-family dwelling, shall have curbs and drainage facilities approved by the City Administrator. Where greater setback requirements do not prevail, the back of the curb of a paved parking area shall not be closer than four (4) feet to a property line, except that in a planned zoning district, the Planning and Zoning Commission and the Board of Aldermen may permit a lesser setback where similar development on an adjoining lot will produce a satisfactory relationship.

(4) The floor area designed and used exclusively for grain storage shall not be included in the parking calculation. Such parking spaces shall be on the premises or on other property within two hundred (200) feet of an employee entrance to the building being served. Each establishment shall also provide adequate loading space within a building or on the premises in such a way that all storage, standing and maneuvering of trucks and other service vehicles shall be off the public right-of-way.

(5) A portion of the parking area required by this Chapter may remain unimproved until such time as the Board of Aldermen deems it must be improved to adequately serve current parking demand. A permit for construction of such delayed improvement may be issued only after the Planning and Zoning Commission and the Board of Aldermen are satisfied that the initial occupancy of the premises will be adequately served by the lesser number of spaces and only after approval by both bodies of a final development plan indicating clearly the location, pattern and circulation to and from the initial and the delayed parking spaces. The land area so

delineated for future parking shall be brought to finished grade, be landscaped and shall not be used for building, storage, loading or other purposes.

(6) Screening and landscaping. All open automobile parking areas containing more than four (4) parking spaces shall be effectively screened on each side adjoining or fronting on any residential or institutional property by a wall or fence not less than five (5) feet high or more than six (6) feet high or a densely-planted compact hedge not less than five (5) feet in height.

F. Landscaping and Screening.

1. When Required. All plans submitted in support of a building permit application, except for single-family and two-family dwellings and excluding buildings in District "CBD -1," shall hereafter include a landscape plan and include screening where appropriate. All development plans shall include a landscaping plan.

2. Contents of Landscaping Plan. All landscaping plans shall include the following information:

- a. North arrow and scale not to exceed one-inch equals 50 feet;
- b. Topographic information and final grading adequate to identify and properly specify planting areas needing slope protection;
- c. The location and size of all utilities on the site;
- d. The location of all existing and proposed parking areas, sidewalks, and other paved surfaces;
- e. The location of all existing and proposed buildings and structures;
- f. The location of hose connections and other watering sources;
- g. The boundaries of each required buffer or landscape strip;
- h. The location and mature size of all landscape materials to meet the requirements of this Section, drawn to scale, and a planting schedule indicating plant names (common and scientific), quantities and size at planting;
- i. The location, size, and type of all above-ground and underground utilities and structures with proper notation, where appropriate, so as to identify any safety hazards to avoid during installation of landscaping;
- j. The location, size and common name of all existing plant materials to be retained; and
- k. The location and construction details, including a profile section, of each structure proposed to meet buffering requirements.

3. Minimum Landscaping Requirements. Landscaping shall be provided for the development or redevelopment of all commercial, industrial, multi-family, and institutional property as provided herein.

a. General Requirements.

(1) Planting Seasons. Landscaping planted in fulfillment of these regulations shall only be planted during the spring (March 15 through June 15) or fall (September 15 through December 1). Planting at other times of the year may occur after receiving approval from the Community Development Director.

(2) Minimum Plant Sizes. The following are the required minimum plant sizes:

- (i) Deciduous trees shall be two-inch (2") caliper as measured at a point six inches (6") above the ground or top of the root ball, at planting.
 - (ii) Evergreen trees shall be five feet (5') in height at planting.
 - (iii) Ornamental trees shall be one-inch (1") caliper as measured at a point six inches (6") above the ground or top of root ball, at planting.
 - (iv) Medium shrubs shall be 18- to 24-inch balled and burlapped or two-gallon container.
 - (v) Large shrubs shall be 24- to 30-inch balled and burlapped or five-gallon container.
- (3) The preservation of existing plant material, when it meets the above minimum requirements and especially trees that are considered significant, is strongly encouraged. Significant trees may be given multiple credits.
- (4) The use of native plant materials is strongly encouraged, especially in areas where drainage is a concern and in and around detention or retention areas.
- (5) The *American Standard for Nursery Stock*, published by the American Association for Nurserymen, shall be the standard reference for the determination of plant standards. Publications of the University Extension, University of Missouri System, the Missouri Department of Conservation, and other authorities acceptable to the Director may also be used.
- (6) All portions of the site not covered with paving or building shall be landscaped. Open areas not covered with other materials shall be covered with sod. Ground cover shall be utilized on all slopes in excess of 3:1 slope.
- (7) Shade trees shall be planted on all projects and shall include such species as ash, sycamore, maple, oak or comparable trees suitable to the growing environment which prevails.
- (8) No tree shall be planted within the sight triangle of a street or drive intersection or within ten feet (10') of a fire hydrant.
- (9) Only trees ornamental trees (20 feet or less in height at maturity) may be planted under or within fifteen lateral feet (15') of any overhead utility wire.
- (10) Riparian Protection Buffer. The riparian protection buffer is intended to protect the habitat, wetland, slopes, stream integrity, and features in the immediate vicinity of the riparian area. These areas are typically ecologically rich but sensitive habitats that also serve as critical buffers to sedimentation. The minimum total width of the riparian protection buffer shall be the width of the mapped floodplain, or where the floodplain is not mapped or is narrower than 100 feet, shall be 100 feet from the annual high water line (AHWL) on both sides. On residential properties, the minimum width of the riparian protection buffer may be reduced to 50 feet in some locations where the floodplain in that area is less than 50 feet wide, and if an average setback of 100 feet is maintained across the property as a whole.

(11) Prohibited Trees. The following trees are prohibited and cannot be used to satisfy the landscaping requirements: Box Elder Maple (*Acer Negundo*), Catalpa (*Catalpa Series*), Cottonwood (*Populus Deltoids*), American Elm (*Ulmus Americana*), Chinese Elm (*Ulmus Parvifolia*), Siberian Elm (*Ulmus Pumila*), Ginko (female only, *Ginkgo Biloba*), Honey Locust (except thornless varieties, *Gleditsia Triancanthos*), Silver Maple (*Acer Saccharinum*), Mimosa (*Albexia Julibrissin*), Red Mulberry (female only, *Morus Ruba*), Russian Olive (*Elaeagnus Angustifolia*), Bolleana Poplar (*Populus Alba "Pyramdalis"*), Lombardy Poplar (*Populus Nigra "Italica"*), Silver Poplar (*Populus Alba "Nivea"*), Osage-Orange (except thornless and seedless varieties, *Mulcura Pomifera*), Tree of Heaven (*Alanthus Altissima*).

b. Interior Landscaping. This includes all landscaping that is interior to the site, such as plantings around the building foundation and parking islands and other open spaces.

(1) Foundational Landscaping. A landscaped area a minimum of five (5) feet wide shall be provided along the foundation of all commercial and institutional buildings, excluding building entrances and loading areas. This landscaped area may count toward the required landscape area for the lot.

(2) Parking Islands. Landscape islands, strips or other planting areas shall be located within the parking lot and shall consist of at least five percent (5%) of the entire area devoted to parking spaces, aisles, and driveways. Every four (4) rows of parking shall include a landscape island of at least ten (10) feet in width. Industrially zoned properties shall be exempt from this requirement. A landscaping island shall be located at the end of every parking bay between the last parking space and an adjacent travel aisle or driveway. The island shall be no less than eight (8) feet wide for at least one-half the length of the adjacent parking space. The island shall be planted in trees, shrubs, grass or ground cover, except those areas that are mulched. Tree planting areas shall be no less than ten (10) feet in width. No tree shall be located less than four (4) feet from the back of curb.

c. Perimeter Landscaping. This includes all landscaping that is located within thirty (30) feet of the property lines, whether street trees or screening between adjacent uses.

(1) Street Trees. Street trees shall be required at a rate of 1 tree per forty (40) linear foot along any property line that abuts a street or alley, excluding driveways.

(2) Screening of Adjacent Uses/Districts. Screening shall consist of screening fences, natural screening (earthen berms, shrubs, trees, bushes, etc.) or a combination of screening methods. The screening shall be constructed in such a manner that will protect the visual integrity, sound integrity and overall quality of the adjoining residential areas. The following table establishes which type of screen is required between adjacent uses/districts. To identify the type required, first identify the zoning of the subject lot

(the new or expanded use). Then, identify the zoning of each adjacent lot. Types of screens are labeled L, M, and H (Low, Medium, and High). The types of screens are further described below.

Zoning of Proposed Use or Expansion/Adjoining District	A	E	R-1	R-1B	R-1M	R-2	R-2B	R-3	R-4	C-O	C-1	CBD-1	CBD-2	C-2	M-1	M-2
Agriculture (A)	N/A	N/A	N/A	N/A	N/A	L	L	M	M	M	M	M	M	H	H	H
Estate (E)	N/A	N/A	N/A	N/A	N/A	L	L	M	M	M	M	M	M	H	H	H
Single-Family Residential (R-1)	N/A	N/A	N/A	N/A	N/A	L	L	M	M	M	M	M	M	H	H	H
Near Downtown Single-Family Neighborhood (R-1B)	N/A	N/A	N/A	N/A	N/A	L	L	M	M	M	M	M	M	H	H	H
Manufactured Home Park (R-1M)	N/A	N/A	N/A	N/A	N/A	L	L	M	M	M	M	M	M	H	H	H
Two-Family Residential (R-2)	L	L	L	L	L	N/A	M	M	M	M	M	M	M	H	H	H
Near Downtown Two-Family Neighborhood (R-2B)	L	L	L	L	L	N/A	M	M	M	M	M	M	M	H	H	H
Cluster or Garden Type Residential (R-3)	M	M	L	L	L	L	L	N/A	M	M	M	M	M	H	H	H
Medium Density Apartment (R-4)	M	M	H	H	H	M	M	M	N/A	M	M	M	M	H	H	H
Non-Retail Business (C-O)	M	M	M	M	M	M	M	M	M	N/A	M	L	L	H	H	H
Local Business (C-1)	M	M	M	M	M	M	M	M	M	L	N/A	L	L	L	M	M
Downtown Core Business (CBD-1)	M	M	M	M	M	M	M	M	M	L	L	N/A	L	L	M	H
Downtown Fringe Business (CBD-2)	M	M	M	M	M	M	M	M	M	L	L	L	N/A	L	M	H
Service Business (C-2)	H	H	H	H	H	H	H	H	H	H	M	L	L	N/A	M	M
Limited Industrial (M-1)	H	H	H	H	H	H	H	H	H	H	M	M	M	M	N/A	L
General Industrial (M-2)	H	H	H	H	H	H	H	H	H	H	M	H	H	M	L	N/A

- (i) Low Impact Screen. An open screen between similar land uses. Open screens shall provide an attractive separation between land uses. A low impact landscape screen shall consist of one of the following options:

Screening Option	Required Quantity
A	
Shade Trees	1/500 sqft.
Ornamental Trees	1/750 sqft.
Evergreen Trees	1/500 sqft.
Shrubs	1/500 sqft.
B	
Shade Trees	1/1,000 sqft.
Ornamental Trees	1/500 sqft.
Evergreen Trees	1/500 sqft.
Shrubs	1/500 sqft.
C	
Shade Trees	1/750 sqft.
Ornamental Trees	1/750 sqft.
Evergreen Trees	1/750 sqft.
Shrubs	1/200 sqft.

- (ii) Medium Impact Screen. A landscape screen consisting of 70% semi-opaque screening between land uses which are dissimilar in character. Semi-opaque screening should partially block views from adjoining land uses and create a separation between the adjoining land uses. For medium impact screens, either a landscape screen or fencing is required. A medium impact screen shall meet one of the following options:

Screening Option	Required Quantity
A	
Shade Trees	1/500 sqft.
Ornamental Trees	1/750 sqft.
Evergreen Trees	1/300 sqft.
Shrubs	1/200 sqft.
B	
Shade Trees	1/1,000 sqft.
Ornamental Trees	1/500 sqft.
Evergreen Trees	1/300 sqft.
Shrubs	1/200 sqft.
C	
Shade Trees	1/750 sqft.
Ornamental Trees	0 sqft.
Evergreen Trees	1/200 sqft.

Shrubs	1/200 sqft.
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- (iii) High Impact Screen. A landscape screen consisting of 100% opaque screening between land uses, which are dissimilar in character. When the proposed plan is considered to have a high impact on surrounding properties or the adjacent property is considered to have an adverse impact, both of the following shall be installed within the 30-foot landscape area: (1) a six-foot high masonry wall or opaque vinyl fence, (2) and low impact screening shall be planted on both sides of the wall or fence.

d. Additional Screening.

(1) Trash Enclosures.

(i) All, new or substantially remodeled, multi-family residential projects, defined as any dwelling unit building with more than two (2) dwelling units, and non-residential projects, shall include, on a landscape plan, a detailed drawing of enclosure and screening methods to be used in connection with all garbage/trash receptacles, garbage collection areas, grease collectors, and trash compactors. For the purpose of this Subsection, "*substantially remodeled*" shall be defined as any project remodeling in which the valuation of the work involved is equal to or more than thirty percent (30%) of the current year's market value of the building per the County Assessor's office listing. For all remodeled projects which do not meet the threshold of thirty percent (30%) per the above, these properties shall be required to comply with the requirements of Section 240.050(G)(2) of the Municipal Code regarding installation of enclosures.

All garbage/trash receptacles, garbage collection areas, grease collectors, and trash compactors for all residential dwelling unit properties except for single-family and duplex properties and all non-residential uses must be permanently screened from view on all sides by a fence of one hundred percent (100%) opacity and a minimum height of six (6) feet.

Where commercial trash receptacles are used, such receptacles must be screened as follows: All screens for trash receptacles that are part of new construction projects must match the primary color and material of the structure served.

Doors accessing storage areas must remain closed at all times when not being accessed.

(ii) Existing trash receptacles of any size, visible from a public thoroughfare must be screened from view of the public way or thoroughfare in compliance with Municipal Code Section 204.050. The screen is to be a wall, solid fence, or natural barrier of a minimum of six (6) feet in height, on any side of the collection

area which may be visible from a public way or thoroughfare adjacent to the collection area.

Chain link and slat screening is only allowed in "M-1" and "M-2" zoning. The screen must be opaque.

(iii) No trash receptacle may be located in a front or side yard unless located in an existing enclosure or if the existing developed site does not afford any other option; in such a case, the trash receptacle should be located in the side yard if possible and must comply with the screening requirements of this Section.

