

ARTICLE 7. DESIGN STANDARDS

Table of Contents

- Division I: Introduction to design standards 2
- Section 7.010. Applicability..... 2
- Section 7.020. Purpose..... 2
- Division II: Planned Residential district design standards 3
- Section 7.030. Planned Residential design objectives 3
- Section 7.040. Laterally attached residential units and multi-family structures 3
- Section 7.050. Planned Residential district open space requirements 3
- Section 7.060. Residential street design (See Article 16)..... 4
- Section 7.070. Residential sidewalks (See Article 16 and Division IV of this Article) 4
- Section 7.080. Pedestrian lighting in residential areas (see Division V, Lighting Standards 4
- Section 7.090. Residential parking (see Article 12)..... 5
- Section 7.100. Residential traffic calming 5
- Division III: Office, Commercial and Industrial district design standards..... 5
- Section 7.110. Design objectives..... 5
- Section 7.120. Building form and use 6
- Section 7.130. Public gathering places in office and commercial districts. (Amend. #6) 8
- Section 7.140. Building relationships to street network in office, commercial and industrial districts..... 8
- Section 7.150. Development relationship to limited access highways or arterial streets..... 8
- Division IV: Other required design standards 8
- Section 7.160. Sidewalk location standards..... 8
- Section 7.170. Building materials for office, commercial/retail and industrial districts (Amend. #3)..... 8
- Section 7.180. Architectural characteristics..... 12
- Division V: Lighting Standards (Amend. #30)..... 13
- Section 7.190. Purpose and Intent..... 13
- Section 7.200. Applicability and General Provisions 13
- Section 7.210. Existing Outdoor Lighting Fixtures..... 13
- Section 7.220. General Outdoor Lighting Standards..... 13
- Section 7.230. Photometric Plans Required..... 14
- Section 7.240. Pedestrian Lighting in Residential Areas 15
- Section 7.250. Parking Lot Lighting 15
- Section 7.260. Wall-Mounted Lighting 17
- Section 7.270. Accent Lighting 17
- Section 7.280. Canopy and Drive Thru Lighting..... 18
- Section 7.290. Exterior Display Lighting 18
- Section 7.300. Outdoor Recreation Lighting 19
- Division VI: Crime Prevention Through Environmental Design (CPTED) Requirements (Amend. #33)..... 21
- Section 7.310. CPTED Defined 21
- Section 7.320. CPTED Review Committee Established..... 21
- Section 7.330. CPTED Review Requirement..... 21
- Section 7.340. CPTED Uses Specified 22
- Division VII: Miscellaneous 23
- Section 7.350. Lee's Summit Municipal Airport 23
- Section 7.360. Oil and Gas Well setbacks 23
- Section 7.370. Vision Clearance – Sight Triangle 23
- Section 7.380. Maintenance 24
- Section 7.390. Materials standards..... 24
- Section 7.400. Adoption of administrative guidelines 24
- Division VIII: Design Standards for the Downtown Core Area (Amend. #45) 25
- Section 7.410. Introduction..... 25
- Section 7.420. Design Standards – Commercial Core 27
- Section 7.430. Design Standards – Transition Area..... 45
- Section 7.440. Development and Renovation within the Downtown Core Area 57
- Section 7.450. Demolition & Casualty Loss 58

Division I: Introduction to design standards

Section 7.010. Applicability.

1. The design standards are provided as a tool to be used by developers and property owners intending to improve or modify their property. These standards reflect both required and optional standards of design that the City would like to see implemented for developments within the City. All proposed development will be reviewed in accordance with these regulations and in conjunction with:
 - a. Article 4, including modifications allowed upon approval of a preliminary development plan as provided in Section 4.370;
 - b. Article 5, which contains land use and lot dimension regulations for each zoning district;
 - c. the standards for parking, signage, and landscaping contained in Articles 12, 13, and 14 of this Chapter; and
 - d. the standards in the Design and Construction Manual.
2. The design standards are to apply to all districts within the City, with the exception of the AG Agricultural District, RDR Rural Density Residential District, RLL Residential large lot and R-1 Single-Family Residential District or special uses that are specifically exempt in Article 10 hereof.

Section 7.020. Purpose.

This Article describes the specific design requirements and alternatives that should guide development in the City. The purpose of the following design standards is to:

1. Protect property values, enhance community appearance, and preserve neighborhood character.
2. Enable developers to create more attractive, efficient, sociable, and pedestrian-friendly living, shopping, and working environments.
3. Overcome the traffic problems, the nuisance factors, and the non-elastic characteristics that are inherent in single-use zoning districts.
4. Increase beauty and quality of community life by improving the character of building exteriors and surroundings.
5. Increase public infrastructure efficiency through mixed uses and efficient densities.
6. 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.

Division II: Planned Residential district design standards

Section 7.030. Planned Residential design objectives

- A. Encourage developments with mixtures of densities, housing types and land uses.
- B. Foster neighborhood security with means for maintaining activity at all times of the day. Examples include “corner stores”, home offices and useable front porches.
- C. Link neighborhoods with safe, attractive pedestrian connections both along the street and on open space greenways.
- D. Connect residences to each other and to neighborhood parks, schools, and shops with direct pedestrian pathways.
- E. Provide for optional vehicular circulation routes through a neighborhood to distribute traffic evenly and avoid excessive traffic on any one street.
- F. Minimize cut-through traffic within a neighborhood.
- G. Emphasize the public realm, by encouraging parks and community facilities to be located as focal points in the neighborhood.
- H. Provide for varying front yard depths including allowance for increasing the proportion of rear yard area to front yard area to provide for privacy and to foster a more intimate and friendly neighborhood street.
- I. Facilitate people’s ability to watch out for each other thereby improving neighborhood security.
- J. Maintain natural topography, substantial trees and tree groupings, and other existing landscaping features.

Section 7.040. Laterally attached residential units and multi-family structures

- A. Building Separation. Separations between multifamily structures shall be at least twenty (20) feet, unless fully sprinklered for fire safety and further approved through the development process, then the separation may be reduced per the allowances of the building code.
- B. Exterior Appearance. All exterior sides of three or more laterally attached single-family residences and all multi-family residence buildings shall be designed with the consideration that they will be visible from surrounding residences. Building materials, window size and placement, and general façade composition shall be compatible on all four (4) sides of the structure.

Section 7.050. Planned Residential district open space requirements

An Open Space Plan including the following elements shall be provided with all “Planned” residential developments and shall be included with the preliminary development plan submittal:

- A. A minimum of ten (10%) per cent of the total land area shall be devoted to open/green space area. The proportion of public to private open space and the designated uses of the

open space shall be determined by the City, based upon particular recreational, environmental, cultural, and scenic objectives in the area where the development is to be located.

- B. The City may accept a fee in lieu of dedication when the city determines that it is in the City's best interest to do so. The appropriate fee shall be determined by the City.
- C. Common open spaces shall be designed with usable sizes and proportions.
- D. Common open spaces shall be distributed throughout the neighborhood.
- E. Existing natural features on a development site shall be preserved wherever possible by incorporating them into common open space.
- F. Natural areas that are unsafe for or not easily accessible to pedestrians, including steep slopes and wooded preserves may be included as common open space.
- G. The area occupied by non-residential buildings or uses, including active private recreation facilities, such as swimming pools, and tennis courts shall not be included in common open space calculations.
- H. Common open spaces may be crossed by easements for public utilities, where such easements will involve access by persons or vehicles only for periodic maintenance or repair. Land on easements for overhead electric transmission lines shall not be counted in common open space calculations.
- I. Other than motorized wheelchairs, no vehicles shall be operated within common open spaces except for maintenance purposes.
- J. Additional plan review and approval may be required for the following specific uses and conditions:
 - 1. agricultural uses;
 - 2. bridle paths;
 - 3. environmentally sensitive areas; and
 - 4. lakes, ponds, and flood control provisions.
- K. Common open space location and orientation, where possible, shall take into account significant vistas and view corridors toward natural or man-made community features. Particularly important views shall be retained in areas accessible to all residents in the neighborhood.
- L. Existing trees shall be protected in the creation and maintenance of any common open space.

Section 7.060. **Residential street design (See Article 16).**

Section 7.070. **Residential sidewalks (See Article 16 and Division IV of this Article)**

Section 7.080. **Pedestrian lighting in residential areas (see Division V, Lighting Standards)**

Section 7.090. **Residential parking (see Article 12)**

Section 7.100. **Residential traffic calming**

In planned residential district developments traffic-calming may be encouraged at the intersection of residential streets or along residential streets, including local and collector streets, subject to need, safety and effectiveness, as determined by the City Engineer.

Division III: Office, Commercial and Industrial district design standards

Section 7.110. **Design objectives**

A. Office districts: Development in office districts:

1. Shall incorporate designs and uses that not only facilitate efficient and attractive working conditions, but also provide places for employees to socialize and enjoy recreation as well. For example, office districts can be designed to facilitate socialization for business and pleasure by including restaurants, health clubs, and other supportive uses that serve both the employees in the district and the community as a whole.
2. Shall incorporate thematic architecture for unity of design (Amend. #1) in the development of multiple building environments. Architectural theme examples might include, but are not limited to, prairie or mission style buildings. Architectural themes may also be demonstrated by the common use of a particular building material throughout the development such as concrete tile, barrel tile, slate, standing seam metal or similar type roofing materials incorporating the same color. Similar or compatible colors and shapes of brick or textures of stucco wall finishes, cornices, coins, roof lines and pitch, columns, and arcades between buildings, can lend to the theme within the development.
3. Are encouraged to locate business and personal services within the district to improve business efficiency and competitiveness as well as personal well being among employees; and provide for a high degree of walkability between office buildings and these services.
4. Are encouraged to include multi-family residences in office districts to meet the demand for people who want to be able to walk to work or to the social and recreation facilities provided in the district. Residences within office districts also can utilize parking spaces that are not used at night.

B. Commercial districts: Development in commercial districts:

1. Are encouraged to provide a variety of uses that will enable the districts to function as centers of community life. For example, retail districts can include housing “above the store.” Civic uses such as libraries and community recreation centers can be located in retail districts. An outdoor gathering place or town square can provide for concerts, art fairs, school rallies, and for crossing paths with neighbors on a daily basis. Elementary schools can be located adjacent to a retail district so that picking up children and shopping can become one trip; or so that families can attend an event at school and walk across the street to a restaurant afterward.

Article 7: Design Standards

2. Are encouraged to design storefront windows, signs and lighting to facilitate pedestrian circulation among shops. Opportunities exist to position small local stores in front of big box stores to create a continuous shopping environment.
 3. Shall incorporate thematic architecture in the development of multiple building environments.
 4. Are encouraged to design the commercial development as a “district” rather than a “strip,” so that the groupings of businesses can be approached from more places around the perimeter, resulting in less congestion and more accessibility, especially for pedestrians and bicyclists.
- C. Industrial districts: Development in the industrial districts:
1. Are encouraged to include the kinds of amenities and services for employees that office districts provide. Distances to common facilities may be greater due to the horizontal expansiveness of most industrial uses. This warrants close attention to the location of common facilities in site planning to minimize these distances;
 2. Shall utilize building materials, orientation, and landscaping that are visually attractive thereby affecting the value and reputation of the City as a whole; and
 3. Shall minimize the awareness of operations from the surrounding community.
- D. Downtown Core Area: Development in the commercial and transition districts in the downtown core area is subject to the design standards in Division VIII of this Article.

