

AN ORDINANCE APPROVING APPLICATION #PL2018-088 – AMENDMENT #67 TO THE UNIFIED DEVELOPMENT ORDINANCE (UDO) - ARTICLE 5 ZONING DISTRICTS, ARTICLE 8 ACCESSORY USES AND STRUCTURES, ARTICLE 9 USES PERMITTED WITH CONDITIONS, AND ARTICLE 10 SPECIAL USE PERMITS TO ALLOW IN-HOME MASSAGE THERAPY AS A CONDITIONAL USE FOR A HOME OCCUPATION IN THE R-1 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT; CITY OF LEE’S SUMMIT, APPLICANT.

WHEREAS, the Unified Development Ordinance (UDO) was adopted by the City Council as Ordinance No. 5209 on September 6, 2001, and the UDO is incorporated into the City’s Code of Ordinances through Section 33-1 of the Code; and,

WHEREAS, previous amendments to the UDO were adopted by Ordinance #5268 (commonly referred to as “Amendment #1”); Ordinance #5276 (commonly referred to as “Amendment #2”); Ordinance #5419 (commonly referred to as “Amendment #3”); Ordinance #5501 (commonly referred to as “Amendment #4”); Ordinance #5520 (commonly referred to as “Amendment #5”); Ordinance #5676 (commonly referred to as “Amendment #6”); Ordinance #5738 (commonly referred to as “Amendment #7”); Ordinance #5802 (commonly referred to as “Amendment #8”); Ordinance #5828 (commonly referred to as “Amendment #9”); Ordinance #5915 (commonly referred to as “Amendment #10”); Ordinance #5907 (commonly referred to as “Amendment #11”); Ordinance #5952 (commonly referred to as “Amendment #12”); Ordinance #6006 (commonly referred to as “Amendment #13”); Ordinance #6024 (commonly referred to as “Amendment #14”); Ordinance #6061 (commonly referred to as “Amendment #15”); Ordinance #6099 (commonly referred to as “Amendment #16”); Ordinance #6125 (commonly referred to as “Amendment #17”); Ordinance #6282 (commonly referred to as “Amendment #18”); Ordinance #6371 (commonly referred to as “Amendment #19”); Ordinance #6324 (commonly referred to as “Amendment #20”); Ordinance #6355 (commonly referred to as “Amendment #22”); Ordinance #6451 (commonly referred to as “Amendment #23”); Ordinance #6449 (commonly referred to as “Amendment #24”); Ordinance #6465 (commonly referred to as “Amendment #25”); Ordinance #6555 (commonly referred to as “Amendment #26”); Ordinance # 6590 (commonly referred to as “Amendment #27”); Ordinance #6633 (commonly referred to as “Amendment #28”); Ordinance #6668 (commonly referred to as “Amendment #29”); Ordinance #6748 (commonly referred to as “Amendment #30”); Ordinance #6733 (commonly referred to as “Amendment #31”); Ordinance #6809 (commonly referred to as “Amendment #32”); Ordinance #6796 (commonly referred to as “Amendment #33”); Ordinance #6823 (commonly referred to as “Amendment #34”); Ordinance #6912 (commonly referred to as “Amendment #35”); Ordinance #36 (commonly referred to as “Amendment #36”); Ordinance #6925 (commonly referred to as “Amendment #37”); Ordinance #6991 (commonly referred to as “Amendment #38-A”); Ordinance #6991 (commonly referred to as “Amendment #38-C”); Ordinance #7104 (commonly referred to as “Amendment #39”); Ordinance #7119 (commonly referred to as “Amendment #40”); Ordinance #Ordinance #7155 (commonly referred to as “Amendment #41”); Ordinance #7219 (commonly referred to as “Amendment #42”); Ordinance #7161 (commonly referred to as “Amendment #43”); Ordinance #7274 (commonly referred to as “Amendment #44”); Ordinance #7305 (commonly referred to as “Amendment #45”); Ordinance #46 (commonly referred to as “Amendment #46”); Ordinance #7349 (commonly referred to as Amendment #47); Ordinance #7350 (commonly referred to as Amendment #47); Ordinance #7477 (commonly referred to as Amendment #48); Ordinance #7518 (commonly referred to as Amendment #49); Ordinance #7551 (commonly referred to as Amendment #50); Ordinance #7596 (commonly referred to as Amendment #51); Ordinance #7597 (commonly referred to as Amendment #52); Ordinance #7518 (commonly referred to as Amendment #53); Ordinance #7733 (commonly referred to as Amendment #54); Ordinance #7831 (commonly referred to as Amendment #55); Ordinance #7832 (commonly referred to as Amendment #56); Ordinance #7972

(commonly referred to as Amendment #57); Ordinance #8014 (commonly referred to as Amendment #58); Ordinance #8039 (commonly referred to as Amendment #59). Ordinance #8104 (commonly referred to as Amendment #60); Ordinance #8159 (commonly referred to as Amendment #61); Ordinance #8223 (commonly referred to as Amendment #62); Ordinance #8280 (commonly referred to as Amendment #63); Ordinance #8352 (commonly referred to as Amendment #64); and Ordinance #8355 (commonly referred to as Amendment #65). Ordinance #8369 (commonly referred to as Amendment # 66 failed to pass); and,

WHEREAS, the Community and Economic Development Committee considered the proposed UDO Amendment to Articles 5 Zoning Districts, Article 8 Accessory Uses, Article 9 Uses Permitted with Conditions, and Article 10 Special Use Permits on June 13, 2018, and authorized the amendments to be advertised for public hearings; and,

WHEREAS, Application #PL2018-088, proposing amendment to Articles 5 Zoning Districts, Article 8 Accessory Uses, Article 9 Uses Permitted With Conditions, and Article 10 Special Use Permits of the UDO was filed; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for Application #PL2018-088 on July 24, 2018 and rendered a report to the City Council recommending that the proposed amendment to Articles 5 Zoning Districts, Article 8 Accessory Uses, Article 9 Uses Permitted With Conditions, and Article 10 Special Use Permits of the UDO be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on Application #PL2018-088 on August 23, 2018; and,

WHEREAS, the City Council determined that the proposed UDO amendments contained in Application #PL2018-088 would serve the interests of the citizens of Lee's Summit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as shown on the attached copy, appended hereto and made a part hereof.

SECTION 1. That Articles 5 Zoning Districts, Article 8 Accessory Uses, Article 9 Uses Permitted with Conditions, and Article 10 Special Use Permits of the Unified Development Ordinance, are hereby amended in the manner shown on the copy appended hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. That it is the intention of the City Council and is hereby ordained that the provisions of this Ordinance shall become and be made a part of the UDO, and the sections of this Ordinance and the UDO may be renumbered as appropriate to accomplish such intention.

SECTION 3. That this ordinance shall be in full force and effect from and after the date of its passage, adoption, and approval by the Mayor.

BILL NO. 18-163

ORDINANCE NO.

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

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

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

Mayor *William A. Baird*

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

City Attorney *Brian W. Head*