The City Administrator, based on the Community Development Department's site inspection and recommendation, will have the authority to grant an administrative variance where it is demonstrated that screening is impossible, or impractical, or would not serve the intent of this Section. After a request, in writing, for such relief, the City Administrator and the Community Development Department will notify the applicant of the determination, in writing, within thirty (30) days.

The wall, fence, or natural barrier shall be maintained in a neat, clean, sanitary, and proper mechanical condition at all times. Such maintenance, shall include, but is not limited to: replacing or repairing any missing or damaged boards, posts, concrete blocks or hinges, painted or stained wooden, metal, or concrete, and screening shall be maintained in a well-painted and stained condition, and removing and replacing any dead or diseased portions of a natural barrier.

The City may require specific maintenance if necessary to eliminate an unsightly or dangerous condition.

Temporary trash receptacles for special events, construction sites, parcel demolition or clean up, and similar, at the discretion of the Building Official or Code Enforcement Officer, are not required to comply with this Section.

(2) Loading Areas. All loading areas abutting a residential district shall be permanently screened from view along the abutting property line(s) by a high impact screen, as defined herein.

(3) Mechanical Equipment. Mechanical equipment may be either roof-mounted or ground-mounted and shall be screened as follows:

(i) Roof-Mounted. All roof-mounted mechanical equipment shall be screened entirely from view by using parapet walls at the same height as the mechanical units; or a solid screen around the equipment that is as tall as the tallest part of the equipment, with the screen an integral part of the building's architectural design; or the equipment setback from the roof's edge so that it is not visible from the public right-of-way.

(ii) Ground-Mounted. All ground-mounted mechanical equipment shall be screened entirely from view of the public right-of-way by a masonry wall, solid fence, or natural barrier (landscaping) up to a

height of the units to be screened. All screens shall match the primary color and material of the primary structure.

e. Installation. The Building Inspector shall inspect all landscaping and no final certificate of occupancy shall be issued unless the landscaping is completely installed in compliance with the approved landscape plan.

(1) All landscaping shall be installed according to current accepted planting procedures.

(2) All plant materials shall be free from disease and installed in a fashion that ensures availability of sufficient soil and water to sustain health growth.

(3) All trees shall be staked and include at least two inches (2") of organic mulch over the planting area.

(4) Landscape plant material suitable for planting shall be balled and burlapped or container grown. In all cases, a planting area that is at least twice the diameter of the root system or the container shall be prepared.

f. Maintenance.

(1) All landscaping materials shall be in good condition so as to present a healthy, neat and orderly appearance and shall be kept free from refuse and debris. This shall include, but not be limited to, mowing (of grass of twelve inches (12") or higher), edging, pruning, fertilizing, watering, weeding, and other activities common to the maintenance of landscaping.

(2) All landscaping shall be periodically trimmed so that it does not obstruct any public right-of-way.

(3) Diseased and dead landscape material and damaged non-living materials shall be replaced within 60 days of receipt of notice from the City by materials of equal size, density and appearance as originally required at the time of site plan approval.

(4) The owner, tenant and their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping. Lack of such maintenance and replacement shall be deemed a violation of plans approved pursuant to this Chapter.

G. Lighting.

1. Existing Outdoor Lighting Fixtures. Outdoor lighting fixtures lawfully existing prior to October 17, 2023, that do not conform to these provisions shall be deemed to be a lawful nonconforming use and may remain. A nonconforming lighting fixture that is changed to or replaced by a conforming lighting fixture shall no longer be deemed nonconforming, and thereafter such lighting fixture shall be maintained in accordance with these regulations.

2. When Plan Required. A photometric (lighting) plan shall be required for all new development, redevelopment, parking lot development or expansion where outdoor lighting is proposed or when otherwise required by the Director.

3. Plan Contents. The photometric plan shall be prepared by a lighting professional that is certified by the National Council on Qualifications for the Lighting Professions (NCQLP), or a State licensed professional engineer, architect, landscape architect or land surveyor and shall contain the following information:

a. Location and limits of the canopy or outdoor display area at a scale of not less than one inch equals 50 feet.

- b. Location and height of:
 - (1) All underside canopy lighting for service stations and service station convenience stores, and
 - (2) All pole and building mounted light fixtures for outdoor display areas, and
 - (3) All pole lights fixtures for parking lots.
- c. A photometric diagram showing predicted maintained lighting levels produced by the proposed lighting fixtures.
- d. The photometric plan shall indicate footcandle levels on a ten-foot by ten-foot grid. When the scale of the plan, as determined by the Director, makes a ten-foot by ten-foot grid plot illegible, larger grid spacing may be permitted.
- e. All photometric plans shall provide a breakdown indicating the maximum footcandle, minimum footcandle, and maximum average footcandles.
- f. All photometric plans shall include all structure(s), parking spaces, building entrances, traffic areas (both vehicular and pedestrian), vegetation that might interfere with lighting, and adjacent uses that might be adversely impacted by the lighting. The plan shall contain a layout of all proposed fixtures by location, orientation, aiming direction, mounting height and type. The plan shall include all other exterior lighting (e.g., architectural, building entrance, landscape, flag, accent, etc.).
- g. For projects abutting or adjacent to residential properties, a photometric plan providing the as-constructed lighting levels shall be provided to the Director prior to the issuance of a Final Certificate of Occupancy. The as-constructed photometric plan shall indicate the footcandle levels on a ten-foot by ten-foot grid.
- 4. Minimum Lighting Requirements.
 - a. Parking Lot Lighting
 - (1) Fixtures. Parking lot lighting shall utilize flat lens fixtures with full cut-offs and be mounted to the parking lot light pole at 90 degrees (horizontal to the ground) and shall be non-adjustable.
 - (2) Maximum Base Height. Concrete pedestals/bases shall not exceed three feet in height and shall be included in the maximum overall height.
 - (3) Maximum Height. The maximum overall fixture height, measured to the top of the fixture from grade, shall be 30 feet.
 - (4) Maximum Footcandles at Property Lines. The maximum maintained vertical footcandles at all property lines shall be 0.5 footcandles, measured at three (3) feet above the grade. Exceptions may only be allowed when the abutting property is not residential. Fixtures that project light or glare towards a street right-of-way shall not be permitted.
 - (5) Maximum Average. The maximum average maintained footcandles for all parking lots shall be 3 footcandles.
 - b. Wall-Mounted Lighting.
 - (1) Fixtures. All building-mounted lighting, excluding accent lighting, canopy lighting or emergency lighting, shall utilize a flat lens with full cut-offs.
 - (2) Maximum Wattage. Wall-mounted fixtures shall be metal halide or LED and shall not exceed 150 watts.

(3) Mounting Height. Wall-mounted fixtures shall be attached only to walls, and the top of the fixture shall not exceed the height of the parapet or roof, whichever is greater. For structures within 100 feet of a residential use and/or district, the mounting height of these fixtures shall not exceed 15 feet measured from the top of the fixture to grade.

c. Accent Lighting.

(1) Definition. Accent lighting is defined as any lighting used to accent architectural features, fascia, landscaping, flags, art or other objects for architectural or landscape purposes.

(2) Fixtures. Fixtures used for accent lighting shall be full cut-off or directionally shielded lighting fixtures that are aimed and controlled so that the directed light is substantially confined to the object intended to be illuminated to minimize glare, sky glow and light trespass. All lights shall terminate on opaque surfaces within the property.

(3) Fixture Type Allowed. The following fixture types may be used as accent lighting:

(i) Neon and fluorescent tube lighting when recessed or contained in a cap or architectural reveal. A diffusing or refracting lens that covers the recess, cap or reveal shall be provided.

(ii) Floodlights;

(iii) Wall sconces or lanterns;

(iv) Recessed can lights; or

(v) Any other fixture type that, in the opinion of the Director or designee, meets the intent of this section.

(4) Maximum Wattage. Fixture wattage shall not exceed 100 watts for incandescent, 26 watts for compact fluorescent, or 40 watts for other lighting sources.

d. Canopy and Drive Thru Lighting.

(1) Canopy and drive thru lighting shall be adequate to facilitate the activities taking place in such locations and shall not be used to attract attention to the business.

(2) Any facility utilizing a canopy or drive-thru area such as banks, service stations, convenience stores, car washes, etc., shall comply with the following requirements:

(i) Canopy light fixtures shall be recessed so that the lens cover is flush with the bottom surface (i.e., ceiling) of the canopy.

(ii) Indirect lighting may be used where light is beamed upward lighting the underside of the canopy. Such fixtures shall be shielded such that direct illumination is focused exclusively on the underside of the canopy. The underside of the canopy shall be finished with a surface treatment that minimizes the potential of glare.

(iii) Lights shall not be mounted on the top or sides (fascias) of the canopy, and the canopy sides or fascias shall not be illuminated except when approved as part of a preliminary development plan or separate sign permit.

(3) Areas under the service station canopy shall be illuminated so that the minimum lighting level is at least 10.0 footcandles and no more than 30.0 footcandles.

(4) Automatic teller machines (ATMs). The lighting around freestanding ATMs shall be a minimum of 5.0 footcandles and not to exceed 16.0 footcandles, measured within a ten-foot radius from the ATM or 4.0 footcandles within a 30-foot radius.

e. Outdoor Recreation Lighting.

(1) Lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, special event or show areas, shall meet the conditions in this section.

(2) Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be mounted, aimed and shielded so that their beams fall within the primary playing area and immediate surroundings.

(3) The main lighting of the facility shall be turned off no more than 60 minutes after the end of an activity or event. A low-level lighting system shall be installed to facilitate patrons leaving the facility, cleanup, nighttime maintenance, etc.

(4) The maximum mounted heights for recreational lighting shall be in accordance with the following:

(i) Football Fields—70 feet;

(ii) Soccer Fields—70 feet;

(iii) Baseball/Softball Fields (250 feet or greater)—70 feet;

(iv) Baseball/Softball Fields (less than 250 feet)—60 feet;

(v) Little League Fields—60 feet;

(vi) Basketball Courts—20 feet;

(vii) Tennis Courts—30 feet;

(viii) Swimming Pools—20 feet;

(ix) Tracks—20 feet;

(x) Horseshoe Courts—30 feet;

(xi) Skate Parks—30 feet;

(xii) Volleyball Courts—30 feet;

(xiii) Other recreational activities shall be determined on a case-by-case basis by the Director after consultation with the City's Parks and Recreation Department and/or industry standards. In no circumstances shall heights exceed 30 feet.

(5) The average maintained lighting levels for recreational uses, other than professional sports teams, shall not exceed the following:

(i) Eighty (80.0) footcandles in the infield and fifty (50.0) footcandles in the outfield for baseball/softball/little league fields. The maximum lighting level to average lighting level ratio shall not exceed 2.0:1.

(ii) Eighty (80.0) footcandles for football/soccer/tennis courts. The maximum lighting level to average lighting level ratio shall not exceed 2.0:1.

(iii) Fifty (50.0) footcandles for basketball courts/tracks. The maximum lighting level to average lighting level ratio shall not exceed 2.0:1.

- (iv) Twenty (20.0) footcandles for swimming pools. The maximum lighting level to average lighting level ratio shall not exceed 2.0:1.
- (v) Other lighting levels shall be in accordance with IESNA, Illuminating Engineering Society of North America standards.
- (6) All light fixtures/light poles shall be set back a minimum of one foot for every foot in height from any residential property line and/or right-of-way.
- (7) Lighting levels shall not exceed 0.5 footcandles at any common property line with residential district and/or use.”

Section 2: Section 405.030.B is hereby amended to add the following definition:

“Significant Tree

A tree in fair or better condition that has been determined to be of a high value by a knowledgeable person because of its species, size, age or other professional criteria.

1. A tree is considered in fair or better condition if:
 - a. It's life expectancy is greater than 15 years;
 - b. It has a relatively sound and solid trunk with no extensive decay or insect infestation.
2. Hardwood trees such as oaks and hickories that are of a 12-inch caliper or more and soft-wood trees such as pines and cedars, which are 16 feet in height or more, and small hardwoods such as dogwoods, redbuds or sourwoods with calipers of 6-inches or more shall be considered significant trees due to size.”

Section 3: Section 405.145 is hereby removed in its entirety.

Section 4: Section 405.147.D is hereby removed in its entirety.

Section 5: Section 405.147.F.4.d is hereby removed in its entirety.

Section 6: Section 405.175 is hereby removed in its entirety.

Section 7: Section 405.177.D is hereby removed in its entirety.

Section 8: Section 405.177.F.4.d is hereby removed in its entirety.

Section 9: Section 405.190 is hereby removed in its entirety.

Section 10: Section 405.210 is hereby removed in its entirety.

Section 11: Section 405.235 is hereby removed in its entirety.

Section 12: Section 405.265 is hereby removed in its entirety.

Section 13: Section 405.330 is hereby removed in its entirety.

Section 14: Section 405.500 is hereby removed in its entirety.

Section 15: Section 405.520 is hereby removed in its entirety.

Section 16: Section 405.525.C.1.c(1) is hereby removed in its entirety.

Section 17: Section 405.525.E and F are hereby removed in their entirety.

Section 18: Section 405.550.A.3.a is hereby amended to read as follows:

“For any "R-1," "R-1B," "R-1M," "R-2," or "R-2B" zoned lot, two (2) detached accessory building(s) may be permitted, one (1) of the two (2) may be an accessory dwelling unit for any “R-1”, or “R-1B”. Except that properties zoned R-1 of 1.5-acre or larger in size may have one additional detached accessory structure provided all setbacks are met and the lot coverage requirement is not exceeded. For any "R-3" or "R-4" zoned lot, one (1) or more detached accessory buildings may be permitted. Accessory structures are permitted as long as said structure complies with the standards outlined within the Zoning Code of Ordinances for the City of Harrisonville ("Code"), as enacted from time to time. A detached accessory building shall be located not less than eight (8) feet from any side or rear lot line and no closer to the front of the building than eight (8) feet. Accessory buildings required to be supported by a concrete foundation shall not be located within a dedicated easement of any kind. The accessory building shall be complementary with construction type, style and color of the primary structure. In the case of corner lots, accessory buildings shall be set back not less than the distance required for residences from side streets. Lot coverage for the house and any accessory structure shall not exceed thirty-five percent (35%). All accessory structures are to be approved by the Director of Community Development. Any appeals shall be directed to the Board of Aldermen and that action shall be final.”

Section 19: Section 410.350.C.2 is hereby removed in its entirety.