Section 7.120. Building form and use

- A. Office districts:
1. Building height shall be a maximum of five (5) stories or seventy-five (75) feet. For an area developed as a higher density “mixed-use” development that includes both commercial and residential uses, the maximum height limit shall be twelve (12) stories or one hundred eighty (180) feet.
 2. 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.
 3. Lodging facilities are permitted within office buildings or in freestanding locations subject to the same design standards. Lodging facilities shall be pedestrian accessible to restaurants and other services utilized by guests.
 4. Awnings, canopies, and arcades may extend into the front yard setback to provide shelter for pedestrians from sun, rain, and snow. (Amend. #3)
 5. The color of service and delivery doors that are visible to the public shall be similar to the adjoining wall color unless specifically approved by the Commission as a color contrast. (Amend. #3)
 6. Solar energy devices, if provided, must be integral to overall building design. (Amend. #3)

B. Commercial districts:

1. Buildings shall incorporate four (4) sided architecture. Horizontal and vertical elements shall extend completely around the building and utilize the same or similar materials on all building facades.
2. Residences, lodging, or offices are permitted above the commercial businesses.
3. Building height shall be a maximum of fifty (50) feet to the façade cornice line. Roof peaks may extend an additional ten (10) feet above the cornice line. For example, four stories may be built consisting of offices or residential uses above one floor of commercial businesses.
4. Residential dwellings are permitted in freestanding locations within the development. They are subject to RP-3 District regulations.
5. Freestanding lodging facilities shall be directly accessible on foot to restaurants and other services utilized by guests. Designs are subject to Office District Design Standards.
6. The color of service and delivery doors that are visible to the public shall be similar to the adjoining wall color or as specifically approved by the Commission as a color contrast (Amend. #3).
7. Individuality of businesses shall be expressed in building façade designs through the following:
 - a. Varied parapet wall heights and shapes;
 - b. Varied roof lines;
 - c. Variations in building orientation;
 - d. Undulation insets and projections of the front façade;
 - e. Expression of vertical structure; and
 - f. Expressions of reveals or breaks between businesses.
8. Commercial businesses located along public streets shall be subject to the following design standards:
 - a. wherever possible, parking areas and pedestrian walks shall connect internally to parking areas and pedestrian walks of existing adjoining businesses. Provisions shall be made for future connections to adjoining property not yet developed or redeveloped. Wherever possible, pedestrian walks shall be provided to connect building entrances to public sidewalks.

C. Industrial districts

1. Industrial buildings shall be designed with four (4) sided architecture as in B.8.a. above.
2. Mechanical units shall be screened as in B.8b, above.
3. Awnings, canopies, and arcades are permitted to extend into the front yard setback to provide shelter for pedestrians from wind, rain, and snow. (Amend. #3)
4. The color of service and delivery doors that are visible to the public shall be similar to the adjoining wall color or as specifically approved by the Commission as a color contrast. (Amend. #3)

5. Solar energy devices, if provided, shall be integral to overall building design.

Section 7.130. Public gathering places in office and commercial districts. (Amend. #6)

- A. A minimum of five percent (5%) of the development site shall be designated as open space usable for public gathering. Open space remaining after the maximum impervious coverage is reached may be used to meet this requirement, provided other requirements of this section are met. (Amend. #6)
- B. The open space shall be directly accessible on foot from the entrance to offices and services.

Section 7.140. Building relationships to street network in office, commercial and industrial districts

- A. Building entrances and entrances to business services are encouraged to face onto an existing street or a landscaped open space.
- B. Office and commercial buildings are strongly encouraged to have windows along the street facing façade. (Highly reflective, in excess of 40% reflectivity, or mirror glass is not acceptable.) Industrial buildings are strongly encouraged to present their building fronts with windows and provide employee and general public entrances on an existing street or major internal drive.

Section 7.150. Development relationship to limited access highways or arterial streets

If a development abuts or contains an existing or proposed limited access highway or arterial street, the Commission and/or Council may require frontage roads or parallel streets to separate through and local traffic and to provide for visually safe and attractive roadways.

Division IV: Other required design standards

Section 7.160. Sidewalk location standards

Sidewalks shall be a minimum width of five (5) feet. A landscaping strip with a minimum width of five (5) feet shall be located between the sidewalk and the curb. The sidewalk shall be placed one (1) foot from the property line. Exceptions to this standard may be approved by the City Engineer if topographic or other constraints are encountered during construction. Meandering sidewalks may be used provided that where a sidewalk encroaches onto private property, outside the public right-of-way, an access and maintenance easement shall be provided to the City.

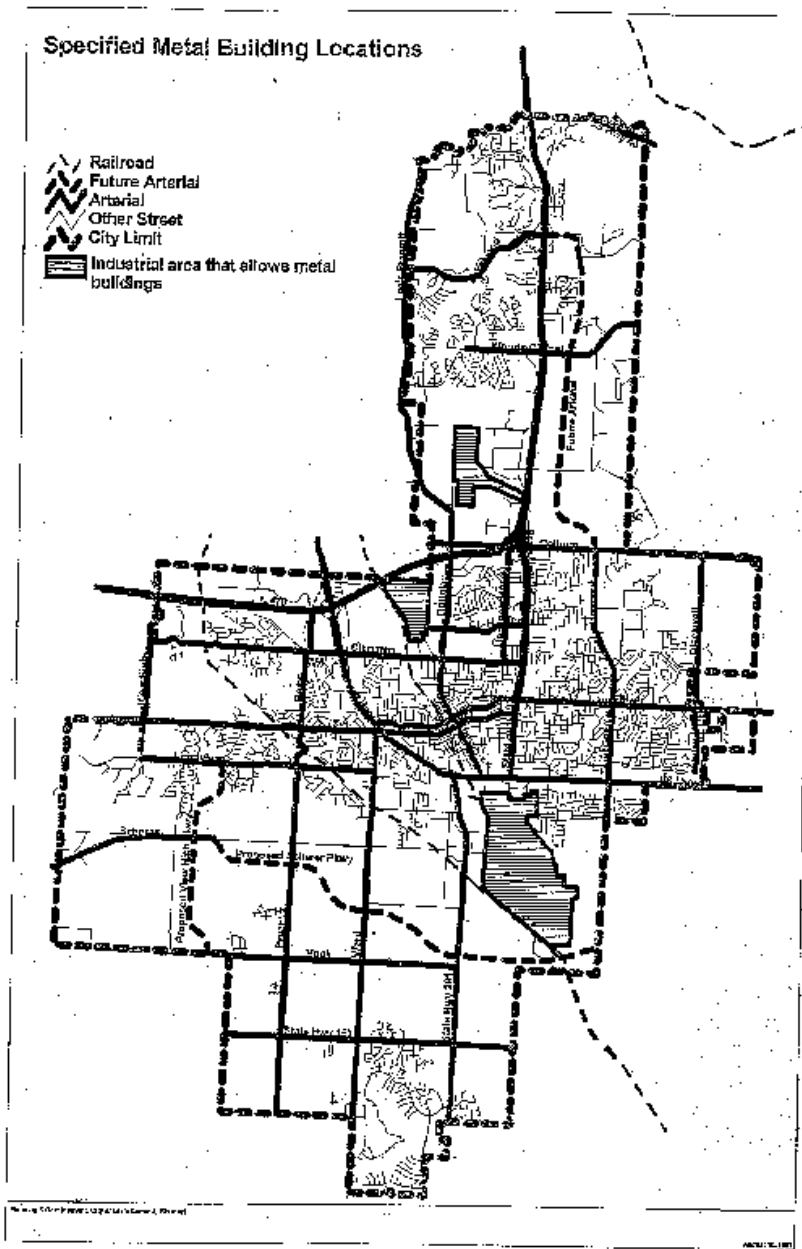
Section 7.170. Building materials for office, commercial/retail and industrial districts (Amend. #3)

- A. The following building materials shall be used for all office and commercial/retail buildings located within the city.

1. Masonry – brick, stone, concrete masonry units (CMU's) 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.)
 2. Concrete – precast, exposed aggregate, cast in place, or tilt up panels provided a rough texture is present or to be added.
 3. Stucco – including E.I.F.S., Dryvit, but excluding pre-manufactured panels.
 4. Structural clay tile – excluding glazed surface finish.
 5. Glass – glass curtain walls, glass block, excluding mirror glass which reflects more than 40 percent of incident visible light.
 6. Metal – used only in an incidental role i.e., trim, architectural features, standing seam metal roofing or other architectural metal siding or roofing as approved by the Planning Commission and/or City Council. (Amend. #3)
 7. Roofing materials-as approved per development plan.
- B. Industrial buildings fronting on arterial streets may utilize the following approved materials.
1. Fronts of all industrial buildings located on streets classified as arterials or higher i.e., four (4) lanes or greater, shall utilize one hundred (100%) approved materials specified in (A) above.
 2. Sides of all industrial buildings facing or fronting on a street (Amend. #6) as in (1) above shall incorporate a minimum of fifty (50%) per cent of the approved materials listed in “A” above on the remaining sides. The other fifty (50%) of the sides may use pre-engineered and pre-finished rough textured metal siding panels and/or pre-engineered and pre-finished rough textured metal siding panel systems, meeting adopted building codes.
- C. Industrial buildings fronting on other than arterial streets may utilize the following materials:
1. Fronts of all buildings facing a street shall incorporate a minimum of fifty (50%) percent of the approved materials listed in “A” above.
 2. Sides of all industrial buildings facing or (Amend. #6) fronting on other than arterial streets as in (1) above (Amend. #6) may utilize the same metal panels as stated in “B” above.
- D. Industrial buildings located in areas designated as “specified metal building locations” may utilize the following materials:
1. Fronts of all buildings facing a street shall incorporate a minimum of fifty (50%) percent of either the approved materials listed in “A” above or rough textured metal siding panels/systems meeting adopted building codes. (Amend. #3)
 2. The remaining sides of all buildings may utilize 100% metal panel siding or metal panel systems, meeting adopted building codes.
- E. Conditional materials. (Only as approved by the Planning Commission and/or Governing Body).
1. Wood – Only when used to provide compatibility to surrounding buildings or residential districts.
 2. Vinyl – Only when used to provide compatibility as in 1 above.
 3. New materials not listed as approved, prohibited or conditional.

Article 7: Design Standards

- F. Temporary materials. Materials for temporary use may only be allowed for a specific period of time as determined by the City Council on a case by case basis. Approval of temporary materials shall be established at the time of approval of the preliminary plan and shall be noted on the preliminary and final development plans.
- G. Prohibited materials. Exterior building materials not listed either as approved, conditional or temporary materials as defined herein shall be prohibited. New materials may be considered as “conditional materials and may be approved as in “E” above.



Section 7.180. **Architectural characteristics.**

A. Offsets.

1. Horizontal breaks – shall be provided on all sides of buildings to provide architectural relief and may include bands of accent color, brick course variances in color or placement, i.e., soldier course bricks for bands of different texture, windows, cornices, wall protrusions, horizontal belt courses, etc.
2. Vertical breaks – shall be provided on all sides of buildings to provide architectural relief as in (1) above.

B. Four-sided architecture – all sides of a building shall include similar architectural details materials and colors to avoid a back side or at least to minimize a back side presentation to other buildings or residential neighborhoods.

C. Roofs

1. Pitched roofs – Pitched roofs shall be used on buildings in lieu of flat roofs to the extent feasible. If pitched roofs are not feasible or practical in a given situation, then, at a minimum, a pitched roof architectural feature shall be required as a detail element, i.e., entry way or tower element to break the horizontal façade. Buildings located adjacent to residential districts shall incorporate the use of pitched roofs for the entire structure.
2. Flat roofs – Buildings using flat roofs with a pitch of two (2) inches vertical to twelve (12) inches horizontal or less shall incorporate detailed parapets or exaggerated cornice lines to provide architectural relief.
3. Roof penetrations – All roof penetrations shall be placed in architecturally designed appurtenances. Small vent pipes may be painted to blend in with a roof to disguise their presence. Roof penetrations shall be shown on the preliminary and final plans to the extent possible.

