

BILL NO. 18-48

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LEE'S SUMMIT, MISSOURI, CHAPTER 16, LEE'S SUMMIT PROPERTY MAINTENANCE CODE, BY ADOPTING REGULATIONS PERTAINING TO VEHICLE PARKING AND STORAGE REGULATIONS FOR PRIVATE PROPERTY.

WHEREAS, Chapter 16 of the Code of Ordinances of the City of Lee's Summit ("Code") regulates property maintenance within Lee's Summit; and,

WHEREAS, there have been considerable efforts to further define and clarify regulations pertaining to parking and storage of vehicles and other items on private property within the City of Lee's Summit; and,

WHEREAS, regulations pertaining to parking and storage of vehicles have been removed from Article 12 of the Unified Development Ordinance and proposed to be placed within Chapter 16, Property Maintenance Code of the Code of Ordinances of the City of Lee's Summit; and,

WHEREAS, that the City Council finds such regulations, as set forth below, to be in the best interests of the City of Lee's Summit.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as follows:

SECTION 1. That Chapter 16 of the Code of Ordinances for the City of Lee's Summit, Missouri, is hereby amended by the addition of a new Section within Division 2 – Exterior Property Areas to read as follows:

Section 16-317 Vehicle Parking and Storage Regulations for Private Property

Definitions

Storage (stored) shall mean a period of more than 7 days for the purposes of this Section.

Parking (parked) shall mean a period of 7 days or less for the purposes of this Section.

Restricted Vehicles

- A. No motor vehicles designed or regularly used for carrying freight, merchandise, or other property or more than eight (8) passengers and that is licensed in excess of one (1) ton gross vehicle weight shall be stored or parked in a residential zoned district, except for deliveries or as otherwise allowed per Table 1.
- B. Inoperative or unregistered vehicles may not be stored, parked or repaired (other than in enclosed garages) on the premises.
- C. In zoning districts other than the industrial zoning districts, construction equipment and construction vehicles may not be stored, parked or repaired on the premises (other than in enclosed garages), except as follows:

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1. When being utilized for construction activities on the premises pursuant to a valid permit issued by the City for construction work necessitating the use of equipment, or when used for permitted work on the public right-of-way; or
2. When the equipment is used as an accessory use in accordance with Unified Development Ordinance Article 8; or
3. When associated with a special use permit as part of an allowable primary use, such as an equipment rental business.

Boats, Watercraft, All Terrain Vehicles, Utility Trailers, Campers and Recreational Vehicles

A. General requirements. The following requirements shall apply to the parking and storage of vehicles/items provided within Table 1 in residential zoned districts at all times, except as specifically noted otherwise.

1. No more than one (1) of the vehicles/items listed in Table 1 may be stored on lots zoned AG, RDR, RLL, R-1, RP-1 or RP-2 unless stored in a garage or other approved structure.

Exception: The storage of a vehicle/item on private property so located upon the property as not to be readily visible from any public place or from any surrounding private property nor shall these subsections apply to any lot or parcel of private property one (1) acre or more in size in AG or RDR zoning districts.

2. No more than one additional vehicle/item may be permitted to be parked in addition to the one (1) vehicle/item stored in accordance with Table 1 on lots zoned AG, RDR, RLL, R-1, RP-1 or RP-2.

Exception: The parking of a vehicle/item on private property so located upon the property as not to be readily visible from any public place or from any surrounding private property nor shall these subsections apply to any lot or parcel of private property one (1) acre or more in size in AG or RDR zoning districts.

3. Storage or parking of vehicles/items as provided in Table 1 in other zoning districts shall be prohibited except when specifically approved as part of a preliminary development plan or special use permit for said purpose.
4. Recreational Vehicles, Travel Trailers and Toy Haulers shall not be used for long-term on-site dwelling purposes and shall not be permanently connected to sewer lines, water lines, electrical lines or fuel gas lines. When used for short-term dwelling purposes shall be limited to no more than 4 occurrences per year, and shall not exceed 28 days per year (allows for 4 occurrences of 7 day durations or variation thereof as long as number of occurrences and total number of days is not exceeded per year).
5. No part of a vehicle/item parked or stored shall extend over any lot line, sidewalk, right-of-way or into the 25' vision clearance triangle.

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6. A. Storage or parking of items permitted by Table 1 shall only be allowed on hard surfaces, i.e., asphaltic concrete, Portland cement concrete or masonry pavers engineered to support the weight of said vehicle, except as specifically noted otherwise.

B. Accessory storage or parking pads shall be permanently connected to the driveway with an asphaltic concrete, Portland cement concrete constructed to support the weight of said vehicle or item.

C. Separate driveways on corner lots shall be permanently connected to the street or curb with an asphaltic concrete or Portland cement concrete constructed to support the weight of said vehicle.

Exceptions to 6 A, B, C:

1. Gravel driveways or parking pads in existence prior to [DATE OF ADOPTION]
2. The parking or storage of a vehicle/item on private property of one (1) acre or more in size.

7. Recreational vehicles, Travel Trailers, Toy Haulers and other similar vehicles or items which operate on or store flammable liquids or gases shall be stored or parked a minimum of 10 feet from the nearest structure on adjacent property.

Table 1

Exterior Storage or Parking of Vehicles/Items

Parking or Storage Configuration	Boats, Personal Water Crafts, All Terrain Vehicles and associated trailer	<u>20 feet in length or less:</u> Recreational Vehicle/Travel Trailer / Toy Hauler/Utility Trailer (open or enclosed)	<u>Greater than 20 feet in length:</u> Recreational Vehicle/Travel Trailer / Toy Hauler/Utility Trailer (open or enclosed)
Single drive	NP	NP	NP
Single drive with accessory pad	P	P	P (on accessory pad only)
Two car drive	P	P	NP
Two car drive with accessory pad	P	P	P (on accessory pad only)
Three car drive or greater	P	P	NP
Three car drive or greater with accessory pad	P	P	P (on accessory pad only)
Separate drive on corner lot	P	P	P

P = Permitted

NP = Not Permitted

SECTION 2. That it is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances for the City of Lee's Summit, Missouri.

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SECTION 3. That if any section, subsection, sentence, clause, phrase or portion of this article is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. Penalty Clause. Any person found guilty of violating this ordinance shall be penalized in accordance with Section 1-13 A. of the Municipal Code of the City of Lee's Summit.

SECTION 5. That this ordinance shall be in full force and effect from and after the date of its passage and adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2018.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED by the Mayor of said city this _____ day of _____, 2018.

Mayor Randall L. Rhoads

ATTEST:

City Clerk Trisha Fowler Arcuri

APPROVED AS TO FORM:

City Attorney Brian W. Head