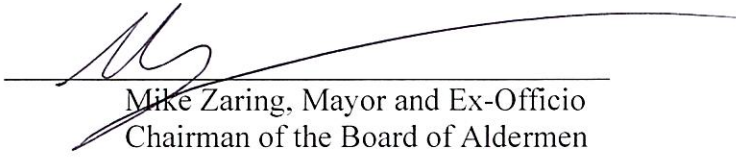
Section 20: Section 410.430 is hereby amended to read as follows:

“In both residential and commercial developments, accessways for pedestrian and maintenance purposes shall be provided by the developer to greenways, parks and open space areas.”

Section 21: Section 410.490.J.8 is hereby removed in its entirety.

Section 22: That this Ordinance shall be in effect immediately upon its passage and approval.

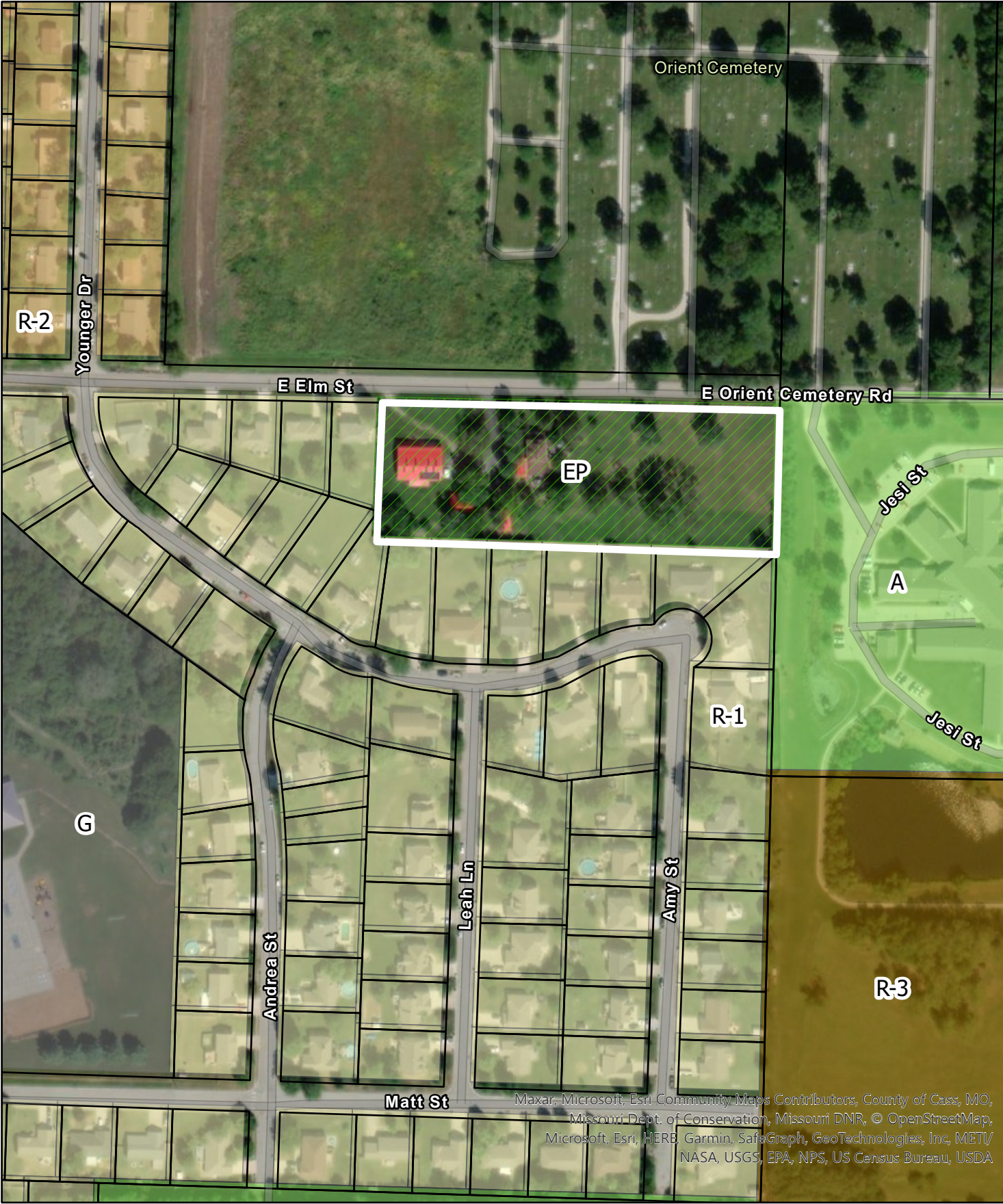
READ FOR THE FIRST TIME BY TITLE ONLY ON THE 2ND OF OCTOBER 2023 AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 16TH DAY OF OCTOBER 2023 AND PASSED BY THE BOARD OF ALDERMEN THIS 16TH DAY OF OCTOBER 2023.

VOTE TAKEN AS FOLLOWS:**AYES:** Doerhoff, Chaney, Franklin, Mills, Milner, Pfautsch, Turner**NAYS:****ABSENT:****ABSTAIN:****EXCUSED:** Davidson
Mike Zaring, Mayor and Ex-Officio
Chairman of the Board of Aldermen**ATTEST:**

Daniel Barnett, City Clerk

WITNESS my hand and seal this 16th day of October 2023.

Zoning Map

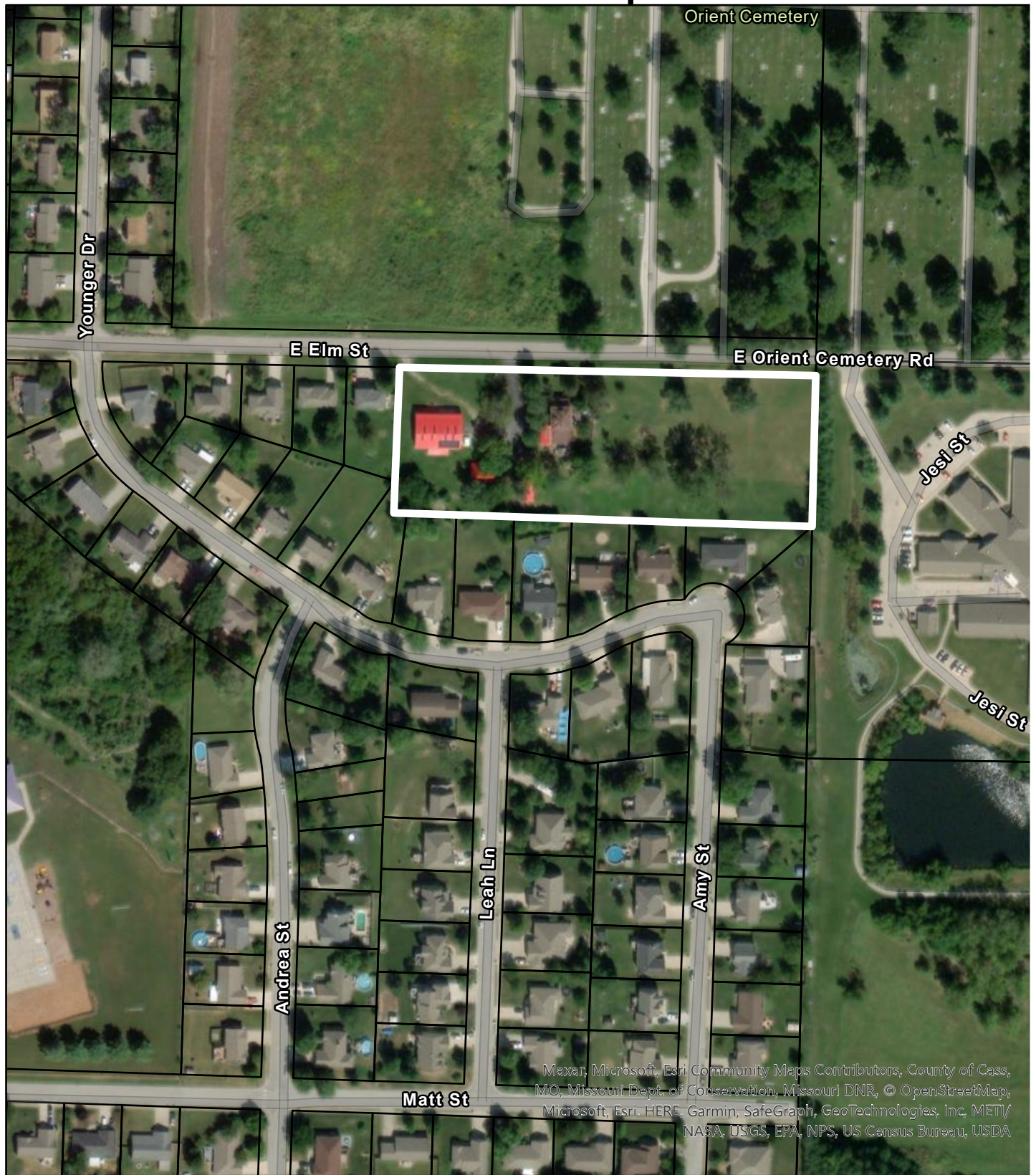


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Attachment: Zoning Map (Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. - PUBLIC HEARING)

0 135 270 540 US Feet

Aerial Map



Attachment: Aerial Map (Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. - PUBLIC HEARING)

0 185 370 740 US Feet

N

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: November 9, 2023
SUBJECT: Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St. - CONIDERATION

Type of Item: *Approval*

B. Action Item (ID # 4695)

Appl. #RZ-23-002--REZONING from EP District to R-1 District at 2701 E. Elm St.

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: November 9, 2023
SUBJECT: Appl. #SUP-23-001--SPECIAL USE PERMIT for Crematorium and Mortuary at 1505 Brookhart Rd. - PUBLIC HE

Type of Item: *Public Hearing*

C. Action Item (ID # 4693)

Appl. #SUP-23-001--SPECIAL USE PERMIT for Crematorium and Mortuary at 1505 Brookhart Rd. - PUBLIC HEARING

Attachments:

Staff Rpt - Stonegate SUP 11-16-23 P&Z (PDF)

Application (PDF)

Site Plan (PDF)

Letter from Prior Owner (PDF)

Ord 2831 (PDF)

Ord 2964 (PDF)

Ord 3212 (PDF)

Ord 3432 (PDF)

Zoning Map (PDF)

Aerial Map (PDF)



To: Planning & Zoning Commission

From: Christina Stanton, AICP, Community Development Director

Date: November 16, 2023

Re: Appl. #SUP-23-001 – SPECIAL USE PERMIT for Crematorium and Mortuary on property located at 1505 Brookhart Road

GENERAL INFORMATION

Applicant: Robert Kent Hulme with Stonegate – IFP, LLC

Requested Actions: Approval of Requested Special Use Permit (SUP) for Crematorium

Date of Application: October 17, 2023

PROPOSAL

Mr. Hulme is seeking approval of a Special Use Permit for the continued operation of the Stonegate Crematorium. The Stonegate Crematorium, LLC (managed by Michael J. Dijak) sold all its business assets, including the two crematory retorts located at 1505 S. Brookhart Road to Impact Funeral Partners operating as Stonegate – IFP, LLC. This SUP is for the continued operation under the new owner. The property is zoned Light Industrial (M-1) District.

Please see the attached zoning and aerial maps.

The surrounding properties are currently zoned as follows:

North (across S. Brookhart Rd.): Service Business (C-2) District—Future food truck court

East: Light Industrial (M-1) District—Vacant undeveloped land and Love's Truck Wash

South: Light Industrial (M-1) District—Bus barn/storage

West (across Brickplant Rd.): Light Industrial (M-1) District—Large lot residential

PREVIOUS ACTIONS

- July 7, 2003—The Board of Aldermen approved a Special Use Permit (Appl. #SUP-03-10) for the establishment of a crematorium located at the southeast corner of Brookhart Road and South Brickplant Road by Ord. #2831. The Special Use Permit (SUP) was conditioned to the applicant, so that if the applicant wanted to transfer ownership the applicant would be required to re-submit a new SUP application to the City prior to the transfer of ownership or lease. The SUP was granted for 7 years (expiration 7/7/2010).
- January 7, 2004—The Final Plat of *Brickyard Industrial Park, Lot 4* was recorded at the Cass County Recorder of Deed's Office.
- August 7, 2006—The Board of Aldermen approved a new Special Use Permit (Appl. #SUP-06-10), amending the Special Use Permit of the Crematorium (Retortion Center) by expanding the services offered at the site to include mortuary services and changing the period of time granted to twelve (12) years (expiration 8/7/2018) by Ord. #2964.

- August 6, 2012—The Board of Aldermen approved a new Special Use Permit (Appl. #SUP-12-02) for the Crematorium, amending the previous Special Use Permit by requesting a building addition in excess of 1,000 square feet. The SUP was granted for twelve (12) years (expiration 8/6/2024) by Ord. #3212.
- March 19, 2018—The Board of Aldermen approved a new Special Use Permit (Appl. #SU-18-001) for the Crematorium, amending the previous Special Use Permit of the Crematorium (Retortion Center) due to a change in ownership from Danny Carmichael to Michael Dijak. The SUP was granted for twelve (12) years (expiration 3/19/2030) by Ord. #3423.

KEY ISSUES

- This property is currently zoned Light Industrial (M-1) District.
- The reason an application for Special Use Permit is coming up at this time is due to change of ownership, as was the case in 2018.
- There have not been any complaints associated with this property/business.
- There is a current business license case open on Stonegate – IFP, LLC (D.B.A., Complete Cremation & Funeral Service) for failure to obtain a business license, they have since obtained said license but still need to attend municipal court.
- The City’s 2040 Comprehensive Plan shows the property and surrounding area as Employment – Heavy, which is “intended to support intense manufacturing, warehousing, and distribution uses which are not compatible with other place types in the community, and must be intentionally separated”.

ANALYSIS

Zoning. The property is currently zoned Light Industrial (M-1) District. The proposed use of a crematorium and mortuary are both allowed within this District with an approved Special Use Permit.

Comprehensive Plan. The City’s 2040 Comprehensive Plan shows this area as “Employment - Heavy”. According to page 46 of the City’s Comprehensive Plan, “Thes Heavy Employment areas are intended to support intense manufacturing, warehousing, and distribution uses which are not compatible with other place types in the community, and must be intentionally separated.”