D. Color – Colors of all exteriors including walls, trim, accents, roofs, mechanical equipment, etc., shall be indicated on the preliminary and final development plans and, when required, shall be approved by the Planning Commission and/or by the City Council following recommendation by the Planning Commission. (Amend. #3)

E. Roof mounted equipment – All roof-mounted equipment shall be screened entirely from view by using parapet walls at the same height as the mechanical units. For additions to existing buildings that do not meet this standard, individual screens will be permitted, with the design subject to approval by the Director.

F. Ground mounted equipment – Ground mounted equipment shall be totally screened from view by landscaping or masonry wall up to a height of the units to be screened.

G. Trash enclosures – All exterior trash storage containers shall be screened so that they are not visible from off the property. Each trash enclosure shall be constructed of masonry walls or steel architecturally designed walls with either a solid steel opaque gate painted to be compatible with the color of the masonry or steel walls and building it is to serve or a steel framed semi-opaque gate with a screen mesh material approved by the Director that provides an appropriate visual barrier. (Amend. #2)

Formatted: Highlight

Formatted: Highlight

Division V: Lighting Standards (Amend. #30)

Section 7.190. Purpose and Intent

The purpose and intent of this section is to establish outdoor lighting standards in all zoning districts that:

1. Reduce or eliminate glare, light trespass/spillover and overlighting from on-premise light sources to off-premise properties, but not to include significant elevation differences as determined by the Director to be unreasonable to shield;
2. Promote safety and security by incorporating Crime Prevention Through Environmental Design (CPTED) Principles per Division VI of this Article;
3. Encourage energy conservation and provide attractive lighting fixtures and layout patterns that contribute to a unified exterior lighting design of non-residential developments.

For purposes of determining light levels for installed light fixtures per this Article, the Director shall use a digital light meter, illuminance meter, meeting C.I.E.(International Commission on Illumination) standards. Light meter readings shall be taken at 3 feet above grade on a horizontal axis unless otherwise specified.

Section 7.200. Applicability and General Provisions

These lighting standards shall apply to the installation of new outdoor lighting fixtures or the replacement of existing outdoor lighting fixtures. Replacement of a fixture shall mean a change of fixture type or change to the mounting height or location of the fixture. Routine lighting maintenance, such as changing lamps or light bulbs, ballast, starter, photo control, lenses and similar components, shall not constitute replacement and shall be permitted provided such changes do not result in a higher light level output such as replacing a 150 watt bulb with a 200 watt bulb. If the housing of the fixture is deteriorated or damaged to point of needing replacement, it shall only be replaced with a permitted fixture type in accordance with this Article.

Section 7.210. Existing Outdoor Lighting Fixtures

Outdoor lighting fixtures lawfully existing prior to January 1, 2009, 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 this Article.

Section 7.220. General Outdoor Lighting Standards

- A. Light Source. Metal halide, ~~or~~ light emitting diodes (LED's), or other new light source technology approved by the Director shall be the approved required light source for all outdoor lighting. These outdoor lighting fixtures are to be color-correct types to ensure true-color at night for security purposes and support CPTED principles.

- B. Design of Fixtures/Prevention of Spillover Glare. All outdoor light fixtures shall use full cut-off lenses, as classified by the Illuminating Engineering Society of North America (IESNA), to prevent glare and light spill from the project site onto adjacent properties, buildings and roadways. All lights shall be International Dark-Sky Association (IDA) approved fixtures.
- C. Prohibited Lights. The following lights are prohibited:
1. Aerial or search lights;
 2. Laser source lights;
 3. Pulse, blinking, tracing or flashing lights;
 4. Outline lights;
 5. Mercury vapor lights;
 6. Fluorescent, except when used as Accent Lighting or in shielded wall packs or wall sconces;
 7. Neon, except when used as Accent Lighting;
 8. High and Low pressure sodium;
 9. Halogen, except when used as Accent Lighting; and
 10. Flood light fixtures, except when used as Accent Lighting and only when directionally shielded eliminating glare to motorists and pedestrians.
- D. Exceptions. The following lights are excepted from these requirements:
1. Egress lights as required by the Building Code 100-Watts or less for incandescent, 26-Watts or less for compact fluorescent, or 40-Watts or less for other lighting sources;
 2. Construction and emergency lighting used by construction workers or police, firefighting, or medical personnel, provided said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency requiring said lighting;
 3. Security lighting controlled and activated by motion sensor devices for a maximum duration not to exceed 10 minutes and not to exceed 100-Watts for incandescent, 26-Watts for compact fluorescent, or 40-Watts for other lighting sources.
- E. Exemptions. The following lights are exempted from these requirements:
1. Lighting attached to one and two-family dwellings
 2. Airport lighting;
 3. Street lighting installed per the Design and Construction Manual.

Section 7.230. **Photometric Plans Required**

A photometric 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. 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 1 inch equals fifty feet (1"=50').
- 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 10-foot by 10-foot grid. When the scale of the plan, as determined by the Director, makes a 10' by 10' grid plot illegible, larger grid spacing may be permitted.
- E. All photometric plans shall provide a breakdown indicating the maximum footcandle, minimum footcandle, average maintained footcandle, and the maximum to minimum ratio for each lighting zone.
- 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 Department of Planning and Development prior to the issuance of a Final Certificate of Occupancy. The as-constructed photometric plan shall indicate the footcandle levels on a 10-foot by 10-foot grid.

Section 7.240. Pedestrian Lighting in Residential Areas

Pedestrian-oriented lighting (metal halide preferred) is permitted, on twelve (12)-foot poles at eighty-two and one-half (82.5) foot or less spacing with light intensity and spread patterns to be determined by the Governing Body. Pedestrian-oriented lighting may either supplement or substitute for the standard street lighting, based upon acceptable intensity, spread and glare reduction characteristics. (Amend.#3)

Section 7.250. Parking Lot Lighting

- A. Parking lot lighting required. Multi-family, institutional and commercial uses or developments providing parking lots accommodating 11 or more parking spaces shall provide parking lot lighting in accordance with this Article.
- B. 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.
- C. Maximum Base Height. Concrete pedestals/bases shall not exceed three (3) feet in height and shall be included in the maximum overall height.

- D. Maximum height. The maximum overall fixture height, measured to the top of the fixture from grade, shall comply with the following:
1. All light fixtures on properties within or adjoining residential uses and/or districts shall not exceed 15 feet in height within the perimeter area. For purpose of this standard, the perimeter area shall be measured 100 feet from the property line closest to the residential use and/or district. Outside the perimeter area, the overall height may be increased to 20 feet, measured to the top of the fixture from grade.
 2. All light fixtures on properties within or adjoining residential uses and/or districts that are separated by a non-arterial street and are within the perimeter area shall not exceed 15 feet. Outside the perimeter area, the overall height may be increased to 20 feet in height, measured to the top of the fixture from grade.
 3. All light fixtures on properties adjoining residential uses and/or districts that are separated by an arterial street and are within the perimeter area shall not exceed 24 feet. Outside the perimeter area, the overall height may be increased to 28 feet in height, measured to the top of the fixture from grade.
 4. All light fixtures on properties that do not adjoin residential uses and/or districts in (1) through (3) above shall not exceed 28 feet.
 5. The solar panel for any solar powered light fixture may extend 5 feet above the height of the fixture.
- E. Maximum Footcandles at residential property line. The maximum maintained vertical footcandle at an adjoining residential property line shall be 0.5 footcandles, measured at three (3) feet above the grade.
- F. Uniformity Ratios. Light pole fixtures shall be arranged to provide uniform illumination throughout the parking lot ~~of not to exceed 10 footcandles, more than a 6:1 ratio of average to minimum illumination, and not more than 20:1 ratio of maximum to minimum illumination.~~
- G. Maximum Wattage
1. All fixtures on developments that adjoin residential uses and/or districts shall be limited to 175-Watts maximum per head through the entire parking lot.
 2. All fixtures on developments separated from residential uses and/or districts by a non-arterial street shall be limited to 175-Watts maximum per head along the perimeter area. For the purpose of this standard, the perimeter area shall be measured 100 feet from the property line closest to the residential use and/or district. Outside the perimeter area, higher wattage fixtures may be utilized, but shall not exceed 250-Watts.
 3. All fixtures on developments separated from residential uses and/or districts by an arterial street shall be limited to 250-Watts maximum per head along the perimeter area, as defined above. Outside the perimeter area, higher wattage fixtures may be utilized, but shall not exceed 400-Watts.
 4. All fixtures on developments that adjoin commercial, office or industrial uses and/or districts shall be limited to 400-Watts maximum per head.
 5. The total aggregate wattage for multiple headed fixtures mounted on a single pole shall be limited to 800-Watts maximum.
- H. Maximum Light Fixture Heads. Developments adjoining residential uses and/or districts including those separated by a street shall utilize single headed fixtures on the perimeter

area.

- I. Lighting may be further restricted depending on physical characteristics of the site.
- J. Solar Powered or LED Light Fixtures Required. A minimum of 50% of the parking lot light fixtures shall be solar powered or 100% of the parking lot lighting shall utilize LED light fixtures.
- K. Mandatory Illumination Reduction. On all non-residentially developed lots which contain a minimum of four (4) parking lot light poles, parking lot lighting levels for surface parking lots and the top levels of parking decks and structures shall be reduced by at least 50% of the full operational levels within 60 minutes after the close of business. Lighting levels may be reduced by turning off 50% of the parking lot lights or by dimming parking lot lighting levels to no more than 50% of the levels used during business or activity hours, or by some combination.

Section 7.260. Wall-Mounted Lighting

- A. Wall mounted lighting is defined as any light fixture mounted to the building wall excluding accent lighting, canopy lighting, and excepted lights, as identified in this Division.
- B. Full Cut-Offs. Wall-mounted lights shall utilize full cut-off fixtures.
- C. Maximum Wattage. Wall-mounted fixtures shall be metal halide and not exceed 150-Watts.
- D. Mounting Height. Wall-mounted/building-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.

Section 7.270. Accent Lighting

- A. Accent lighting is defined as any lighting used to accent architectural features, fascia, landscaping, flags, art or other objects for architectural or landscape purposes.
- B. 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.
- C. Fixture Type Allowed. The following fixture types may be used as accent lighting:
 - 1. 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.
 - 2. Floodlights;
 - 3. Wall sconces or lanterns;
 - 4. Recessed can lights; or
 - 5. Any other fixture type that, in the opinion of the Director or designee, meets the intent of this section.
- D. Maximum Wattage. Fixture wattage shall not exceed 100-Watts for incandescent, 26-Watts

for compact fluorescent, or 40-Watts for other lighting sources.

- E. The maximum illumination of any vertical surface or angular roof surface shall not exceed 4.0 footcandles.

Section 7.280. Canopy and Drive Thru Lighting

- A. 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.
- B. 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:
 - 1. Canopy light fixtures shall be recessed so that the lens cover is flush with the bottom surface (i.e., ceiling) of the canopy.
 - 2. 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.
 - 3. 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 package.
- C. 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.
- D. 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 (10) foot radius from the ATM or 4.0 footcandles within a thirty (30) foot radius.

Section 7.290. Exterior Display Lighting

- A. Exterior display lighting is any lighting used to illuminate any outdoor display or sales area including but not limited to vehicle sales, storage lots, garden center, etc.
- B. The display area lighting shall not exceed 25.0 footcandles with an average illumination to minimum illumination of not greater than 5.0:1.
- C. The height of the exterior light fixtures shall be as follows:
 - 1. Wall-mounted/building-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. Fixtures on structures within 100 feet of a residential use and/or district shall not exceed 15 feet measured from the top of the fixture to grade.
 - 2. Pole mounted fixtures shall not exceed 20 feet as measured from finish grade to the top of the light fixture. Concrete pedestals/bases shall not exceed three (3) feet in height and shall be included in the overall height. Fixtures within 100 feet of a residential use and/or district shall not exceed 15 feet measured from the top of the fixture to grade.
- D. Parking lot display illumination shall meet the mandatory illumination reduction requirement for parking lot lights between 10:00 p.m. and 7:00 a.m. when located adjacent to residential areas.

