

BILL NO.

ORDINANCE NO.

AN ORDINANCE APPROVING APPLICATION #PL2020-069 - UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT CHANGES TO ARTICLE 6 – USE STANDARDS, TO AMEND THE DISTANCE SEPARATION REQUIREMENTS FROM A BAR/TAVERN TO A RESIDENTIAL USE AND RESIDENTIAL DISTRICT; CITY OF LEE’S SUMMIT, APPLICANT.

WHEREAS, the Unified Development Ordinance (UDO) was originally adopted by the City Council as Ordinance No. 5209 on September 6, 2001, which has been amended numerous times and recodified in its entirety by the adoption of Ordinance No. 8443 and is incorporated into the City’s Code of Ordinances through Section 33-1 of the Code; and,

WHEREAS, “Application” shall be defined as #PL2020-069, a UDO amendment to Article 6 – Use Standards, to reduce the distance separation requirements from a bar/tavern to a residential use and residential district; and,

WHEREAS, the Community and Economic Development Committee (CEDC) considered and recommended approval of the application at their August 12, 2020 meeting; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the application ~~May 28, 2020~~, and rendered a report to the City Council recommending that the proposed amendment be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on the application on ~~June 9, 2020~~; and,

WHEREAS, the City Council determined that the application 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 the UDO is amended with underline text indicating an addition and ~~strikeout~~ text indicating a deletion as follows:

Sec. 6.250. - Bar/tavern.

- A. Provided the front entrance of the facility is 300 feet or greater distance from any existing school or church and;

The front entrance of a standalone facility is 100 feet or greater distance from any existing residential district (RDR, RLL, R-1, RP-1, RP-2, RP-3, and RP-4) or residential use in any district or;

The front entrance of an in-line tenant bar/tavern is 50 feet or greater distance from any existing residential district (RDR, RLL, R-1, RP-1, RP-2, RP-3, and RP-4) or residential use in any district, with the following exceptions:

- 1. A bar/tavern located in the CBD district shall have no distance requirement from any existing residential use within the CBD district.
- 2. A bar/tavern located in a CBD or CP-2 district shall have no distance requirement from any existing loft dwelling use which is located within a CBD or CP-2 district.

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- 3. A bar/tavern located in a CBD or CP-2 district shall have a 100-foot distance requirement from the front entrance of the facility to any existing residential use which is located within a TNZ or PO district.
- 4. A bar/tavern located in the M-150 Corridor Development Overlay districts CDO-MR, CDO-MC, or CDO-ME shall have no distance requirement from any multi-family (apartment) or loft dwelling unit within any M-150 CDO-MR, MC or ME district.

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.

PASSED by the City Council of the City of Lee's Summit, Missouri, this _____ day of _____, 2020.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this _____ day of _____, 2020.

Mayor William A. Baird

ATTEST:

City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

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City Attorney Brian Head