STAFF RECOMMENDATION

Staff recommends approval of the proposed Special Use Permit for the existing crematorium and mortuary with the following condition:

- 1) The crematorium/mortuary business is conditioned to Stonegate – IFL, LLC. If the applicant(s) wish(-es) to transfer ownership to another party, the applicant(s) must apply for a new Special Use Permit (SUP) to the City prior to the transfer of ownership or lease.
- 2) The cremation units shall be within a fully enclosed permanent structure.
- 3) The facilities shall be operated so as to not produce hazardous, objectionable or offensive conditions by reason of odor, dust, lint, smoke, cinders, fumes, noise, vibration, heat, solid or liquid wastes, fire or explosion.
- 4) The applicant(s) shall comply with all applicable state regulations as required by the Missouri Department of Natural Resources.
- 5) The applicant(s) shall comply with all applicable federal regulations as required by the Environmental Protection Agency.
- 6) The applicant(s) shall obtain and maintain an active business license.
- 7) The Special Use Permit shall be valid for a time period of twelve (12) years, at which time the applicant(s) may re-apply.

ATTACHMENTS

Application

Site Plan
Letter from Prior Owner
Ordinance #2831
Ordinance #2964
Ordinance #3212
Ordinance #3432
Zoning Map
Aerial Map

☐ Rezoning (Fee \$300.00 + \$65 Notice Fee) ☐ Preliminary Development Plan (Fee \$300.00 + \$65 Notice Fee)
☒ Special Use Permit (Fee \$300.00 + \$65 Notice Fee) ☐ *Final Development Plan (Fee \$200.00)
 * Staff-only approval required

Applicant (Print): Robert Kent Hylme Signature: _____
Company Name: Stonegate - TFP LLC
Street Address: 1505 Brackhart Drive City: Harrisonville State: MO Zip: 64701
Phone: 816-887-5700 Email: Josh@Impactfunerals.com

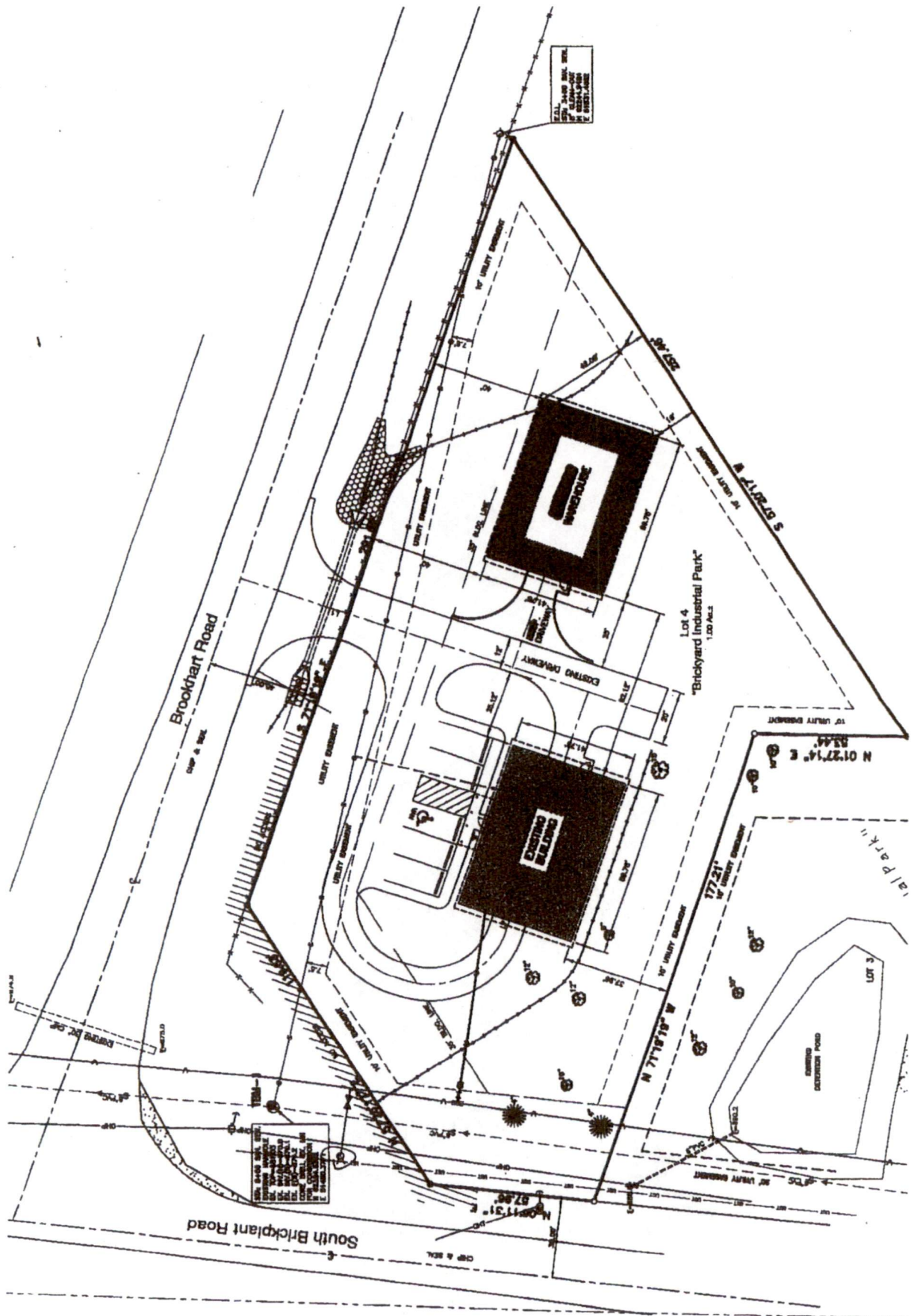
Property Owner Name (print): Robert Kent Hulme Signature: _____
Street Address: 1505 Brookhart Drive City: Harrisonville State: MO Zip: 64701
Phone: 816-887-5700 Email: Robbie@Impactfunerals.com

Contact: _____
 Street Address: _____ City: _____ State: _____ Zip: _____
 Phone: _____ Email: _____
 *All correspondence should be sent to: **Applicant** ✓ **Property Owner** ✓ **Firm** _____

General Location or Address: 1505 Brookhart Drive, Harrisonville MO 64701
 Project Description: update special use permit to stonegate IFP LLC - the operation of Crematory and Mortuary Service Acres or Sq. Ft. _____
 Current Zoning: _____ Proposed Zoning: _____

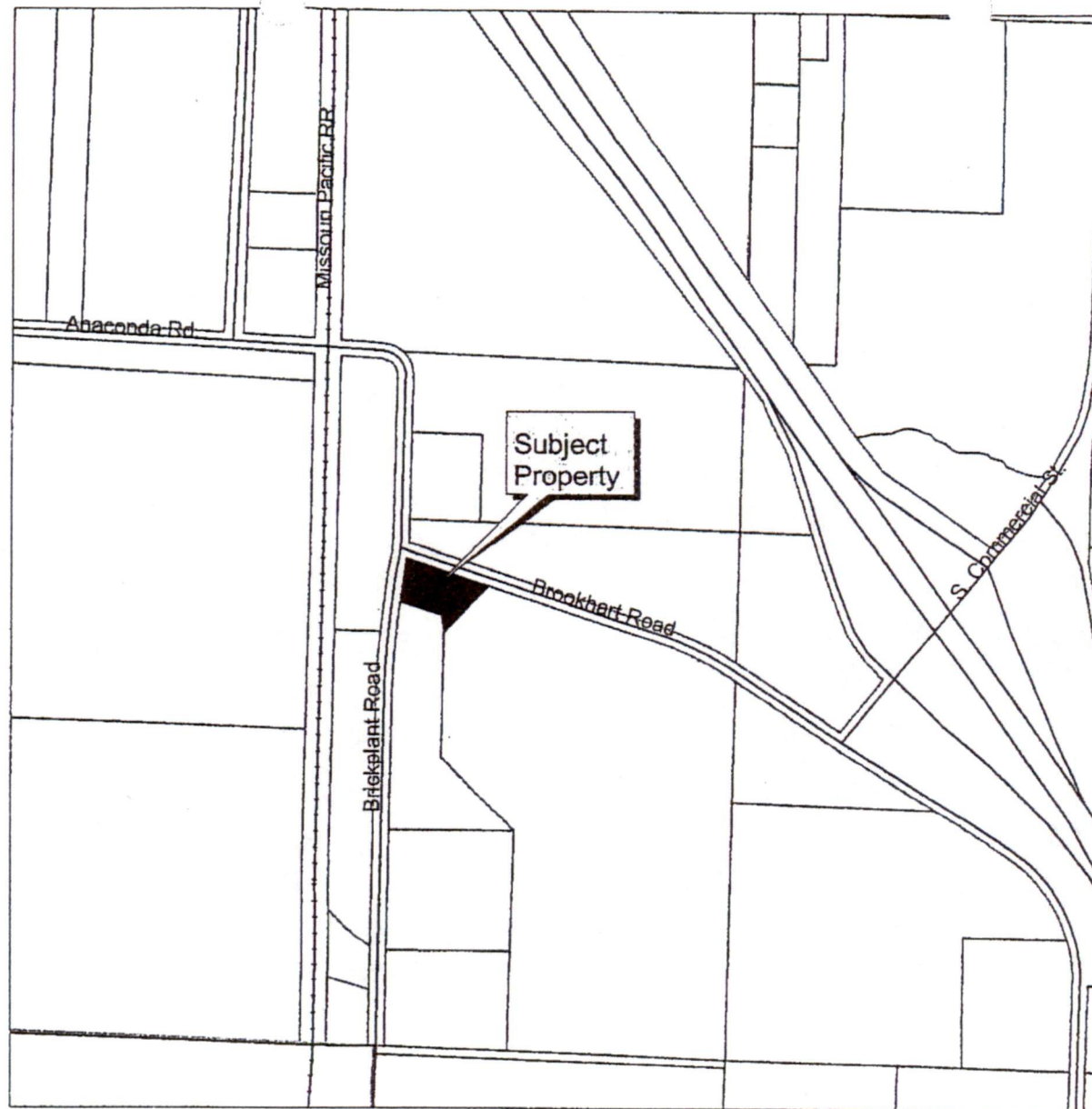
1) Application
 2) Filing Fee – Payable to City of Harrisonville or contact the Community Development Office to pay by phone.
 3) Site Plan drawn to scale and showing adjacent tracts within 185 ft. and current ownership. Four (4) copies of at least 8 ½" x 11", and one (1) electronic copy emailed to the planner.
 4) Email full legal description in WORD to planner (not assessor's abbreviated description).
City Staff may modify submittal requirements as necessary.

Case No: Sup-23-001 Filing Fee: Amount Paid \$ 225.00 Date Application Received: 10/17/23
Staff-only approval: _____ P&Z meeting: 11/16/23 BOA Meeting: 11/20/23 / 12/4/23
1st 2nd



Brickyard Industrial Park Lot 4

-  Subject property
-  Roads
-  Railroads
-  Parcels



1000 0 1000 2000 Feet

August 11, 2023

1505 South Brookhart Drive 816.887.5700 phone
Harrisonville, Mo 64701 816.887.5800 fax



To:

City of Harrisonville
300 E Pearl St
Harrisonville, MO
64701

RE: Special Use Permit - 1505 S Brookhart Dr

To Whom it May Concern:

Stonegate Crematorium, LLC has sold all its business assets, including the real estate at 1505 S Brookhart Dr, to Impact Funeral Partners operating as Stonegate - IFP, LLC (a Utah Limited Liability Company) effective August 11, 2023.

The letter serves as express permission for Stonegate - IFP, LLC to assume our Special Use Permit for the operation of the two crematory retorts located at 1505 S Brookhart Dr.

Here is the contact information for the buyers:

Stonegate - IFP, LLC
c/o Josh McDougal
2889 Ashton Blvd, Ste 175
Lehi, UT 84040
Phone 928-965-4684

Please do not hesitate to reach out to me if you have any questions. You can reach me any of the ways listed above. Thanks!

Respectfully,

Michael J. Dijak
Managing Partner

www.stonegatecrematorium.com

Attachment: Letter from Prior Owner (Appl. #SUP-23-001--SPECIAL USE PERMIT for Crematorium and Mortuary at 1505 Brookhart Rd. - PUBLIC

COUNCIL BILL 050

ORDINANCE NO. 2831 (30-03)

AN ORDINANCE OF THE CITY OF HARRISONVILLE, MISSOURI, GRANTING A SPECIAL USE PERMIT FOR THE ESTABLISHMENT OF A CREMATORIUM LOCATED AT THE SOUTHEAST CORNER OF BROOKHART ROAD AND SOUTH BRICKPLANT ROAD IN HARRISONVILLE, CASS COUNTY, MISSOURI.

WHEREAS, after a public hearing has been conducted by the Harrisonville Planning and Zoning Commission as required by Chapter 89 RSMo(1986) and the Harrisonville City Code, with said hearing being held August 15, 2002, the Commission has submitted its recommendation of approval to the Board of Aldermen of the City of Harrisonville, Missouri; and

WHEREAS, the Board of Aldermen of the City of Harrisonville, Missouri, held a public hearing on June 16, 2003; and

WHEREAS, the legal description of the property is as follows: Proposed Lot 4, Brickyard Industrial Park, a subdivision in the City of Harrisonville, Cass County, Missouri.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1. A special use permit for the purpose of establishing a Crematorium at the Southeast corner of Brookhart Road and South Brickplant Road is granted with the following conditions:

1. The Use

This SUP authorizes the operation of a crematory (retortion center) business only.

2. Ownership

The crematory business is conditioned to this applicant. If the applicant wishes to transfer ownership to a second party, the applicant must re-submit an application for a special use permit to the City prior to the transfer of ownership or lease.

3. Expansion of Facilities

No portion of the building shall be extended, expanded, or enlarged without reapplying for a special use permit.

4. Lighting

Any lighting used to illuminate the parking area or the building shall be directed away from adjacent properties in a way to eliminate glare.

5. Location of Cremation Units

The cremation unit shall be within a fully enclosed permanent structure.

6. Environmental

The crematorium must be operated as not to produce hazardous, objectionable or offensive conditions by reason of odor, dust, lint, smoke, cinders, fumes, noise, vibration, heat, solid or liquid wastes, fire or explosion.

7. Missouri Department of Natural Resources

The applicant must comply with all applicable state regulations as required by the Missouri Department of Natural Resources.

8. U.S. Environmental Protection Agency

The applicant must comply with all applicable federal regulations as required by the Environmental Protection Agency.