Section 7.300. Outdoor Recreation Lighting

- A. 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.
- B. 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.
- C. 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.
- D. The maximum mounted heights for recreational lighting shall be in accordance with the following:
 - 1. Football Fields – 70 feet
 - 2. Soccer Fields – 70 feet
 - 3. Baseball/Softball Fields (250' or greater) – 70 feet
 - 4. Baseball/Softball Fields (less than 250') – 60 feet
 - 5. Little League Fields – 60 feet
 - 6. Basketball Court – 20 feet
 - 7. Tennis Court – 30 feet
 - 8. Swimming Pool – 20 feet
 - 9. Track – 20 feet
 - 10. Horseshoe Court – 30 feet
 - 11. Skate Park – 30 feet
 - 12. Volleyball Court – 30 feet
 - 13. 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 circumstance shall heights exceed 30 feet.
- E. The average maintained lighting levels for recreational uses, other than professional sports teams, shall not exceed the following:
 - 1. 80.0 footcandles in the infield and 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.
 - 2. 80.0 footcandles for football/soccer/tennis courts. The maximum lighting level to average lighting level ratio shall not exceed 2.0:1.
 - 3. 50.0 footcandles for basketball court/track. The maximum lighting level to average lighting level ratio shall not exceed 2.0:1.
 - 4. 20.0 footcandles for swimming pool. The maximum lighting level to average lighting level ratio shall not exceed 2.0:1.
 - 5. Other lighting levels shall be in accordance with IESNA, Illuminating Engineering Society of North America standards.

Article 7: Design Standards

- F. All light fixtures/light poles shall be set back a minimum of one (1) foot for every foot in height from any residential property line and/or right-of-way.
- G. Lighting levels shall not exceed 0.5 footcandles at any common property line with residential district and/or use.

Division VI: Crime Prevention Through Environmental Design (CPTED) Requirements (Amend. #33)

Section 7.310. CPTED Defined

CPTED is defined as the proper design and effective use of the built environment that can lead to a reduction in the fear and incidents of crime, and an improvement in the quality of life. The four (4) basic CPTED principles include:

1. Natural access control – guides people entering and leaving space through the placement of entrances, exits, fences, landscaping and lighting.
2. Natural surveillance – uses design features to increase the visibility of a property or building
3. Territorial reinforcement – physical design provides clear distinction between private and public property
4. Maintenance – Proper upkeep signals property is being well cared for and inhospitable to criminals

Adopted for reference purposes are two publications dealing with CPTED. *Designing Safer Communities** and *CPTED Guidelines – Safety by Design: Creating a Safer Environment In Virginia***.

**Designing Safer Communities* is a publication of the National Crime Prevention Council funded by the Bureau of Justice Assistance Programs, U.S. Department of Justice.

***Safety by Design* is a publication of the Virginia Crime Prevention Association funded by a grant from the Allstate Foundation.

Section 7.320. CPTED Review Committee Established

The CPTED Review Committee, CRC, is comprised of a select number of city staff members from the Development Review Committee, DRC, who have completed both basic and advanced training in CPTED Principles through the National Crime Prevention Council. The adopted “Mission Statement” of the CRC reads as follows:

“...to utilize CPTED principles and innovative crime prevention techniques to maintain and improve the quality of life by reducing crime and/or the fear of crime, whereby creating a safer environment.”

Section 7.330. CPTED Review Requirement

All development applications shall be subject to CPTED review and recommendations. The application of CPTED concepts and strategies is site specific and the level of review shall be determined on a case by case basis. Some requests during development review will require mandatory compliance. Others will be strongly encouraged but compliance will be voluntary. Mandatory compliance elements will be addressed in Article 9 “Uses with Conditions”.

Section 7.340. CPTED Uses Specified

The following uses have been classified as “Uses with Conditions” per Article 9 of this Chapter, having been determined with a tendency toward an increased risk of crime,. Specific conditions for such uses are found in Article 9 and shall be required to be met prior to receiving any zoning approval, business license or approval to occupy any commercial space.

1. Bank/Financial Services
2. Bank Drive-Thru Facility
3. Check Cashing and Payday Loan Business
4. Convenience Store (C-Store)
5. Financial Services with Drive-up Window or Drive-Thru Facility
6. Pawn Shop
7. Title Loan Business, if performing on site cash transactions with \$500 or more in cash on hand
8. Unattended self-serve gas pumps
9. Unsecured Loan Business
10. Other similar uses shall meet the same standards as the above

Division VII: Miscellaneous

Section 7.350. Lee's Summit Municipal Airport

Metal hangars shall be permitted at the Lee's Summit Airport provided that a painted or textured finish is provided. (Amend. #7)

Section 7.360. Oil and Gas Well setbacks

- A. In property where oil and/or gas wells are or have been in existence, the following setbacks must be maintained for all buildings or structures:
1. Any foundation or any other part of any building or structure shall be set back at least ten (10) feet from any capped well; and, if fill is placed over any well cap, the setback from the foundation or structure shall be increased by two (2) feet for each one (1) foot of fill. The setback shall be measured from the cap or survey marker identifying the capped well.
 2. Any foundation or any other part of any building or structure shall be set back at least 150 feet from any active well.
 3. No setback is required for streets or driveways, which may be constructed over capped wells.

Section 7.370. Vision Clearance – Sight Triangle

- A. "Sight Triangle" is defined as the triangular area for sight distance preservation defined by the American Association of State Highway and Transportation Officials (AASHTO) "Green Book." This sight triangle is normally formed by lines at least 25 feet in length along the edges of the pavement of intersecting streets or a driveway intersecting a street, from their point of intersection.
- B. No landscaping or screening materials, signs, parked vehicles, or other objects other than essential directional signs, traffic control devices, and utility structures approved by the city shall interfere with the line of sight between a height of two (2) feet and eight (8) feet above the adjoining street or driveway pavement, within the triangular area formed by:
1. Lines 25 feet in length along the edges of the pavement of intersecting streets or a driveway intersecting a street, from their point of intersection.
- C. No landscaping or screening materials, signs, parked vehicles, or other objects other than essential directional signs, traffic control devices, and utility structures approved by the city shall interfere with the line of sight between a height of two (2) feet and eight (8) feet above the adjoining pavement, within the triangular area formed by
1. lines twenty (20) feet in length along the edges of the pavement of intersecting driveways or a sidewalk intersecting a driveway, from their point of intersection, and
 2. a line connecting them in the following instances:
 - a. A vehicular accessway or driveway and a sidewalk.
 - b. Two or more vehicular accessways or driveways.

3. Nothing in this section shall be construed to allow placement of objects in the public right-of-way.
4. Near highway intersections, the American Association of State Highway and Transportation Officials (AASHTO) sight distance triangle requirement shall be utilized.

Section 7.380. Maintenance

Exposed walls and roofs of buildings shall be maintained in a clean, orderly, and attractive condition, free of cracks, dents, punctures, breakage, and other forms of visible marring. Materials that become faded, chalked, or otherwise deteriorated or unsightly shall be refinished, painted or replaced. Exterior grounds including parking lots and associated pavement shall be maintained without pot holes, unfilled cracks, broken sidewalks and curbing.

[Maintenance occurring in the Downtown Core and Transition Area shall also comply with the regulations of Division VIII of this Article, including 7.420B.1.b.2\).](#)

Section 7.390. Materials standards

All materials approved for use as provided in this Article shall be manufactured and installed in accordance with applicable ASTM and other standards and codes adopted and accepted by the City.

Section 7.400. Adoption of administrative guidelines

The Director of Planning and Development is authorized, as he/she deems necessary, to prepare an interpretation manual and administrative guidelines in order to augment, implement and provide further details for the carrying out of these minimum design standards. The Director is also charged in assisting City staff, the Planning Commission and City Council in the evaluation compliance with these standards for development applications.

Division VIII: Design Standards for the Downtown Core Area (Amend. #65)

Section 7.410. Introduction

A. Statement of Intent and Purpose. The design standards for the Downtown Core Area are intended to provide parameters for the physical appearance, structure and placement of buildings located in the areas defined herein, for commercial, mixed use, non-residential and multi-family residential development. The purpose of these design standards is to:

1. Promote development and redevelopment that are complementary and consistent with the character of existing historic, historically eligible and historically contributing structures.
2. Foster reinvestment in and redevelopment of existing structures.
3. Provide site plan and architectural standards to foster sustainable development, with an appreciation for the elements of scale and character of the historic buildings.
4. Implement the Old Lee's Summit Downtown Master Plan, a part of the Lee's Summit Comprehensive Plan, including recommendations for the Downtown Core Area, as defined therein.

B. Downtown Core Area. The boundaries of the Downtown Core Area shall be those shown in the Downtown Master Development Plan adopted as a part of the Lee's Summit Comprehensive Plan on May 10, 2005. (See map on the following page.)

~~B-C.~~ Two distinct areas are further defined within the Downtown Core, the Commercial Core Area and the Transition Area, both having their own set of standards for compliance purposes.

~~C-D.~~ Streetscape. When applicable the streetscape shall be consistent with the "Lee's Summit Downtown Improvements Street Reconstruction & Streetscape Plan".

~~D-E.~~ Local Historic Districts. Any conflict with this Division resulting from the voluntary establishment of a local historic district shall follow the requirements of the local historic district. Refer to Article 6, Division III, Historic Preservation Overlay District, of this Chapter.

Section 7.420. Development and Renovation within the Downtown Core Area

A. Preliminary and Final Development Plans. Applications for new development or redevelopment of any commercial or mixed use property in the Downtown Core Area shall be reviewed through the preliminary development plan and final development plan application, modification and appeal processes as set forth in Article 4, Applications and Procedures, of this Chapter.

B. Exterior Renovation Permit. An Exterior Renovation Permit is required for all exterior work in the Downtown Core Area when the Design Standards of this Division apply, but the preliminary and final development plan review processes of Article 4 do not apply, and as otherwise provided herein. The applicability of the Design Standards is described in detail in sections 7.440(A) and 7.450(A) of this Division.

1. Requirements:

a. An Exterior Renovation Permit shall be required prior to any:

- 1.) Exterior rehabilitation (returning to an original condition)
- 2.) Exterior remodeling, including façade removal or replacement, window and door replacement
- 3.) Replacement lighting or similar fixtures within the Commercial Core
- 4.) Window replacement
- 5.) Signage, new or replacement in the Commercial Core
- 6.) Awnings, new or replacement in the Commercial Core
- 7.) New construction or reconstruction of a building addition or any other exterior work, not defined as maintenance herein, on any building located in the Downtown Core Area
- 8.) An Exterior Renovation shall be required prior to any work on a building listed in the National Register, for which tax credits are being requested and where the Secretary of the Interior's Standards for the Treatment of Historic Properties apply

b. An Exterior Renovation Permit shall not be required for:

- 1.) General repair and maintenance of existing single and two family dwellings occupied as a residential use in the Transition Area including:
 - (a) Reroofing
 - (b) Siding replacement
 - (c) Exterior painting - provided colors are period specific or are compatible with colors typically seen in the neighborhood. **Painting unpainted brick is specifically prohibited.**
 - (d) Tuck pointing
 - (e) Crack repair
 - (f) Sidewalk repair or replacement
 - (g) Driveway repair or replacement

Formatted: Heading 5, Space Before: 0 pt

Formatted: Heading 5, Space Before: 0 pt

Formatted: Font: Bold

2.) General repair and maintenance of buildings or properties located within the Commercial Core including:

- (a) Reroofing
- (b) Tuck pointing
- (c) Crack repair
- (d) Exterior painting - provided period specific colors are used. Does not apply to painted wall signs, murals or unpainted brick
- (e) Concrete step repair/replacement
- (f) Parking lot repairs

Formatted: Not Highlight

Formatted: Not Highlight

c. An Exterior Renovation Permit is not required for interior remodeling, underground utility work, or maintenance and repair of public infrastructure.

2. Applications for an Exterior Renovation Permit shall be made to Planning Services on a form provided by the Director. The Director shall review the application and issue a written decision based upon the provisions of this Division within ten (10) business days of the receipt of the application. For the purpose of this section, the Director's decision is deemed to have been served on the date it is personally delivered, or if mailed, the date that is three (3) days from the date that the decision is placed in the U.S. mail.

~~If the Director disapproves an application for an Exterior Renovation Permit or otherwise fails to approve an application in the manner requested by the applicant, the applicant may appeal the Director's decision to the City Council by filing a written application for appeal with the City Clerk within twenty (20) business days of the date that the Director's decision is served. Upon receipt of any appeal filed pursuant to this section, the City Clerk shall schedule the appeal for the next available regular session meeting of the City Council, and provide notice to the applicant of the date, time and place that the appeal shall be heard. The applicant will have full opportunity to present evidence and testimony in support of the applicant's appeal. The hearing shall be conducted as a contested case under the provisions of Chapter 536 RSMo. The City Council shall render a decision at the end of the hearing of the appeal. If the City Council denies the appeal, it shall issue its written decision at the next scheduled regular session meeting of the City Council. The written decision shall include written findings of fact and conclusions of law. The decision of the City Council shall be final for purposes of appeal pursuant to Chapter 536, RSMo.~~

Formatted: Not Highlight

Formatted: Heading 3

3. Appeal of a Denial of an Exterior Renovation Permit.

a. If the Director disapproves an application for an Exterior Renovation Permit or otherwise fails to approve or make a recommendation within 10 business days on an application in the manner requested by the applicant, the applicant may appeal the Director's decision to the City Council by filing a written application for appeal with the City Clerk within twenty (20) business days of the date that the Director's decision is served. Upon receipt of any appeal filed pursuant to this section, the City Clerk shall forward the written application for appeal to the Director, who upon receipt shall schedule an appeal hearing before the Planning Commission for its recommendation to City Council.

Formatted: Heading 1, Indent: Left: 0", Hanging: 1.2"

Formatted: Underline

b. Notice of the hearings before the City Council and the Planning Commission.

Notice of such hearings, including the date, location and time, shall be provided by U.S. mail, postage prepaid, to all persons who own property or hold business licenses for businesses located on the same block as the subject property and those who own property or hold business licenses on the block that faces and is across the street from the subject property. In addition, the property shall be posted with the information regarding the date, location, time and summary of the appeal that is being presented.

c. Appeal Recommendation Hearing before the Planning Commission.

The purpose of the hearing before the Planning Commission is to make a recommendation to the City Council on appeals of denials of exterior renovation permits in the Downtown Core area. The Commission shall hold a hearing upon notification by the Director that an appeal has been filed. During the hearing, the Applicant and Director may present information, other persons who may provide information on their respective behalf, and other evidentiary matters for the Commission's consideration, but the formal rules of evidence shall not apply. Any person who received a mailed notice shall be permitted to provide information to the Commission. The Commission may also receive information from anyone who attends the hearing. Upon the close of the hearing, but not later than two regularly scheduled meetings of the Commission, the Commission shall submit to the City Council its recommendation on whether or not to affirm, reverse or modify the decision of the Director and the reasons therefore. In doing so, the Commission shall consider whether or not the application is compliant with the City's Code and guidelines as well as the same criteria as set out in Section 7.420.

d. Upon receipt of the Commission's recommendation, the City Clerk shall place the consideration of the appeal on the next available regular session meeting agenda of the City Council and provide notice to the applicant of the date, time and place that the appeal shall be heard by the City Council. The applicant may present evidence and testimony in support of his/her appeal before the City Council in the same manner as a public hearing for a rezoning of property. The Staff shall prepare a staff report for consideration by the City Council summarizing the evidence and testimony presented by all parties at the Planning Commission hearing. Rules of evidence in a court tried case shall not apply.

e. In reaching its decision on the appeal and in addition to the recommendations of the Planning Commission, the City Council shall consider whether or not the renovations contained within the application:

- 1.) Are consistent with the adopted guidelines for the area,
- 2.) Are compliant with City Code,
- 3.) Propose to use materials that were used in Lee's Summit at the time the building or structure in question was built,
- 4.) Tend to or do preserve or hinder historic preservation of the structure in the present and future,
- 5.) Are consistent with exteriors and materials currently used for buildings and structures in the immediate vicinity of the subject property,
- 6.) Maintain historical aspects and architectural details of the building or structure including but not limited to location of doors, windows, and roofline.

Formatted: Heading 4

Formatted: Heading 4, Indent: Left: 0.9"

Formatted: Heading 4

Formatted: Heading 4, Indent: Left: 0.9",
First line: 0"

Formatted: Not Highlight

Formatted: Heading 4

Formatted: Heading 5, Indent: Left: 0"

- 7.) Have any impact on property values of the subject and adjacent properties.
 - 8.) Have any impact on the structural integrity of the subject building or surrounding properties.
 - 9.) Are consistent with the strategic plan for the Downtown Core.
 - 10.) Are consistent with the Secretary of the Interior's standards; and
 - 11.) Will have an adverse or favorable impact on future historic district applications of the Downtown Core area or adjacent properties.
- f. The City Council shall vote on its initial decision at the end of the hearing of the appeal. If the City Council denies the appeal, it shall issue its written decision at the next scheduled regular session meeting of the City Council. If the City Council grants the appeal or modifies the decision of the Director, it shall also issue its written decision at the next scheduled regular session meeting of the City Council. The written decision shall include written findings of fact and conclusions of law which shall be adopted by passage of a Resolution approving same. In the event the City Council is unable to adopt findings of fact with an affirmative vote of five (5) members at the next regularly scheduled session meeting, the item shall be moved to the next agenda where it may be taken up again. It shall continue to be moved forward to agendas until a vote of five (5) members approves a set of findings of fact and conclusions of law. The decision of the City Council shall be final. Any persons aggrieved by the decision of the City Council may appeal such decision pursuant to Chapter 536, RSMo

Formatted: Heading 4, Left, Space Before: 0 pt

Section 7.430. Demolition & Casualty Loss

- A. Demolition. Demolition of buildings and structures, including any demolition or de-construction of a building or structure in the Downtown Core Area, requires a demolition permit under Section 7-127 of the City of Lee's Summit Code of Ordinances. All applications for demolition permits involving demolition or de-construction of a building or structure in the Downtown Core Area, but not including demolition permits for interior demolition and remodeling, underground utility work, or maintenance and repair of public infrastructure, shall remain pending for 30 days from the date of the application, during which time the application shall be forwarded to the chair of the Historic Preservation Commission. The chair may place the application on an agenda of the Historic Preservation Commission as a discussion item, but shall have no authority to act on the permit. No such demolition permit may be issued until the date that is 30 days from the receipt of the application or the day of the Historic Preservation Commission's review, whichever comes first, except in those circumstances where the Building Official determines that demolition or de-construction is required because of an emergency or threat to public health, safety and welfare.
- B. Casualty Loss. The requirements of subsection 7.430(A) do not apply to demolition required as a result of a casualty loss, but the requirements of the Code of Ordinances, including, without limitation, the permit requirements of Section 7-127 of the Code, still apply.

Formatted: List Paragraph, Justified, Indent: Left: 0", Hanging: 0.31", Space Before: 5 pt, Tab stops: Not at 1.19"

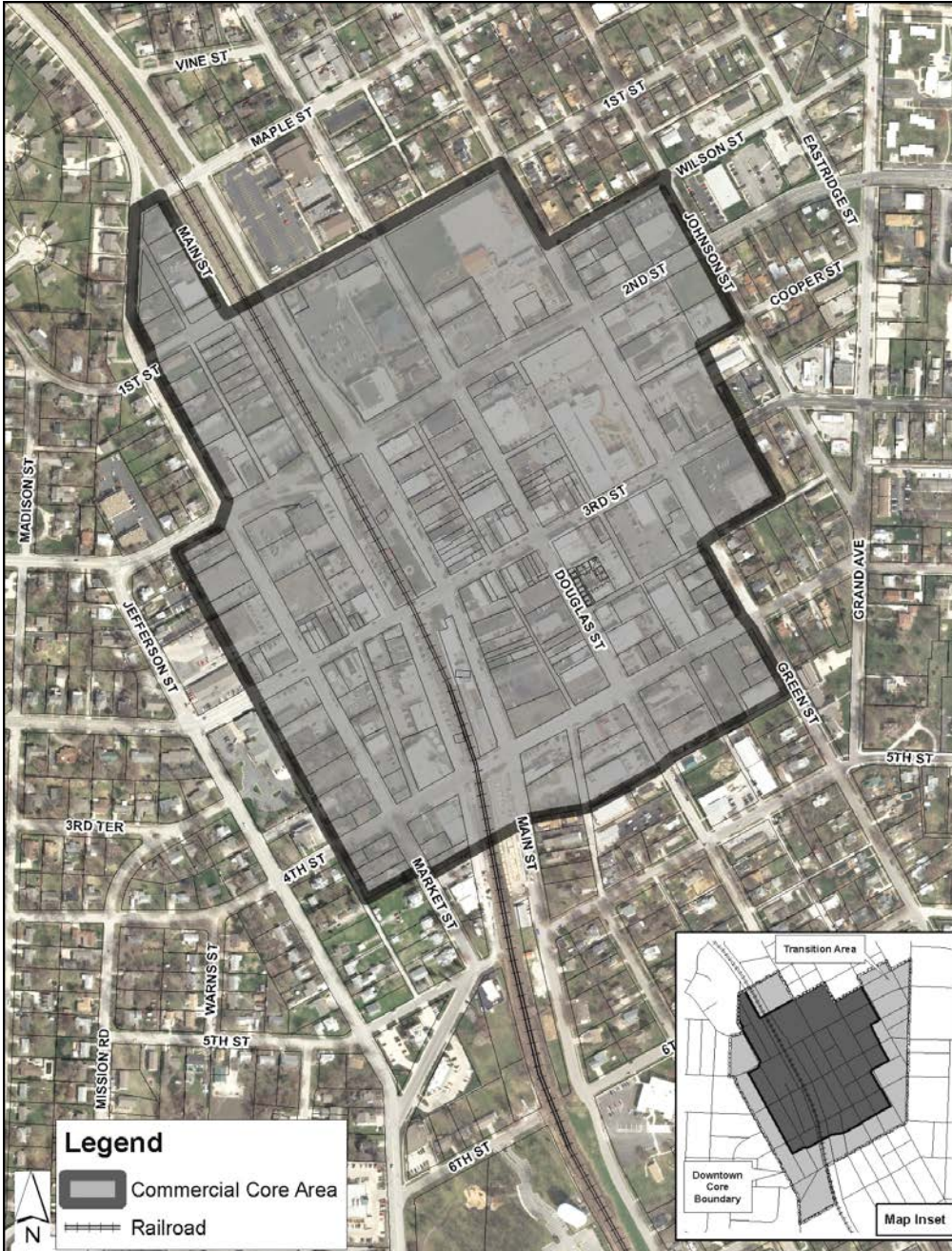
Formatted: Heading 2, No bullets or numbering, Tab stops: Not at 1.19"

Formatted: Indent: Left: 0", Hanging: 1.2",
No bullets or numbering, Tab stops: Not at
1.19"

~~Section 7.420~~ ~~Section 7.440~~. **Design Standards – Commercial Core**

- A. Applicability. The Commercial Core Design Standards shall apply to all new construction or reconstruction but not to include maintenance items as defined in Section 7.380 and Section 7.420.B.1.b.2), within the boundaries shown on the map below, including, but not limited to, new buildings, building additions, exterior alterations, and changes or additions to parking areas or driveways. The standards do not apply to interior remodeling, underground utility work, or maintenance and repair of public infrastructure.
- B. Overview. All structures shall exhibit the basic features of traditional structures within the downtown area of Lee's Summit. These buildings shall align along the sidewalk edge or in relative relationship thereto consistent with traditional downtown building alignments, define the pedestrian zone and provide a sense of scale and visual interest. Strengthening this pattern of development will enhance the economic sustainability of the Downtown Core Area. The standards that follow establish a consistent identity while accommodating individual design solutions.