9. On Site Improvements:

All site improvements, as outlined by an approved site development plan, must be complete before issuance of a certificate of occupancy.

10. Approval of Final Plat

All required public improvements must be constructed in accordance with the approved set of construction plans and approved site development plan. All public improvements must be completed and accepted by the City with the approval of a final plat within 6 months of the Board of Aldermen approval of the special use permit.

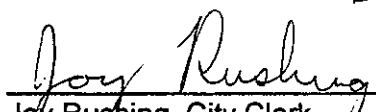
11. Time Limit

Time Limit = 7 years *(Applicant may reapply for renewal of SUP after expiration)*

Section 2. Severability. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. Effective Date. This ordinance shall become effective immediately upon its passage and approval.

Read for the first time by title only on June 16, 2003, and read for the second time by title only and passed by the Board of Aldermen this 7th day of July, 2003.


Joy Rushing, City Clerk


Kevin W. Wood, Mayor and Ex-Officio
Chairman of the Board of Aldermen

APPROVED by the Mayor this 7th day of July, 2003.

Expires 8/2018

2006

COUNCIL BILL 036

ORDINANCE NO. 2964 (12-06)

AN ORDINANCE OF THE CITY OF HARRISONVILLE, MISSOURI, REGARDING A SPECIAL USE PERMIT FOR THE ESTABLISHMENT OF A CREMATORY (RETORTION CENTER) & MORTUARY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF BRICKPLANT AND BROOKHART AS REQUESTED BY APPLICANTS DANNY CARMICHAEL AND SHAWN PARCELLS

WHEREAS, after a public hearing has been conducted by the Harrisonville Planning and Zoning Commission as required by Chapter 89 RSMo (1986) and the Harrisonville City Code, with said hearing being held July 27, 2006, the Commission has submitted its recommendation of approval contingent upon meeting the conditions as outlined in this Special Use Permit to the Board of Aldermen of the City of Harrisonville, Missouri; and

WHEREAS, the Board of Aldermen of the City of Harrisonville, Missouri, held a public hearing on August 7, 2006; and

WHEREAS, the legal description of the property is as follows:

BRICKYARD INDUSTRIAL PARK, LOT 4

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1. A special use permit for the establishment of a crematory (Retortion Center) & mortuary located generally on the southeast corner of Brickplant and Brookhart as requested by applicants Danny Carmichael and Shawn Parcells contingent upon the following conditions:

The Use

This SUP authorizes the operation of a crematory (retortion center) and facilities for mortuary services.

Ownership

The crematory/mortuary business is conditioned to these applicants. If the applicant(s) wish to transfer ownership to another party, the applicant(s) must re-submit an application for a special use permit to the City prior to the transfer of ownership or lease.

Expansion of Facilities

The building may be expanded up to an additional 1,000 square feet. However, if the building is to be expanded beyond an additional 1,000 square feet, then the special use permit must be amended.

Lighting

Any lighting used to illuminate the parking area or the building shall be directed away from adjacent properties in a way to eliminate glare.

Location of Cremation Units

The cremation unit shall be within a fully enclosed permanent structure.

Environmental

The facilities must be operated as not to produce hazardous, objectionable or offensive conditions by reason of odor, dust, lint, smoke, cinders, fumes, noise, vibration, heat, solid or liquid wastes, fire or explosion.

Missouri Department of Natural Resources

The applicants must comply with all applicable state regulations as required by the Missouri Department of Natural Resources.

U.S. Environmental Protection Agency

The applicants must comply with all applicable federal regulations as required by the Environmental Protection Agency.

Time Limit

Time Limit = 12 years *(Applicant may reapply for renewal of SUP after expiration)*

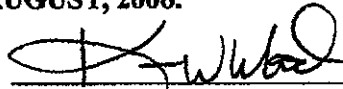
Section 2. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This ordinance shall become effective immediately upon its passage and approval.

Vote taken as follows:

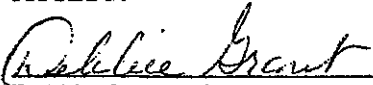
Ayes:	Aldermen Roberts, Walters, Check, Burdick, Minich and Howell
Nays:	None
Absent:	Aldermen Flanner and Linthicum
Abstain:	None

READ ONE TIME BY TITLE ONLY ON AUGUST 7, 2006. READ FOR A SECOND TIME BY TITLE ONLY ON AUGUST 7, 2006 AND WAS DULY APPROVED BY THE BOARD OF ALDERMEN THIS 7TH DAY OF AUGUST, 2006.



Kevin W. Wood, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:



Debbie Grant, City Clerk

APPROVED by the Mayor this 7th day of August 2006.

COUNCIL BILL 044**ORDINANCE NO. 3212 (013-12)**

AN ORDINANCE OF THE CITY OF HARRISONVILLE, MISSOURI, AMENDING A SPECIAL USE PERMIT FOR THE ESTABLISHMENT OF A CREMATORY (RETORTION CENTER) & MORTUARY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF BRICKPLANT AND BROOKHART AS REQUESTED BY APPLICANT DANNY CARMICHAEL.

WHEREAS, after the Harrisonville Planning and Zoning Commission submitted a recommendation of approval contingent upon meeting the conditions as outlined in this Special Use Permit to the Board of Aldermen of the City of Harrisonville, Missouri; and

WHEREAS, the legal description of the property is as follows:

BRICKYARD INDUSTRIAL PARK, LOT 4

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1. A special use permit for the establishment of a crematory (Retortion Center) & mortuary located generally on the southeast corner of Brickplant and Brookhart as requested by applicant Danny Carmichael be amended contingent upon the following conditions:

The Use

This SUP authorizes the operation of a crematory (retortion center) and facilities for mortuary services.

Ownership

The crematory/mortuary business is conditioned to these applicants. If the applicant(s) wish to transfer ownership to another party, the applicant(s) must re-submit an application for a special use permit to the City prior to the transfer of ownership or lease.

Expansion of Facilities

The building (footprint) may be expanded up to an additional 3,500 square feet. The total allowed building footprint on the site would be 6,000 square feet. However, if the total building footprint is to be expanded beyond 6,000 square feet, then the special use permit must be amended.

Lighting

Any lighting used to illuminate the parking area or the building shall be directed away from adjacent properties in a way to eliminate glare.

Location of Cremation Units

The cremation unit shall be within a fully enclosed permanent structure.

Environmental

The facilities must be operated as not to produce hazardous, objectionable or offensive conditions by reason of odor, dust, lint, smoke, cinders, fumes, noise, vibration, heat, solid or liquid wastes, fire or explosion.

Missouri Department of Natural Resources

The applicants must comply with all applicable state regulations as required by the Missouri Department of Natural Resources.

U.S. Environmental Protection Agency

The applicants must comply with all applicable federal regulations as required by the Environmental Protection Agency.

Time Limit

Time Limit = 12 years (*Applicant may reapply for renewal of SUP after expiration*)

Section 2. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This ordinance shall become effective immediately upon its passage and approval.

Vote taken as follows:

Ayes: Aldermen Reece, Pfautsch, Coburn, Dickerson, Dahlman, Stull, Mollenhour

Nays: None

Absent: Alderman Meyer

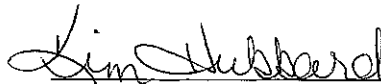
Abstain: None

READ ONE TIME BY TITLE ONLY ON AUGUST 6, 2012. READ FOR A SECOND TIME BY TITLE ONLY ON AUGUST 6, 2012 AND WAS DULY APPROVED BY THE BOARD OF ALDERMEN THIS 6TH DAY OF AUGUST, 2012.



Kevin W. Wood, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:



Kim Hubbard, City Clerk

APPROVED by the Mayor this 6th day of August 2012.

COUNCIL BILL 024**ORDINANCE 3432 (07-18)**

An Ordinance of the City of Harrisonville, Missouri, amending a Special Use Permit for the Continuation of a Crematory (Retortion Center) & Mortuary located at 1505 Brickplant Rd., as requested by Applicant, Stonegate Crematorium, LLC.

WHEREAS, Danny Carmichael is transferring ownership of Stonegate Crematorium, LLC ("Stonegate") to Michael Dijak and an investment group,

WHEREAS, an ownership change requires a new Special Use Permit to operate;

WHEREAS, Stonegate will continue to operate as a crematory (retortion center) and mortuary at 1505 Brookhart Road;

WHEREAS, certain conditions will be placed on Stonegate as required in previous Special Use Permits;

WHEREAS, after the Harrisonville Planning and Zoning Commission submitted a recommendation of approval contingent upon meeting the conditions as outlined in this Special Use Permit to the Board of Aldermen of the City of Harrisonville, Missouri; and

WHEREAS, the Board of Aldermen have reviewed the recommendation from Planning and Zoning, held a Public Hearing on March 19, 2018, agree with the approval recommended by P&Z, and believe that it is in the best interest for the citizens of Harrisonville.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI, AS FOLLOWS:

Section 1. A special use permit for the continued use of a crematory (Retortion Center) & mortuary located at 1505 Brookhart Dr. as requested by applicant Stonegate Crematorium, LLC be amended contingent upon the following conditions:

The Use

This SUP authorizes the operation of a crematory (retortion center) and facilities for mortuary services.

Ownership

The crematory/mortuary business is conditioned to Michael Dijak. If the applicant(s) wish to transfer ownership to another party, the applicant(s) must re-submit an application for a special use permit to the City prior to the transfer of ownership or lease.

Lighting

Any lighting used to illuminate the parking area or the building shall be directed away from adjacent properties in a way to eliminate glare.

Location of Cremation Units

The cremation unit shall be within a fully enclosed permanent structure.

Environmental

The facilities must be operated as not to produce hazardous, objectionable or offensive conditions by reason of odor, dust, lint, smoke, cinders, fumes, noise, vibration, heat, solid or liquid wastes, fire or explosion.

Missouri Department of Natural Resources

The applicants must comply with all applicable state regulations as required by the Missouri Department of Natural Resources.

U.S. Environmental Protection Agency

The applicants must comply with all applicable federal regulations as required by the Environmental Protection Agency.

Time Limit

Time Limit = 12 years (*Applicant may reapply for renewal of SUP after expiration*)

Section 2. If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This ordinance shall become effective immediately upon its passage and approval.

Vote taken as follows:

Ayes: Aldermen Bowman, Bockelman, Reece, Milner, Dickerson, Turner and Levsen

Nays: None

Abstain: None

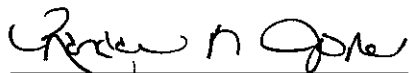
Absent: Alderman Long

READ ONE TIME BY TITLE ONLY ON MARCH 19, 2018. READ FOR A SECOND TIME BY TITLE ONLY ON MARCH 19, 2018 AND WAS DULY APPROVED BY THE BOARD OF ALDERMEN THIS 19TH DAY OF MARCH, 2018.



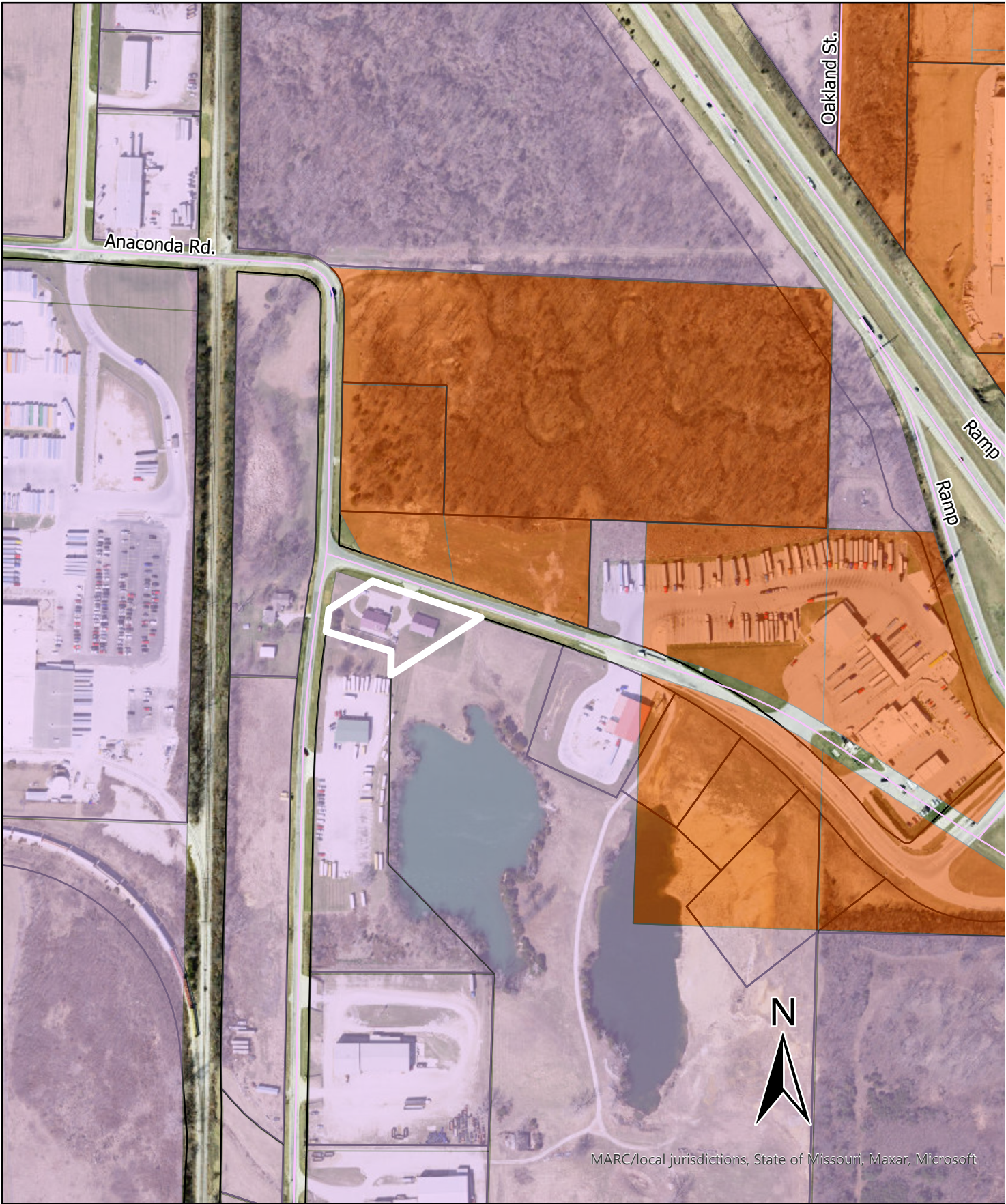
Brian Hasek, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:



Randall K. Jones, City Clerk

Zoning Map



Attachment: Zoning Map (Appl. #SUP-23-001--SPECIAL USE PERMIT for Crematorium and Mortuary at 1505 Brookhart Rd. - PUBLIC HE)

0 262.5 525 1,050 US Feet

Aerial Map

3.C.j



MARC/local jurisdictions, State of Missouri, Maxar, Microsoft

0 120 240 480 US Feet

Packet Pg. 59

Attachment: Aerial Map (Appl. #SUP-23-001--SPECIAL USE PERMIT for Crematorium and Mortuary at 1505 Brookhart Rd. - PUBLIC HE)

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: November 9, 2023
SUBJECT: Appl. #SUP-23-001--SPECIAL USE PERMIT for Crematorium and Mortuary at 1505 Brookhart Rd. - CONSIDERA

Type of Item: *Approval*

D. Action Item (ID # 4696)

Appl. #SUP-23-001--SPECIAL USE PERMIT for Crematorium and Mortuary at 1505 Brookhart Rd. - CONSIDERATION

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: November 9, 2023
SUBJECT: Various Code Amendments - PUBLIC HEARING

Type of Item: *Public Hearing*

E. Action Item (ID # 4694)

Various Code Amendments

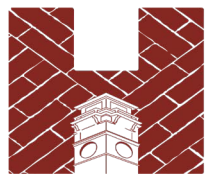
Attachments:

Various Code Changes 11-16-23 P&Z (PDF)

Misc Code Amendments (November 2023) (PDF)

Land Use Table Edits November 2023 (PDF)

Dimensional Standards-November (PDF)



To: Planning & Zoning Commission
From: Christina Stanton, AICP, Community Development Director
Date: November 16, 2023
Re: Various Code Amendments

GENERAL INFORMATION

Applicant: N/A

Requested Actions: Consideration of proposed Code changes

Date of Application: N/A

PROPOSAL

The proposed Code Amendments are comprised of various items that seek to provide clarity, clean-up inconsistencies as well as missed corrections, and meet various recommendations from the City's 2040 Comprehensive Plan. These very targeted amendments include:

- 1) Adding definitions for “bed and breakfast”, “cottage housing”, “dwelling, loft”, “dwelling, patio home”, dwelling, town home”, “dwelling, zero lot line”, “event venue”, “home composting”, “mushroom barns and caves”, and “short-term rental” which helps to clarify these uses that were not previously defined. These corrections stem from both comparing uses in the land use table with those currently defined and making sure that our Code allows for an expanded types of housing as recommended by the 2040 Comprehensive Plan.
- 2) Correcting “Limited” to “Light” Industrial in Sections 405.060 and 065 to match with other references within the Code.
- 3) Correcting the lot coverage requirements listed under Sections 405.185.A.5 and 405.205.A.6 to match the average percent impervious for multifamily areas as established in the APWA Runoff Coefficients—This was supposed to be part of a previous amendment (Ordinance #3627), but apparently was missed. This corrects that oversight.
- 4) Changes within Chapter 220—Nuisances to include added definitions and plant listings for noxious and invasive plants. These changes stem from recommendations from MARC's 2040 Model Ordinances for Tree Protection, Weed Management, and Native Plant Encouragement, which was recommended for review and consideration from the 2040 Comprehensive Plan.
- 5) Removal of Sections 410.240 and 410.250—These sections were intended to be removed previously when language was added to Section 405.630, but they were missed.
- 6) Changes to the various code sections pertaining to plan submittals to make sure the number and size of plans submitted are consistent.
- 7) Adding Special Use Permit criteria for “Bed and Breakfast”, “Intermodal Containers for Seasonal Sales”, and “Massage Establishment”.
- 8) Changes to Section 405.550.A.2.d—Intermodal Containers. These changes seek to build some flexibility back into the Code and clarify the various tiers of usage.

- 9) Added “home composting” to listed additional accessory uses so that it is clear that it is an allowed accessory use for residential, as recommended in MARC’s 2050 Climate Action Plan that was recommended for review and consideration from the 2040 Comprehensive Plan.
- 10) Correcting a couple of references that were missed during previous Code Amendments pertaining to pawnshops or small loan establishments.

PREVIOUS ACTIONS

- November 16, 1966—The Board of Aldermen approved the original ordinance (Ord. #683) pertaining to nuisance, dead, and dangerous trees that was intended to address Dutch Elm Disease.
- May 13, 1991—The Board of Aldermen approved Zoning Ordinance #1825, which established most of our current zoning districts.
- June 8, 1998—The Board of Aldermen approved Ordinance #2504 establishing regulations pertaining to daycare homes.
- April 1, 2002—The Board of Aldermen approved Ordinance #2766, which repealed and amended Ordinances #1831 and 2587, establishing new subdivision regulations (Chapter 120).
- February 18, 2003—The Board of Aldermen approved Ordinance #2806, which established regulations for “Pawnshops and Small Loan Establishments” (Chapter 18—Licenses).
- March 7, 2005—The Board of Aldermen approved Ordinance #2904, which amended Chapter 34—Trees.
- October 19, 2009—The Board of Aldermen approved Ordinance #3107 that revised definitions for “Building, Accessory” and “Building Coverage”, established 35% as the maximum building coverage for all residential districts, and amended “Additional Uses” under Accessory Uses.
- September 8, 2015—The Board of Aldermen approved Ordinance #3329, which amended Section 630.150—Geographic Limitations for Pawnshops and Small Loan Establishments.
- November 2, 2015—The Board of Aldermen approved Ordinance #3341, which established Near Downtown Single-Family (R-1B) District and Near Downtown Two-Family Neighborhood (R-2B) District.
- February 5, 2018—The Board of Aldermen approved Ordinance #3431, which amended Section 220.290—Dead, Dying, Diseased Trees.
- June 17, 2019—The Board of Aldermen approved Ordinance #3469, which added definitions pertaining to medical marijuana.
- February 1, 2021—The Board of Aldermen approved Ordinance #3530, which added “Mini-Warehouse Facility” to definitions.
- February 22, 2022—The Board of Aldermen approved Ordinance #3577, which added “Correctional Facility” to definitions.
- September 19, 2022—The Board of Aldermen approved Ordinance #3602, which added “Accessory Dwelling Unit (ADU)” to definitions.
- November 21, 2022—The Board of Aldermen approved Ordinance #3616, which added various definitions and established the Land Use Table.
- February 6, 2023—The Board of Aldermen approved Ordinance #3625, which added definitions pertaining to various marijuana facilities.
- February 21, 2023—The Board of Aldermen approved Ordinance #3627, which added definitions and regulations pertaining to “on-site temporary storage units” and “intermodal containers”, and established the Dimensional Standards Table.
- February 21, 2023—The Board of Aldermen approved Ordinance #3630, which amended Chapter 630—Pawnbrokers and Small Loan Establishments and added “Pawnshop/Small Loan Establishment” review criteria to the Special Use Permit section of the Zoning Regulations (405.525.C).
- March 20, 2023—The Board of Aldermen approved Ordinance #3637, which largely focused on outline corrections and flow of regulatory sections.
- March 20, 2023—The Board of Aldermen approved Ordinance #3638, which revised Subdivision Regulations to streamline and provide greater clarity of the process; however, there was a staff

oversight and the number and size of plans required for submittal were not included (Sections 410.270, 290, and 300). Additionally, it was intended for Sections 410.240 and 250 to be removed as part of this amendment but this was inadvertently missed when drafting the ordinance.

- **March 20, 2023**—The Board of Aldermen approved Ordinance #3639, which revised the development application process regulations to streamline and provide greater clarity of the process; however, there was a staff oversight and the number and size of plans required for submittal were not included (Section 405.630.C).
- **November 6, 2023**—Staff presented these end of year clean-up items to the Board of Aldermen in Work Session.

ATTACHMENTS

1. Staff Commentary and Mark-ups
2. Land Use Table Mark-up
3. Dimensional Standards Table Mark-up



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Existing Municipal Code in black.

Removals in red.

Additions in green.

Highlights = Discussion.

CS commentary in blue.

Staff Commentary

The following code amendments cover various items:

- 1) Adding definitions for “bed and breakfast”, “cottage housing”, “dwelling, loft”, “dwelling, patio home”, “dwelling, town home”, “dwelling, zero lot line”, “event venue”, “home composting”, “mushroom barns and caves”, and “short-term rental” which helps to clarify these uses that were not previously defined. These corrections stem from both comparing uses in the land use table with those currently defined and making sure that our Code allows for an expanded types of housing as recommended by the 2040 Comprehensive Plan.
- 2) Correcting “Limited” to “Light” Industrial in Sections 405.060 and 065 to match with other references within the Code.
- 3) Correcting the lot coverage requirements listed under Sections 405.185.A.5 and 405.205.A.6 to match the average percent impervious for multifamily areas as established in the APWA Runoff Coefficients—This was supposed to be part of a previous amendment (Ordinance #3627), but apparently was missed. This corrects that oversight.
- 4) Changes within Chapter 220—Nuisances to include added definitions and plant listings for noxious and invasive plants. These changes stem from recommendations from MARC’s 2040 Model Ordinances for Tree Protection, Weed Management, and Native Plant Encouragement, which was recommended for review and consideration from the 2040 Comprehensive Plan.
- 5) Removal of Sections 410.240 and 410.250—These sections were intended to be removed previously when language was added to Section 405.630, but they were missed.
- 6) Changes to the various code sections pertaining to plan submittals to make sure the number and size of plans submitted are consistent.
- 7) Adding Special Use Permit criteria for “Bed and Breakfast”, “Intermodal Containers for Seasonal Sales”, and “Massage Establishment”.
- 8) Changes to Section 405.550.A.2.d—Intermodal Containers. These changes seek to build some flexibility back into the Code and clarifying the various tiers of usage.
- 9) Added “home composting” to listed additional accessory uses so that it is clear that it is an allowed accessory use for residential, as recommended in MARC’s 2050 Climate Action Plan that was recommended for review and consideration from the 2040 Comprehensive Plan.
- 10) Correcting a couple of references that were missed during previous Code Amendments pertaining to pawnshops or small loan establishments.

1) Section 405.030 Definitions and Rules of Construction.

BED AND BREAKFAST

An owner-occupied detached house, in which the owner resides and provides lodging and breakfast to registered transient guests for compensation.

COTTAGE HOUSING

A group of small (1 to 1.5-story), detached structures arranged around a shared court visible from the street. The shared court is an important community-enhancing element and unit entrances should be from the shared court. Multiple cottage houses may be located on a single lot.

DWELLING, LOFT

A dwelling located above the first floor of a non-residential use such as a store, restaurant, or office.

DWELLING, PATIO HOME

A dwelling on a separate lot with open space setbacks on three sides.

DWELLING, TOWN HOME

A townhouse is an attached house building containing three (3) or more dwelling units, divided by a vertical plane.

DWELLING, ZERO LOT LINE

A building located on a lot in such a manner that one or more of the dwelling's sides rests on a lot line.

EVENT VENUE

A facility that is used primarily for the purpose of leasing or renting for private functions on a temporary basis, such as meetings, banquets, weddings, anniversaries and similar celebrations.

HOME COMPOSTING

A controlled, aerobic (oxygen-required) process that converts organic materials (such as food scraps and yard wastes—leaves and grass clippings) into a nutrient-rich soil amendments or mulch through natural decomposition. Home composting typically takes the form of a small compost bin or vermicomposting (worm composting) within a bin designed for such.

MUSHROOM BARNS AND CAVES

Barns or caves utilized for the purpose of farming, or growing, mushrooms.

SHORT-TERM RENTAL

The rental of either a room within a dwelling unit or the entire dwelling unit for a period of less than one month.

2) Section 405.060 Establishment of Districts.

In order to carry out the purposes and provisions of this Chapter, the City of Harrisonville, Missouri is hereby divided into the following districts:

District "A"	Agriculture District
District "E"	Estate District
District "R-1"	Single-Family Residential District
District "R-1B"	Near Downtown Single-Family Neighborhood District
District "R-1M"	Manufactured Home Park District
District "R-2"	Two-Family Residential District
District "R-2B"	Near Downtown Two-Family Neighborhood District



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District "R-3"	Cluster or Garden Type Residential District
District "R-4"	Medium Density Apartment District
District "C-O"	Non-Retail Business District
District "C-1"	Local Business District
District "CBD-1"	Downtown Core Business District
District "CBD-2"	Downtown Fringe Business District
District "C-2"	Service Business District
District "M-1"	Limited Light Industrial District
District "M-2"	General Industrial District

Section 405.065 Planned Zoning Districts.

Some of the districts hereinbefore set forth shall have a separate and distinct counterpart known and herein referred to as a planned district. A planned district shall be for the purpose of permitting and regulating the uses heretofore permitted in the equivalent district and further provide for and encourage latitude and flexibility in the location of buildings, structures, roads, drives, variations in yards and open spaces all subsequent to approval of the plan by local officials. The purpose is to allow development of tracts of land to their fullest extent and at the same time observe the general intent and spirit of these regulations.

Planned Districts shall be as follows:

District "EP"	Planned Estate District
District "RP-1"	Planned Single-Family Residential District
District "RP-1M"	Planned Manufactured Home Park District
District "RP-2"	Planned Two-Family Residential District
District "RP-3"	Planned Cluster or Garden Type Residential District
District "RP-4"	Planned Medium Density Apartment District
District "CP-O"	Planned Non-Retail Business District
District "CP-1"	Planned Local Business District
District "CBDP-1"	Planned Downtown Core Business District
District "CBDP-2"	Planned Downtown Fringe Business District

District "CP-2"

Planned Service Business District

District "MP-1"

Planned **Limited Light** Industrial District

District "MP-2"

Planned General Industrial District

- 3) Section 405.185.A.5: The **buildinglot** coverage shall not exceed **thirty-fivesixty** percent (**3560**%).

Section 405.205.A.6: The **buildinglot** coverage shall not exceed **thirty-fivesixty** percent (**3560**%).

4) Chapter 220. Nuisances

ARTICLE IV. **Trees Vegetation**

Section 220.285. Definitions.

INVASIVE PLANT

A vegetation species that grows aggressively in the State of Missouri, as listed by the Missouri Department of Conservation.

NATIVE PLANT

A vegetation species that existed prior to the arrival of settlers within the State of Missouri, as listed by the Missouri Department of Conservation.