Commercial Core Area



- C. Other Resources. For additional information and to use as a resource, see Lee's Summit Design Guidelines Manual for the Downtown Core Area, Lee's Summit, Missouri, prepared by the City of Lee's Summit, Missouri, and Thomason and Associates, Preservation Planners, and approved by the Historic Preservation Commission on June 26, 2006. If owners of properties listed in the National Register choose to participate in federal or state preservation programs, rehabilitation must follow federal guidelines. These guidelines are known as The Secretary of the Interior's Standards for the Treatment of Historic Properties by the U.S. National Park Service. The intent of these Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. For information regarding federal or state historic preservation tax credits, contact the Missouri State Historic Preservation Office.
- D. Historic Architectural Styles and Building Types.

The downtown commercial buildings of Lee's Summit were largely built between 1877 and 1930. The fires of 1885 and the mid 1890's devastated the wooden structures that were predominant in the downtown commercial area. The majority of these buildings were replaced and were constructed of dark brick of one and two stories with either no discernible style or a formal architectural style, in particular, the influences of the Italianate and Late Victorian commercial styling of the late nineteenth century and the Modern Movement in the pre- and post-World War II period. Colonial Revival architectural style was used for the two government buildings in the downtown core area. These vernacular forms are known as "Tapestry Brick" or "Brick Front" and were widely built throughout the country at the turn-of-the-century. Most buildings from this period in downtown Lee's Summit are two stories in height, share similarities in their design, and have separate façade zones; the lower for commercial storefront businesses and upper facades for office use, or in some cases, residential use.

Storefronts were designed to be as transparent as possible for merchandise display. Storefronts were built with large display windows resting on short lower panels known as bulkheads, and often the front entrance had a single-light (glass in wood frame) door. Upper facades of one-story buildings generally feature decorative brickwork and cornices. In addition to the decorative brickwork and cornices, two-story buildings feature symmetrically placed windows. Buildings from the 1880s and 1890s generally have segmental brick arches over the windows.

During the early 20th century, traditional storefront designs continued to be utilized for most downtown buildings. The influence of the Colonial Revival style led to more rectangular window forms and restrained detailing in contrast to the earlier Victorian styles. The use of stone, terra cotta, and cast concrete for decorative features was widespread from ca. 1900 to the 1920s. Little new construction occurred in the downtown area after the 1930s and the commercial district of Lee's Summit continues to be defined by its turn-of-the-century appearance.



By the mid-twentieth century, downtown Lee's Summit continued to be characterized by its turn-of-the-century commercial buildings.
(Photo courtesy of the City of Lee's Summit.)



One-story Tapestry Brick commercial building at 110 SW 3rd Street. This building features an intact storefront and corbelled brick cornice.

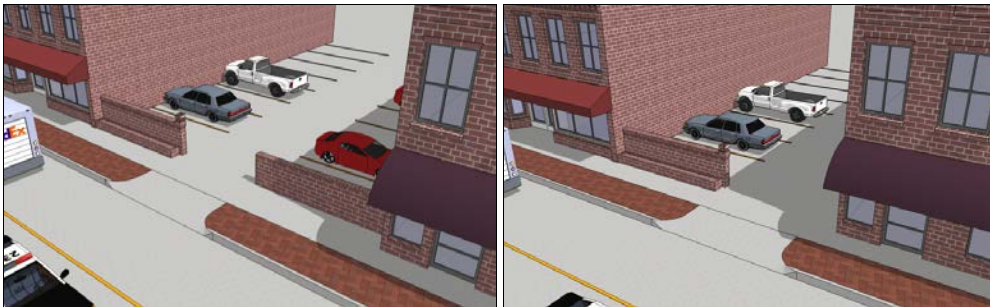


Two-story Tapestry Brick commercial building at 228 SW Main Street. This building's storefront was remodeled in the early 20th century with terra cotta and large display windows. At the roofline is a sheet metal cornice.

E. Site Design

1. Parking

- a. To the greatest extent feasible, on-site parking shall be located behind buildings at ground level or completely above or below the first floor of a building.
- b. Parking shall be accessed from the rear of the property on parcels with alleys.
- c. For parcels without alley access, driveways serving on-site parking shall be avoided on arterial streets. When necessary, such driveways shall be minimized in width and provide for good visibility of pedestrians and traffic.
- d. A new parking lot shall ~~not~~ be located so that it interrupts storefront continuity along the sidewalk.
- e. If a new parking area is approved adjacent to an existing building, a brick screen wall, or a similar material compatible with the adjacent buildings, shall ~~be~~ used to avoid the appearance of missing teeth along the street. The screen wall shall ~~be~~ in line with the front walls of adjacent buildings. An upper story over the parking lot or an upper façade to give the appearance of a continuous building may be considered.



Parking areas added between buildings should be screened with a structure compatible with adjacent buildings and in the same line as historic buildings.



Corner parking lots shall ~~not~~ have the edges defined through a masonry wall or other structure. Landscaping may be used in conjunction with the solid screen wall.

2. Mechanical equipment and service areas.

- a. Ground-mounted mechanical equipment and loading/service areas, including trash enclosures, shall be located out of public view whenever feasible and shall not front onto an arterial street. Ground-mounted mechanical equipment shall be located behind the building and screened from public view with fencing or landscaping or both.
- b. Electrical and communication transformers/cabinets shall be installed below grade in the right-of-way, including alleys, or located on-site and screened from public view.
- c. Electrical and gas meters, conduits, and other mechanical equipment should be located on rear facades.
- d. Backflow prevention/anti-siphon valves shall be integrated into the building design and concealed from public view. Such devices shall not be located within the public right-of-way.
- e. New buildings and building additions shall have rooftop mechanical equipment fully screened from view by using parapet walls of the same height as the mechanical units. New or replacement roof-top mechanical equipment on existing buildings may be screened with individual screening panels the same height as the proposed mechanical unit(s), be painted to match the building, or screening may not be required, depending on existing conditions.



HVAC units and condensers at rear facades shall be screened through fencing or landscaping. Units should have 36" of clearance to allow for maintenance and servicing.

- f. New trash enclosures shall be provided and shall be located behind the building when feasible. All exterior trash storage containers shall be stored within an enclosure so that they are not visible from off the property. Each trash enclosure shall be constructed of masonry walls with a steel gate painted to be compatible with the color of the masonry walls and the building it is to serve.

F. Mass and Scale.

~~1. New construction shall be of similar width, scale and proportions as adjacent buildings~~

2.1. In order to establish a pattern for more efficient land use, greater building height may be allowed; however, consideration shall be given to the traditional height of buildings in the Commercial Core.

Formatted: Indent: Left: 0.6", No bullets or numbering

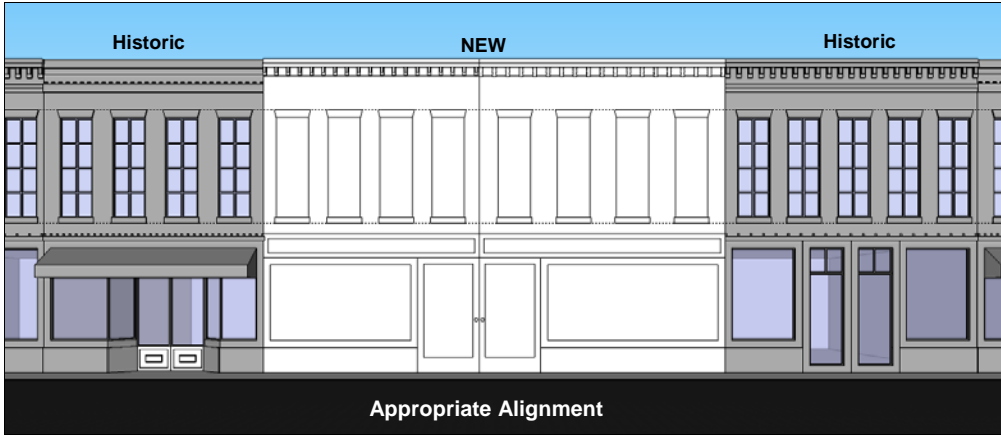
Formatted: Left, Outline numbered + Level: 3 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.3" + Tab after: 0.6" + Indent at: 0.6"

- a. New buildings should be multi-storied to reflect the overall downtown look and vision. predominantly two or three stories in height.
 - b. Although the maximum height of buildings in the Central Business Zoning District (CBD) is four (4) stories, or fifty (50) feet, consideration shall be given to the character and heights of buildings in the block or neighborhood. Buildings over two (2) stories in height may be required to have the upper stories set back to reduce the mass and scale of the structure.
- ~~3.2.~~ New buildings shall be aligned with adjacent buildings along the street and conform to established setbacks.

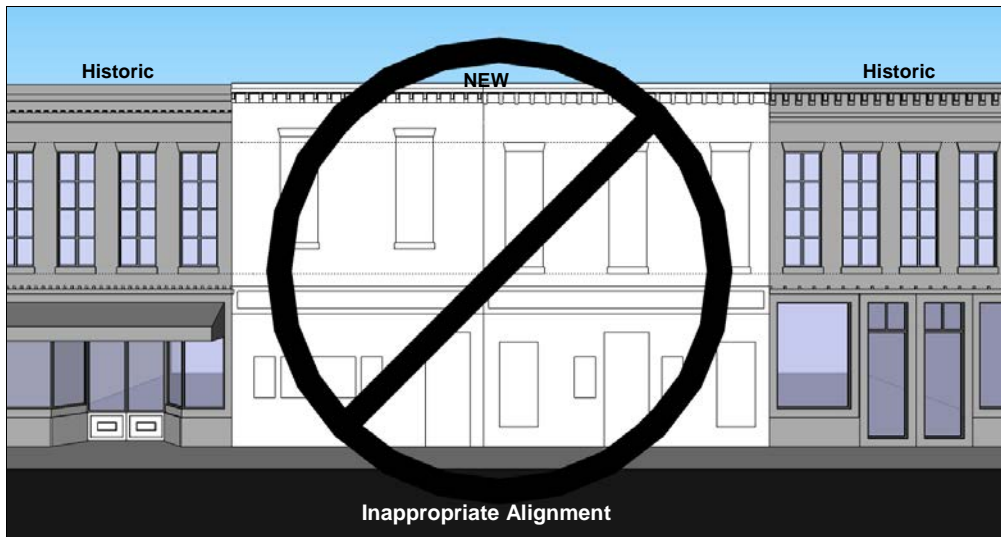


New commercial buildings shall ~~not~~ be consistent with adjacent setbacks.

- ~~4.3.~~ New buildings and additions shall be delineated both vertically and horizontally to reflect traditional patterns and convey a human scale.
- a. The facades of new buildings shall be visually divided into "modules" that appear similar in scale to buildings seen traditionally.
 - b. The facades of new buildings shall have vertical divisions similar in width to the pattern of existing buildings within the block.
 - c. The facades shall depict a clear visual division between street level and upper floors.
- ~~5.4.~~ Floor-to-floor heights shall be consistent with adjacent buildings.
- a. First floor windows shall be a minimum of 6 feet in height.
 - b. Upper floor windows shall be divided into individual units and not consist of a "ribbon" of glass.
 - c. Primary upper floor windows shall have a taller vertical dimension than horizontal dimension.

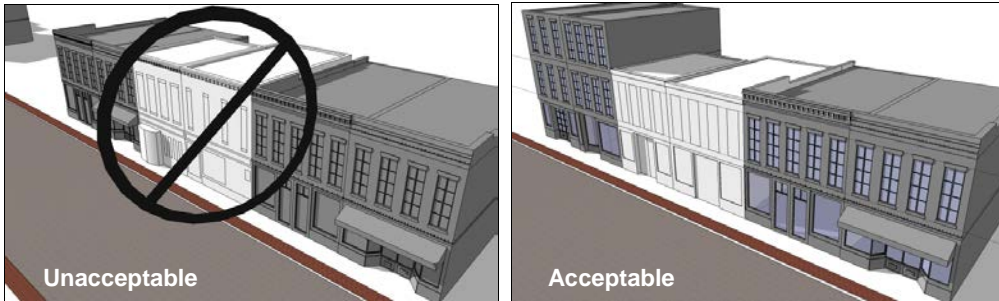


New construction ~~shall~~ be consistent with storefront and window size and spacing.

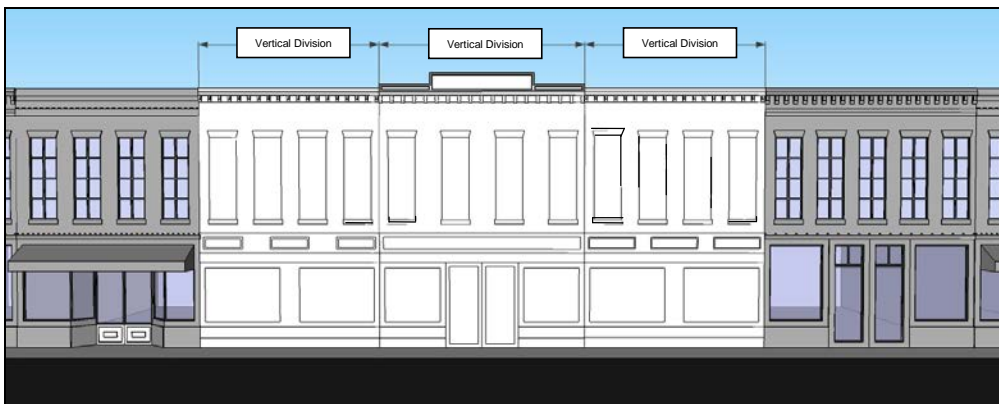


New construction ~~shall~~ be consistent with storefront and window size and spacing.

Article 7: Design Standards



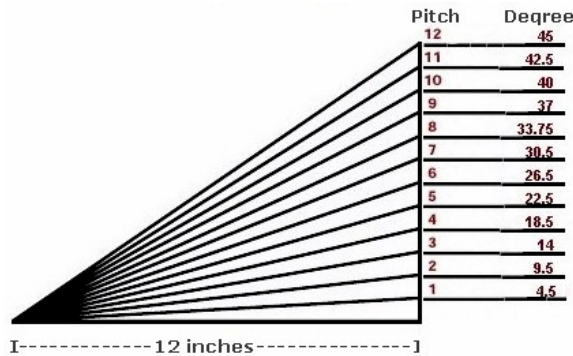
New Construction shall ~~not~~ maintain traditional storefront and upper facade alignments.



Large buildings of new construction shall ~~not~~ have vertical divisions consistent with building widths along the block.

G. Building Form and Roofline.

1. Simple rectangular building forms are preferred.
 - a. New buildings and additions should be designed with simple rectangular volumes.
 - b. Cylindrical, pyramidal and other elaborate building forms are prohibited.
2. Flat roof forms are preferred.
 - a. Parapet walls shall be used for screening flat roofs and be detailed with elements such as cornices to define the building roofline.
 - b. Sloping roof forms may be considered in an incidental role, and on building additions on the rear of buildings. A sloping roof is defined as 3/12 pitch or less.
 - c. Pitched roofs are prohibited. A pitched roof is defined as greater than 3/12 pitch.



This drawing demonstrates how many degrees rise for each pitch of a typical roof. Look at the column labeled pitch, then look under degrees to get the corresponding amount of degrees. Example: 3/12 pitch = 14 degrees.

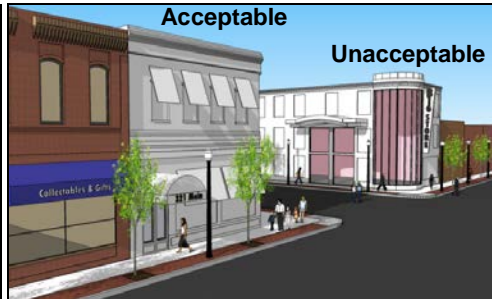
H. Building Entrances.

1. Primary entrances.

- a. Primary entrances to ground floor spaces and upper stories shall be oriented to the sidewalk and primary pedestrian ways.
- b. Corner buildings may be designed with angled entrances at the corner.



Example of angled entrance on corner building.



Examples of buildings that do and do not contribute to human scale.

- c. The primary entrance shall be clearly identified
- d. The primary entrance shall convey a sense of human scale.
- e. The entry may be defined by using an awning, a change in roofline or other architectural feature consistent with traditional Downtown Lee's Summit design.
- f. A sign mounted at the entry may be used to identify the primary entrance.
- g. Special paving treatments ~~may shall not~~ be used to enhance the entry within the public right-of-way. ~~Special paving treatments within the public right-of-way must be approved by the City Engineer and are required to be maintained by the property owner.~~

Formatted: Not Highlight

2. Recessed entries:

- a. ~~Shall~~ be retained and are required encouraged in new storefront construction.
 - b. Increase window display area and provide a sheltered transition to the interior of the store.
 - c. ~~Shall~~ be centered on the tenant space and be highly transparent.
3. First floor entry doors shall contain a minimum of 50% glass. Solid or residential type entrance doors with less than 50% small areas of glass are prohibited.

I. Awnings and Canopies.

- 1. The use of awnings on commercial buildings in downtown Lee's Summit is appropriate.
- 2. Awnings may be retractable or fixed in place.
- 3. Awnings should fit the opening to which they are applied. Shed/rectangular awnings are appropriate for rectangular openings while arched awnings are appropriate for arched openings.
- 4. Awnings with bubble, concave, ~~or~~ convex or mansard forms ~~are discouraged.~~ Canopies in mansard designs are prohibited.
- 5. Storefronts and upper facade windows are both appropriate locations for awnings.
- 6. Awning materials shall ~~be~~ high quality architectural metal, as determined by the Director, canvas, acrylic, or vinyl coated. (See prohibited materials).
- 7. ~~Metal, wood and vinyl awnings are prohibited.~~
- 8. Internally illuminated or translucent awnings and canopies are prohibited.

Formatted: Not Highlight

J. Building Materials (Exterior) and Color.

1. All new construction and reconstruction.

- a. Street facing facades including alley facing facades (for corner buildings that have both) shall consist of:

Formatted: Heading 4, Left

- 1.) First and second floor elevation - Brick,
- 2.) Additional floors above the second floor - Durable masonry materials such as stone, brick, traditional stucco (a cement and sand based material), or pre-cast or poured-in-place concrete

Formatted: Heading 5, Left

- b. Facades not meeting the criteria above shall consist of one or more of the following:

Formatted: Heading 4, Left

- ~~1. Exterior building materials shall be primarily brick.~~
- ~~2. Other building materials may be permitted, but will be limited to the rear and sides of buildings, or limited as a percentage of a façade, or only permitted as an incidental or accent material:~~

- 1.) Those materials listed in (1a) above
- 2.) Rough faced masonry block

Formatted: Heading 5

- a. ~~Traditional stucco, a cement and sand based material,~~

Formatted: Indent: Left: 0.9", No bullets or numbering

- ~~b.3.)~~ fiber cement siding (such as "HardiePlank")

Formatted: Heading 5

- e-4.) new, high quality materials that are recognized by an approved third party testing agency which meet or exceed the quality of the materials listed
- e-5.) Innovative or "green" materials, provided they appear similar in quality, texture, finish and dimension to permitted materials and which are recognized by an approved third party testing agency which meet or exceed the quality of the materials listed.
- e-6.) Architectural metal or historic metal, as determined by the Director, to match existing building.

Formatted: Heading 5, No bullets or numbering

3-2. Prohibited materials shall include:

- a. Faux brick products (not made of fired clay).
- b. Painted brick, except existing painted brick
- c. Wood, except for deck floors and sub structures.
- d. Corrugated metal and sheet metal, except when it is determined by the Director to be high quality architectural metal.
- e. Vinyl, except vinyl coated awnings
- a-f. ~~Metal siding and corrugated metal.~~ Existing buildings with metal siding on the rear and sides may be maintained and repaired with similar materials.
- b-g. Exterior finish systems ~~Finish Insulation Systems (EFIS), made of~~ a lightweight synthetic wall cladding that includes foam plastic insulation and thin synthetic coatings; except as a trim, accent, cornice or profile material.
- e-h. Mirror glass which reflects more than 40 percent of incident visible light

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

4-3. Simple material finishes are encouraged.

5-4. Matte finishes are preferred.

6-5. Building colors.

- a. Brick buildings shall utilize traditional brick colors. colors should be in traditional brick colors.
- b. Accent colors shall ~~ould~~ be selected to compliment and contrast the primary building brick color.
- c. Colors should be compatible ~~evoke a sense of richness and liveliness~~ to complement and support the overall character of Downtown Lee's Summit.
- e-d. Florescent and metallic colors are prohibited as a primary building color.
- e-e. Existing Unpainted brick shall remain not be unpainted.

Formatted: Not Highlight

Formatted: Not Highlight

Formatted: Not Highlight

~~K. Signs.~~

~~4-K. Signs shall comply with Article 13, Signs, of this Chapter.~~

- ~~2. The purpose and intent of this Section, with regard to signs in the "Commercial Core" area, is to respect and encourage signs that reflect the traditional and historic character of Downtown Lee's Summit. Historic style signs, such as painted wall signs, projecting signs and neon signs of limited or proportional size, should be preserved, maintained, and repaired. New signs should not include painted wall signs. New signs should be~~

Formatted: List Paragraph, Indent: Left: 0", Hanging: 0.31", Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 11 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5", Tab stops: 0.31", Left

Article 7: Design Standards

~~of traditional materials such as sculptured or carved wood, glass, copper or bronze letters. Sandblasted wood signs are appropriate. Signs that are shaped to symbolize the type of business they advertise are encouraged (for example, scissors, tooth, bicycle).~~

L. Lighting.

1. The lighting standards set forth in this Article 7, Division V, Lighting Standards, shall apply, in addition to the standards below.
2. Lighting fixtures shall ~~be~~ be tied in historically with the building.
3. Period lighting is encouraged to fit the historic framework of the Downtown Core Area.
4. Exterior building lighting should be used to accentuate the building design and other overall ambiance of the Downtown Core Area.
5. Architectural details and features may be highlighted with lighting integrated into the building design.

M. Outdoor Spaces.

1. Outdoor spaces are encouraged and may consist of:
 - a. Art gardens
 - b. Interior courtyards
 - c. Public spaces
 - d. Plazas
 - e. Outdoor spaces may not be used or converted for vehicle parking or product display.
2. Upper story decks, ~~and~~ balconies, staircases and railings:
 - a. Modern additions to buildings and shall ~~be~~ be simple rather than ornate in design.
 - b. Shall ~~be~~ be appropriately scaled and incorporated into the overall design of the building.
 - c. Shall be inset if proposed on the street side of a building, and shall not extend beyond the property line.
 - d. May project beyond the plane of the building only when located on the side and rear of a building, but may not extend over property lines or public right-of-way.
 - e. ~~Shall be~~ ~~May be~~ metal ~~or wood~~, and shall ~~be~~ be ~~stained or~~ painted to match or blend with the colors of the buildings.
 - e-f. Decks may utilize wood, except for the railings, provided they are painted, stained or sealed to blend with the colors of the building.