NOXIOUS WEED

A vegetation species that is listed as a Missouri State Noxious Weed by the United States Department of Agriculture.

NUISANCE PLANT

Toxic species known to cause death or severe allergic reactions among a segment of the human population such as poison hemlock, poison ivy, and ragweed.

NUISANCE TREES

A Nuisance Tree shall include all dead, or decaying trees, shrubbery, dead limbs or branches that create a dangerous or unsafe condition to the public or neighboring properties, all trees infested with insects or worms which are injurious to trees, and/or all trees infected by a disease or fungus that is not promptly treated or that is not remediable, and/or any tree meeting the United States Department of Agriculture Forest Service Hazardous Tree Guidelines as determined by a certified arborist and are hereby declared to be a public nuisance.

Section 220.290. Dead, Dying, Diseased Trees.

A. Definition.



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NUISANCE TREES

A Nuisance Tree shall include all dead, or decaying trees, shrubbery, dead limbs or branches that create a dangerous or unsafe condition to the public or neighboring properties, all trees infested with insects or worms which are injurious to trees, and/or all trees infected by a disease or fungus that is not promptly treated or that is not remediable, and/or any tree meeting the United States Department of Agriculture Forest Service Hazardous Tree Guidelines as determined by a certified arborist and are hereby declared to be a public nuisance.

AB. Private Property Responsibility. It shall be the responsibility of the owner(s) or occupant(s) of any private property in the City of Harrisonville, Missouri ("City") that contains a Nuisance Tree to promptly take down and remove such Nuisance Tree from any such property on which same is situated. The City shall have no responsibility with respect to any Nuisance Tree located on private property, except as specifically described in Subsection (BC).

BC. City Easements. If, in the sole opinion of the City staff, a Nuisance Tree has or may likely affect a City or public easement in any way, then the City, at the City's option, may remediate, take down or remove such Nuisance Tree. If the Nuisance Tree is located on private property, then City staff shall make a reasonable attempt to notify the private property owner(s) or occupant(s).

CD. City Responsibility Public Property. It shall be the responsibility of the City to remediate, take down or remove a Nuisance Tree from public property described, as follows:

1. Nuisance Trees located on City public property;
2. Nuisance Trees located in the City Right-of-Way ("ROW"); or
3. Nuisance Trees that could damage or dangerously obstruct sidewalks located on City property or in the City ROW.

Section 220.395. Listing of Noxious Weeds, Invasive Plants and Native Plants.

- A. **Noxious Weeds.** As may be amended from time to time by the United States Department of Agriculture, Missouri State Listed Noxious Weeds.

American Lotus
Bigpod Sesbania
Black Locust
Cattail
Duckmeat
Duckweed
Eastern Poison Ivy
Floating Primrose-Yellow
Gray Dogwood
Hornwort
Osage-Orange

Pondweed
 Sesbania
 Smooth Sumac
 Stiff Dogwood
 Waterlily
 Watermeal
 Watermilfoil
 Waternymph
 Watershield

- B. Invasive Plants. As may be amended from time to time by the Missouri Department of Conservation and listed in the Missouri Vegetation Manual.

Amur Honeysuckle
 Autumn Olive
 Bird's Foot Trefoil
 Border Privet
 Burning Bush
 California Privet
 Callery Pear
 Canada Thistle
 Caucasian Bluestem
 Chinese Privet
 Chinese Wisteria
 Chinese Yam
 Common Buckthorn
 Common Teasel
 Crownvetch
 Cutleaf Teasel
 European Common Reed
 Fuller's Teasel
 Garlic Mustard
 Himalayan Blackberry
 Japanese Chaff Flower
 Japanese Honeysuckle
 Japanese Hop
 Japanese Knotweed
 Japanese Stiltgrass
 Japanese Wisteria
 Johnsongrass
 Kudzu
 Leafy Spurge
 Morrow's Honeysuckle
 Multiflora Rose
 Musk Thistle
 Nepalese Browntop
 Nodding Plumeless Thistle
 Oriental Bittersweet
 Purple Loosestrife
 Reed Canarygrass
 Sacred Bamboo
 Sericea Lespedeza
 Showy Fly Honeysuckle



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Smooth Brome
Spotted Sumac
Sweet Autumn Virginsbower
Sweetclover
Tall Fescue
Waterhyme
White Sweetclover
Winter Creeper
Yellow Bluestem
Yellow Sweetclover

C. Native Plants. As may be amended from time to time by the Missouri Department of Conservation and listed on the Grow Native! Website: www.grownative.org.

- 5) Remove Sections 410.240 and 410.250 as these have been replaced with appropriate language in section 405.630 and were supposed to have been removed with changes previously but were missed.
- 6) Under Section 405.630.C: "Plan Submittal Contents. All development plans (rezoning, preliminary and final development plan, and special use permit) shall have four (4) sets of plans 24" x 36" and shall contain:"

Under Section 410.270: "The preliminary plat for a subdivision shall be a formal plan, drawn to scale, indicating prominent existing features of a tract and its surroundings and the general layout of the proposed subdivision and shall meet the requirements outlined herein. The preliminary plat (or accompanying application material) shall have four (4) sets of plans 24" x 36" and shall contain the following information:"

Under Section 410.290.D: "The final plat prepared for recording purposes shall be drawn at a scale of no less than one (1) inch equals one hundred (100) feet. The size of the sheets on which final plats are submitted shall be at least sixteen and one-quarter (16 1/4) inches by nineteen (19) inches and shall not exceed twenty-four (24) inches by thirty-six (36) inches. Four (4) sets shall be submitted for initial review. Each sheet shall have a one and one-quarter (1 1/4) inch binding edge along the left side (narrow dimension) and a one-quarter (1/4) inch border along all other sides. Where the proposed plat is of unusual size, the final plat shall be submitted on two (2) or more sheets of the same dimensions. If more than two (2) sheets are required, an index sheet of the same dimensions shall be filed showing the entire development at a smaller scale."

Add to Section 410.300.C: An application for a minor plat shall be accompanied by four (4) sets of plans 24" x 36" in size and shall contain information and signature blocks similar to that of a final plat, except that minor plats do not require signature blocks for the Planning & Zoning Commission or the Board of Aldermen or the City Clerk.

7) Section 405.525.C.14: Bed and Breakfast. An application for special use permit for a bed and breakfast shall be subject to the following conditions and restrictions:

- a. Appearance. The exterior residential appearance of the dwelling unit shall be maintained.

- b. **Parking location.** Parking areas shall be located on the side or rear of the property and shall be screened from adjacent residential property by a solid screen fence or wall.
- c. **Food service.** Food service may be provided to guest rooms. No cooking or food preparation will be allowed in guest rooms. Approval must be received from the Cass County Health Department.
- d. **Codes.** The bed and breakfast shall comply with all applicable requirements of the International Building Code, the International Fire Code and the International Residential Code, as adopted by the City of Harrisonville.
- e. **Inspections.** The Fire Department and other city departments shall be permitted to perform inspections as in any other business.
- f. **Length of stay.** No person shall be an occupant of a bed and breakfast for more than 14 consecutive days.
- g. **Other criteria.** In determining whether a bed and breakfast is an appropriate use in the proposed location, the Commission and Board may consider the following:
 - (1) Whether the use is appropriate in view of the use, development and zoning of adjacent and nearby property.
 - (2) Whether the use will adversely affect the existing use or usability of adjacent or nearby property.
 - (3) Whether the use is in conformity with the policy and intent of the comprehensive plan.
 - (4) Whether there are existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the proposed use.

Section 405.525.C.15: Intermodal Containers for Seasonal Sales. An application for special use permit for the use of intermodal containers for seasonal sales shall be subject to the following conditions and restrictions:

- a. **Appearance.** Containers shall be painted to be compatible with the structure being served.
- b. **Maximum number.** The maximum number of said structures shall not exceed 10.
- c. **Location.** Containers shall be located such that they are not placed immediately adjacent to any public right-of-way, and they are not placed in front of the front building line.
- d. **Duration.** The maximum duration of a seasonal event shall not exceed 90 calendar days in a year.
- e. **Codes.** The structures shall comply with all applicable requirements of the adopted Codes of the City of Harrisonville.

Section 405.525.C.16: Massage Establishment, as defined in Section 635.050. The following is required of an applicant for a massage establishment:

- a. Premises shall comply with all applicable zoning, fire, health and building codes.
- b. Premises and equipment shall be clean, sanitary and well maintained.
- c. Items for the personal use of patrons, such as linens, sheets and towels, shall be cleaned and freshly laundered, unless disposable and no such item, if non-disposable, shall be used twice without being laundered. Disposable items must be disposed of in a sanitary manner after each use. Drapes (sheets) should be twin fitted drapes and twin flat sheets (no sheer sheets shall be allowed).



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- d. The license of the massage establishment and of every massage therapist employed thereby shall be displayed in an open and conspicuous place on the premises and shown to officers of the City of Harrisonville upon request.
- e. Massage establishment and massage therapist licenses are not transferable and such authority as a permit confers shall be conferred only on the permitting name therein. Any applications made, fees paid and permits obtained under the provisions of this Chapter shall be in addition to and not in lieu of any other fees, permits or licenses required to be paid or obtained under any other ordinances of this City.
- f. All signs pertaining to a massage establishment shall be affixed to the building in which business is being conducted. In addition, all massage establishments are required to comply with City sign regulations and obtain a sign permit from the City before placement of said sign.
- g. Business shall only be conducted between the hours of 5:00 A.M. and 10:00 P.M.
- h. All massage establishments must obtain and maintain a license from the State of Missouri to operate a massage business as required by Sections 324.247 to 324.252, RSMo.
- i. Massage establishments located in residential neighborhoods shall provide a separate treatment room which is exclusively used for treatment of patrons. Said treatment room shall be professional in appearance.

8) Section 405.550.A.2.d: Intermodal Containers. This Section clarifies the allowable uses for intermodal containers, also known as "connex, mobile, and shipping containers." The following regulations shall apply to proposed and existing containers being used in the City of Harrisonville prior to the adoption of this Section. **Said containers are prohibited in all residential districts.**

(1) Temporary Uses.

- (a) **Prohibited.** Containers are prohibited in all residential districts.
- (b) **Temporary. Commercial Districts.** Containers **may shall only** be used temporarily when tied to an active building permit.
- (c) **Conditional. Industrial Districts.** Industrially or commercially zoned properties that utilize containers shall do so for storage purposes only. **The following conditions and restrictions shall apply:**
 - (i) **Appearance.** Said container(s) shall be painted to be compatible with the building being served.
 - (ii) **Maximum number.** The maximum number of containers conditionally allowed shall not exceed two (2).
 - (iii) **Screening.** Containers shall be screened from view from any public right-of-way, which is not located at a significantly higher elevation,

such that no more than 20% of the structure shall be visible from any adjacent right-of-way.

(iv) Permit required. Such structures shall not be considered legal unless they have an approved permit.

(v) Codes. All other city codes shall be followed including, but not limited to, lot coverage and setbacks.

(d) Special Use Permit. A Special Use Permit shall be required for any commercial business to utilize containers for seasonal sales events.

(2) Location Drawing Required **For Industrial Districts**. A drawing shall be submitted using aerial imagery to depict where on the property the containers will be located. The drawing shall be provided to the Community Development Department for the purposes of reviewing with other departments to determine adequate life safety measures. Location approval is determined by the City Fire Marshal in conjunction with the Community Development Department.

(3) Containers shall not be stacked.

(4) **Placement**. Said units may not be placed directly on soil or in grassy areas and shall not be placed within any easement on the property. Containers shall be located no closer than fifty (50) feet from any public right-of-way **and follow the screening requirements of Section 405.570 of the Municipal Code**.

(a) Screening is not required for containers tied to an active building permit.

(b) Proximity to right-of-way exceptions will be granted by the Community Development Department when containers are tied to an active building permit.

(c) Containers tied to an active building permit may not be placed in grassy areas and shall not be placed within any easement on the property. No such unit shall block any sidewalk, right-of-way, or be located within any sight triangle as defined in Section 410.160 of the Municipal Code. Doors must always be secured except during times of loading and unloading.

(5) City Fire Marshal approval is required for storage of certain items. The property owner shall also provide a method of labeling the containers in accordance with the adopted Fire Code and its referenced standards to the materials being stored. City Fire Marshal is to approve the labeling prior to installation.

(6) Doors must always be secured except during times of loading and unloading.

(7) Any existing or future containers on any property of which any portion of the property is in the flood zone will require a building permit and must also be anchored to grade to resist the effects of buoyancy, dislocation, or movement causing damage to property or public facilities; elevation of floodwaters; or create a hazardous condition to any person or property.



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9) Section 405.550.A.4: Additional Uses. A hobby activity may be operated as an accessory use by the occupant of the premises purely for personal enjoyment, amusement or recreation, provided that the articles produced or constructed are not sold on the premises. Such additional uses as private swimming pools, gardens, **home composting**, customary pets, television and radio antennae not exceeding sixty (60) feet in height, signs as permitted by ordinance, parking areas, play equipment, and other similar uses shall be allowed. Any accessory use which exceeds ten (10) feet in height shall be located a distance inside the property line at least equal to one-third (1/3) its height.

10) Section 630.030.B: Any pawnshop or small loan establishment existing prior to the adoption of this Chapter shall be considered non-conforming and shall be exempt from Section **405.525.C.11.e 630.140** (Signage) and Section **405.525.C.11.a and b 630.150** (Geographic Limitations) of this Chapter so long as the pawnshop or small loan establishment or accompanying signage is not expanded or discontinued for more than ninety (90) days.

Land Use Table

Land Use/Zoning District	A	E	R-1	R-1B	R-1M	R-2	R-2B	R-3	R-4	C-0	C-1	CBD-1	CBD-2	C-2	M-1	M-2
Agriculture																
Abattoir																
Agriculture	P															
Apiary	P	P														
Aviary	P															
Campground	S															
Dairy Farming	P															
Farming	P															
Fish Hatcheries, Apiaries, Aviaries	P															
Forests, Wildlife and Conservation Preserves	P															
Fur Farming	P															
Livestock and Poultry Raising	P															
Marijuana Cultivation Facility	P														P	P
Mushroom Barns and Caves	P															
Truck Garden	P															
Riding Stables and Tracks	P															
Sale or Marketing of Products Raised on Premises	P															
Residential																
Accessory Dwelling Unit	P	P	P	P												
Cluster or Cottage Housing			P	P		P	P	P	P							
Dwelling, Apartment Complex									P				P	P		
Dwelling, Garden Apartments								P		P						
Dwelling, Loft											P		P	P		
Dwelling, Multi-Family									P				P	P		
Dwelling, Patio House								P		P						
Dwelling, Single-Family	P	P	P	P		P	P	P	P	P			P			
Dwelling, Town Home								P		P						
Dwelling, Two-Family or Duplex						P	P	P	P	P			P			
Dwelling, Zero Lot Line Home								P		P						
Manufactured Home					P											
Mobile Home					P											
Modular Home		P			P											
Institutional																
Cemeteries	S									S	S	S	S	S	S	S
Charity and Welfare													P	P		
Church, Synagogue, Place of Worship	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

Land Use/Zoning District	A	E	R-1	R-1B	R-1M	R-2	R-2B	R-3	R-4	C-0	C-1	CBD-1	CBD-2	C-2	M-1	M-2
Community Building (Publicly Owned and Operated)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Correctional Facility	S									S	S	S	S	S	S	S
Cultural Exhibits and Services				S*			S*					P	P	P		
Fairgrounds	S	S								S	S	S	S	S	S	S
Fire Station	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Library, Public	P			S*			S*			P	P	P	P	P		
Museums, Public	P			S*						P	P	P	P	P		
Parks and Playgrounds (Publicly Owned)	P	P	P	P	P	P	P	P		P	P					
Penal Institution	P															
Philanthropic or Eleemosynary Institution	P															
Picnic Grove	P															
Police	P															
Post Office										P	P	P	P	P		
Public Administration Building	P															
Schools, Public or Private	P	P	P	P		P	P	P		P	P	P	P	P		
Schools, Trade														P		
Sewage Treatment Facilities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Substation, Electric Utility	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Swimming Pool, Commercial														P		
Swimming Pool, Public			P	P		P	P	P		P	P					
Towers, Microwave Transmitting and/or Receiving	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Towers and Stations, Radio or TV	S									S	S	S	S	S	S	S
Utility Facility, Public or Private	P	S	S	S	P	S	S	S	S	S	P	P	P	P	P	P
Water Tower or Storage Facility	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Water Treatment Facility	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Commercial																
Adult Arcade														S		
Adult Business Establishment																S
Adult Entertainment Facility														S		
Adult Media Outlet																S
Animal Hospital, Small	S									S	P	S	S	S	S	S
Antiques											P	P	P	P		
Appliance Repairs, Small											P	P	P	P		

Land Use/Zoning District	A	E	R-1	R-1B	R-1M	R-2	R-2B	R-3	R-4	C-0	C-1	CBD-1	CBD-2	C-2	M-1	M-2
Art Studio				p*			p*									
Artist and Hobby Supplies											P	P	P	P		
Assembly and Meeting Halls														P		
Assisted Living Facility								P	P					P		
Athletic and Baseball Fields, Commercial	S									S	S	S	S	S	S	S
Athletic and Baseball Fields, Non-Commercial	P	P	P	P	P	P	P	P	P							
Automobile Repair and Washing														P		
Automobile Salvage or Wrecking Yard or Tow Lot															S	S
Automobile Service Station														P		
Automobile Supplies													P	P		
Automotive Equipment, Trucks, Trailers, Boats, Camping Accessories, Tools, Farm Machinery and Supplies, Building Supplies and Lawn Accessories (Sale at Retail or Wholesale or Rental of)														P		
Bar														P		
Barber or Beauty Shop				p*			p*			P	P	P	P	P		
Bathhouse														S		
Bed and Breakfast	S	S	S	S*			S*									
Bicycle Sales											P	P	P	P		
Body Shop															P	P
Bridal Shop				S*			S*					P	P	P		
Cleaning of Commodity (not Junk or Salvage)															P	P
Cleaning, Pressing and Dyeing Plants (Including Laundries)																P
Clinic										P	P	P	P	P		
Club												P	P	P		
Coffee Shop				S*			S*			P	P	P	P	P		
Contractor's Supplies and Equipment, Sales and Service																P
Convenience Store, w/o Pumps												P	P	P		
Custom Maintenance													P	P		
Crematorium--Human or Animal															S	S
Day Care Center										P	P			P		

Land Use/Zoning District	A	E	R-1	R-1B	R-1M	R-2	R-2B	R-3	R-4	C-0	C-1	CBD-1	CBD-2	C-2	M-1	M-2
Day Care Home (10+ Children)	S	S								P	P			P		
Delivery Services													P	P		
Drive-in Theater	S									S	S	S	S	P		
Driving Range	S									P	P			P		
Drug Store											P	P	P	P		
Dry Cleaning											P	P	P	P		
Entertainment Facility, Public or Private													P	P		
Equipment Repair, Small													P	P		
Escort Agency														S		
Establishments which serve or sell alcoholic beverages											P	P	P	P		
Event Venue												S	S	S		
Exposition Center/Building(s)	S									S	S	S	S	S	S	S
Exterminating and Disinfecting Services														P		
Farm Supplies and Equipment, Sales and Service																P
Financial Institution				P*							P	P	P	P		
Flower Shop				S*			S*				P	P	P	P		
Funeral Home	S	S	S							S	S	S	S	S	S	
Furniture and Appliances, Retail											P	P	P	P		
General Repair and Fix-It Shop														P		
Gift Shop				S*			S*				P	P	P	P		
Golf Courses and Clubhouses (Private)	P		P	P		P	P	P		P	P					
Greenhouse, Nursery (Commercial)	P									S	S	S	S	P	S	S
Group Boarding Home	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Handcrafting													P	P		
Hardware and Paint, Retail											P	P	P	P		
Hospital	P	S	S	S	S	S	S	S	S	P	P	S	S	S	S	S
Hotel												P	P	P		
Hydroponic Farm, Commercial	S									S	S	S	S	S	S	S
Interior Decorating				P*			P*				P	P	P	P		
Intermediate Care Facility								P	P					P		
Investigative and Protective Services												P	P	P		
Janitorial Services														P		
Jewelry Store				S*			S*				P	P	P	P		
Kennel, Commercial	P													P	S	S
Laundry											P	P	P	P		

Land Use/Zoning District	A	E	R-1	R-1B	R-1M	R-2	R-2B	R-3	R-4	C-0	C-1	CBD-1	CBD-2	C-2	M-1	M-2
Massage Establishment		S	S	S										P		
Medical Marijuana Dispensary Facility										P	P			P		
Medical Marijuana Testing Facility										P	P			P	P	P
Medical or Dental Offices or Labs				p*			p*			P	P	P	P	P		
Medical Supplies											P	P	P	P		
Miniature Golf														P		
Mortuary	S	S	S							P	P	S	S	S	S	
Motel												P	P	P		
Motorcycle Sales													P	P		
Movie Rentals											P	P	P	P		
Music Supplies											P	P	P	P		
Novelties											P	P	P	P		
Nursing Home	P	S	S													
Office, Real Estate				S*			S*			P	P	P	P	P		
Offices, Administrative or Professional				p*			p*			P	P	P	P	P		
Offices, General											P	P	P	P		
Optical Shop											P	P	P	P		
Outpatient Facility, Alcohol or Drug Abuse											P	S	P	P		
Pawnshop/Small Loan Establishment														S		
Pet Grooming (with all animals kept indoors)														P		
Petroleum Products (not dispensing or bulk plants)													P	P		
Photography Service				p*			p*				P	P	P	P		
Photographic Equipment											P	P	P	P		
Recreational Facility, Non-Commercial					P								P	P		
Recreational Facility, Commercial	S									S	S	S	S	S	S	S
Recreational Park, Commercial													P	P		
Residential Care Facility	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
Residential Facility, Alcohol or Drug Abuse											S	S	S	S		
Restaurant											P	P	P	P		
Retail Store											P	P	P	P		
Sanitarium	P															
Seamstress and Tailoring				p*			p*				P	P	P	P		
Shoe Repairs											P	P	P	P		
Short-Term Rental	P	P	P	P		P	P					P	P			
Special Care Facilities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S

Land Use/Zoning District	A	E	R-1	R-1B	R-1M	R-2	R-2B	R-3	R-4	C-0	C-1	CBD-1	CBD-2	C-2	M-1	M-2
Sports-Related Activity or Facility, Commercial	S									S	S	S	S	S	S	S
Tattoo, Piercing and Branding Establishments												S		S		
Tobacco Products, Retail											P	P	P	P		
Toys and Sporting Goods, Retail											P	P	P	P		
Trailer Camp/RV Park	S													S		
Veterinarian	P									S	S	S	S	S	S	S
Industrial																
Airport and/or Landing Fields, Public/Private	S														S	S
Asphalt and/or Concrete Batch Plant	S														S	S
Assembling															P	P
Bakery														P		
Bottling														P		
Building Materials Stores and Yards																P
Bus Barns or Lots																P
Cold Storage Plant																P
Composting, Fertilizer Manufacture (Commercial)																
Contractor's Shop and/or Yard (including construction equipment and/or materials storage areas)	S													S	S	S
Creosote Manufacture or Treatment																
Disassembling															P	P
Distillation of Bones, Fat Rendering, Glue Manufacture																
Dumping, Reduction or Incineration of Garbage, Offal or Refuse																
Fabrication															P	P
Farm Implement Repair Service	S													P	S	S
Freight Terminal															P	P
Frozen Foods (Including Lockers)														P		
Machine and Welding Shop																P
Manufacture or Assembly of products to be sold at retail on the premises												P	P	P	P	
Manufacturing															P	P

Land Use/Zoning District	A	E	R-1	R-1B	R-1M	R-2	R-2B	R-3	R-4	C-0	C-1	CBD-1	CBD-2	C-2	M-1	M-2
Medical Marijuana-Infused Products Manufacturing Facility															P	P
Mini-Warehouse Facility														S	S	
Oil and/or Gas Drilling and Production	S														S	S
Packaging															P	P
Petroleum Storage																P
Plumbing and Sheet Metal Shop																P
Printing and Publishing											P	P	P	P		
Processing															P	P
Quarrying, Mining or Removal and Processing of Sand, Gravel or Stone	S														S	S
Radio or TV Studio (w/o Broadcasting Towers)										P	P	P	P	P		
Railroad Rights-of-Way (Excluding Railroad Yards)	P	P	P	P		P	P	P		P	P					
Refining of Petroleum or Coal Oil																
Repairing															P	P
Research Service and Laboratory														P	P	P
Retail Sales of Concrete from Small Batch Plant														S		
Salt Works, Stockyards or Slaughter of Animals or Fowl																
Salvage and Scrap Metals (Handling, Storage, or Processing)	S														S	S
Sanitary Landfills	S														S	S
Servicing or Testing of Commodities (except Junk or Salvage)															P	P
Storage															P	P
Storage of Boat, Recreational Vehicle, and/or Any Other Vehicle	S									S	S	S	S	S	S	S
Storage, Curing or Tanning of Raw Hides or Skins																
Truck and Bus Storage and Service																P
Warehousing															P	P
Wholesaling													P	P	P	P

P*=Permitted Use on Mechanic or Independence Street.

Land Use/Zoning District	A	E	R-1	R-1B	R-1M	R-2	R-2B	R-3	R-4	C-0	C-1	CBD-1	CBD-2	C-2	M-1	M-2
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S*=Permitted with an Approved Special Use Permit on Mechanic or Independence Street.

Dimensional Standards

District	Lot Width	Lot Area	Lot Depth	Setbacks			Height	Lot Coverage
				Front	Side	Rear		
A	350 ft.	5 Ac.	N/A	50 ft.	15 ft.	50 ft.	35 ft.	N/A
E	250 ft.	3 Ac.	N/A	50 ft.	20 ft.	50 ft.	35 ft.	N/A
R-1	75 ft.	8,500 sqft.	N/A	30 ft.	20 ft. total, 8 ft. min.	30 ft.	35 ft. *	35%
R-1B	50 ft.	5,000 sqft. Per family	100 ft.	25 ft.	5 ft.; 10 ft. on street side for corner lots	30 ft.	35 ft. *	35%
R-1M*	See Section 405.160.							
R-2	80 ft. *	8,500 sqft. For Single-Family; 6,000 sqft. For Two-Family Dwellings	N/A	30 ft.	20 ft. total, 7.5 ft. min.; 20 ft. on street side for corner lots	20 ft.	35 ft.	35%
R-2B	50 ft.	5,000 sqft. Per family	N/A	25 ft.	5 ft.; 10 ft. on street side for corner lots	30 ft.	35 ft. *	35%
R-3	N/A	4,000 sqft. Per Family	N/A	30 ft.	15 ft.	15 ft.	2 stories, plus basement	60-35%
R-4	N/A	3,000 sqft. Per 4 bedroom unit; 2,500 sqft. Per 3 bedroom unit; 2,100 sqft. Per 2 bedroom unit; 1,650 sqft. Per 1 bedroom unit	N/A	30 ft. plus 3 ft. for each story in excess of 4	15 ft. *	30 ft. for bldgs. Up to 4 stories; equal to height of bldg. for bldgs. In excess of 4 stories	No max. or min., governed by yard rqmts.	60-35%
C-O	N/A	N/A	N/A	35 ft.	15 ft. *	30 ft.	3 stories; up to 144 ft. in CP-O	85%
C-1	N/A	N/A	N/A	35 ft.	15 ft. *	15 ft.	3 stories	85%
CBD-1	N/A	N/A	N/A	0 ft.	0 ft. *	0-25 ft. *	3 stories; up to 12 stories in CBDP-1	95%
CBD-2	N/A	N/A	N/A	0 ft.	0 ft. *	0-25 ft. *	3 stories; up to 12 stories in CBDP-2	95%
C-2	N/A	N/A	N/A	35 ft.	15 ft.	15 ft.	3 stories; up to 12 stories in CP-2	85%
M-1	N/A	N/A	N/A	35 ft.	40 ft. total; 15 ft min.; 20 ft. on street side for corner lots or abutting a zoned residential lot	25 ft.	3 stories or 50 ft.; MP-1 or over 30 ac. 150 ft.	60%
M-2	N/A	N/A	N/A	25 ft.	10 ft.	20 ft.	150 ft.	80%

*Denotes additional requirements located within the text for that specific District's specific requirement.

STAFF REPORT

TO: Planning & Zoning Commission
FROM: Christina Stanton,
DATE: November 9, 2023
SUBJECT: Various Code Amendments - CONSIDERATION

Type of Item: *Approval*

F. Action Item (ID # 4697)

Various Code Amendments - CONSIDERATION