Formatted: Not Highlight

Article 7: Design Standards

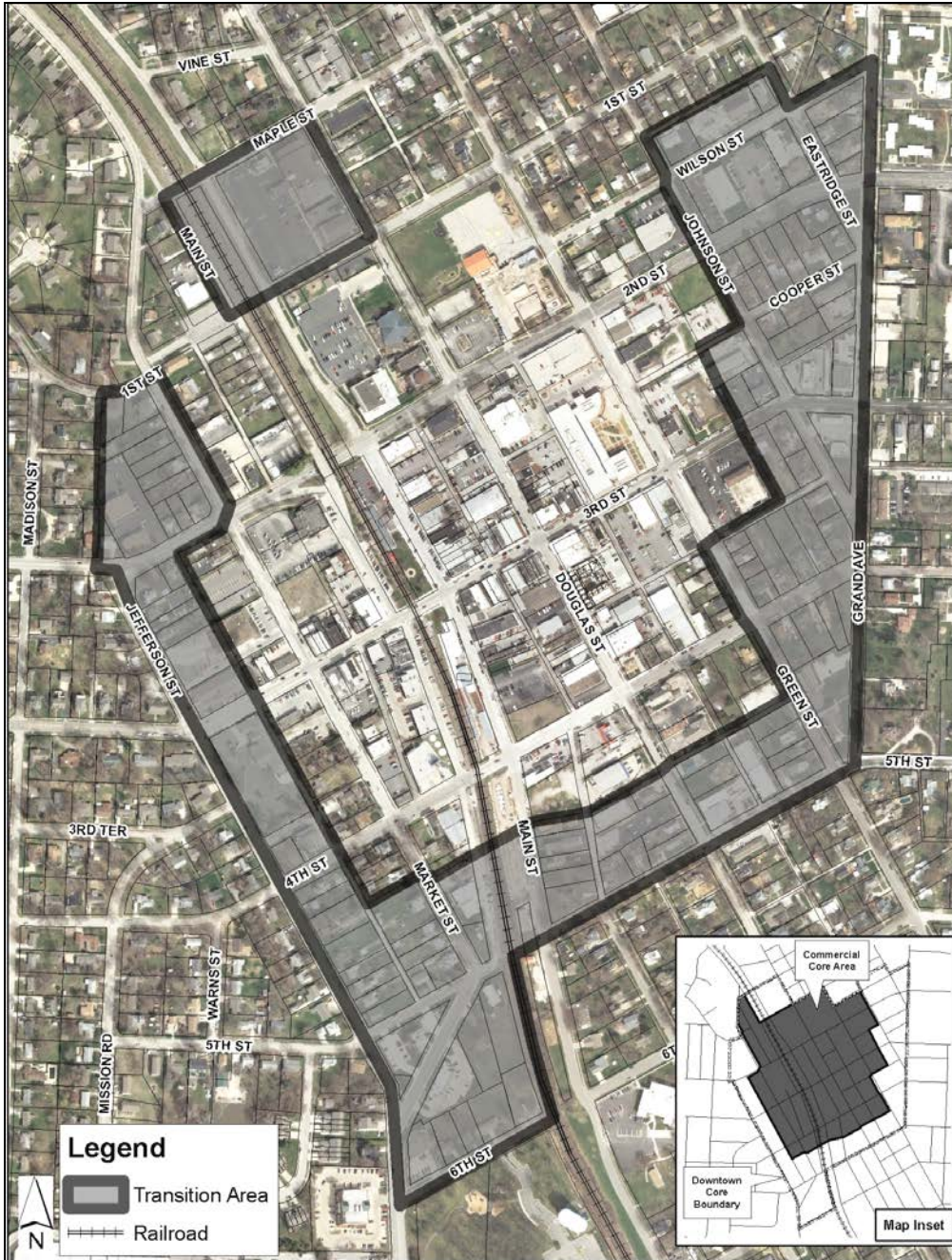


Upper story balconies on the front of buildings must be recessed, not projecting.

~~Section 7.430.~~Section 7.450. **Design Standards – Transition Area**

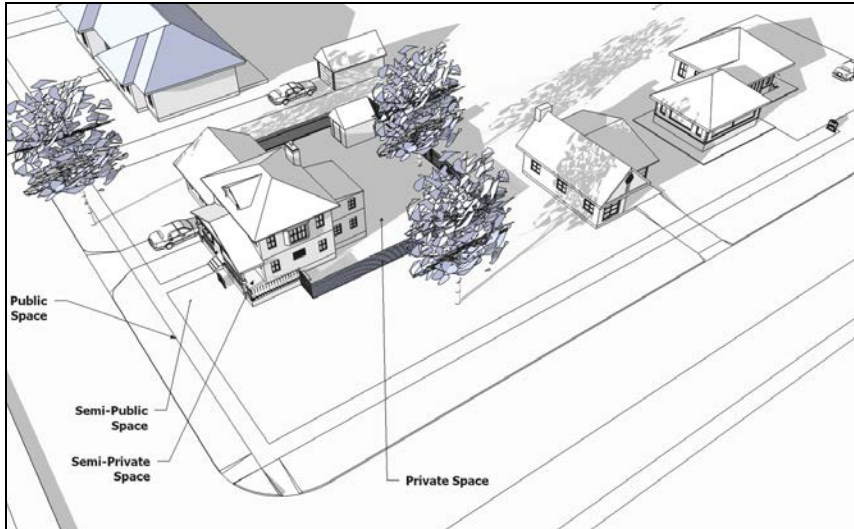
- A. **Applicability.** These Design Standards shall apply to all construction for all uses within the Transition Area, within the boundaries shown on the map below, including, but not limited to, new buildings, building additions, exterior alterations, and changes or additions to parking areas or driveways. The standards do not apply to interior remodeling, underground utility work, or maintenance and repair of public infrastructure. These Design Standards shall apply to redevelopment and/or conversion of existing structures to new permitted uses, for example conversion of a residential home to an office or retail use, or to a mix of uses.
- B. **Overview.** The Transition Area is in transition from residential to mixed use, with commercial services being provided within a residential building type setting. Existing residential uses are often combined with these new commercial functions to create mixed use context. Many of the blocks within the Transition Area, outside of the Commercial Core, have a single family residential design heritage and this general character should be retained. These standards attempt to identify the basic fundamental characteristics of the traditional residential neighborhoods and provide guidance with respect to neighborhood context and basic design elements. Characteristics upon which to draw include the way in which a building is located on its site, the manner in which it relates to the street and its basic mass, form and materials. When these design variables are arranged in a new building to be complementary to those seen traditionally in the area, visual compatibility results.
- C. **Other Resources.** The following documents may be used as a resource for guidance:
1. “Lee’s Summit Design Guidelines Manual for the Downtown Core Area, Lee’s Summit, Missouri,” prepared by the City of Lee’s Summit, Missouri and Thomason and Associates, Preservation Planners, and approved June 26, 2006, by the Historic Preservation Commission.
 2. “The Secretary of the Interior’s Standards for the Treatment of Historic Properties” from the U.S. National Park Service.
- D. **Objectives for these design standards are:**
1. To maintain a sense of connection with a single family house design tradition while accommodating development with a mix of commercial and residential uses.
 2. To minimize the visual impacts of automobiles.
 3. To enhance and encourage pedestrian activity.
 4. To continue the tradition of tree planting near the street edge and in front yards.

Transition Area

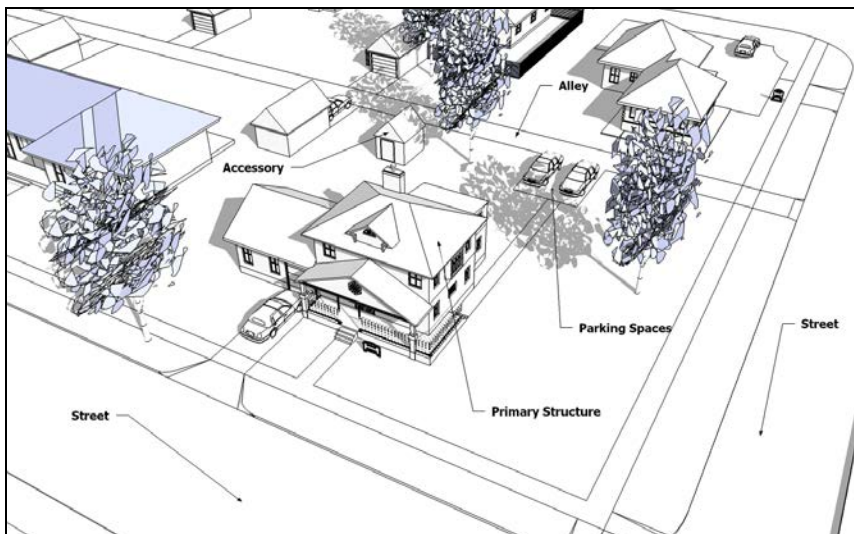


E. Site Design.

1. The alignment and spacing patterns of buildings as seen along the block shall be maintained and incorporated into new construction.
 - a. Traditional setbacks of buildings, reflecting residential development patterns, shall be maintained.
 - 1) Building fronts shall be in line with existing uses along the block.
 - 2) Where setbacks vary, a new building shall fit within the range of setbacks within the block.
 - b. A sense of semi-public space shall be maintained in the front setback. A minimum of 50% of the area of the front building setback shall be green space, planted with grass, ground cover or low planting.

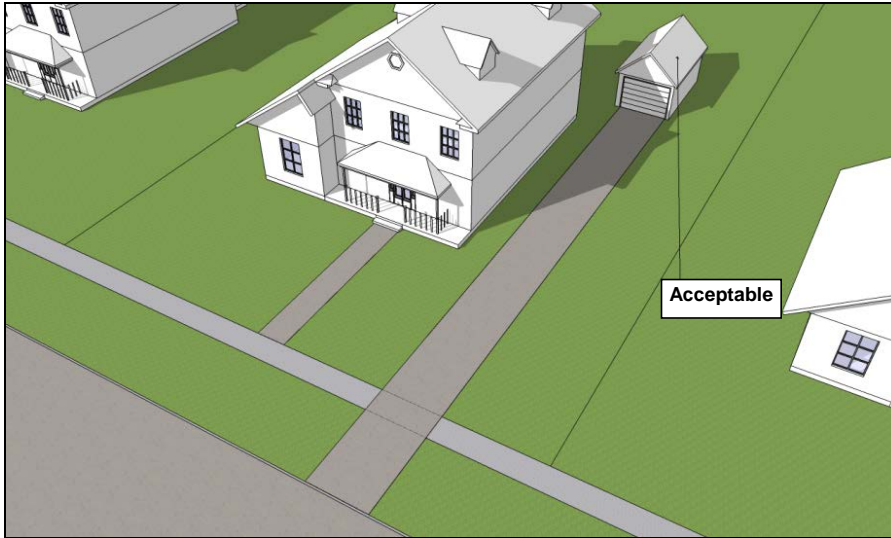


Public, semi-public, semi-private, and private spaces



For a lot located on an alley, a detached garage, carport or parking area shall be accessed from the alley where feasible. Detached garages, carports or parking areas shall be located to the rear of primary buildings. This is an example of an appropriate repurposing or conversion of a residential home to a commercial use.

2. All structures shall have the front of the building oriented to the street.
3. Accessible ramps shall be integrated with the landscape and architecture. Ramps shall be located to the side or rear of the structure whenever possible. However, in the event that accessible ramps cannot be located to the side or rear of the structure, e.g. proximity to property lines or steep site topography, accessible ramps are not subject to front yard setbacks.
4. Driveways and parking areas shall be designed and located in a way that minimizes their visual impact.
 - a. Parking shall be accessed from an alley where feasible, with parking areas located to the side and rear of the building.
 - b. For a lot not accessible from an alley, parking behind the primary building is preferred, with a driveway accessed from the street.
 - c. Garages shall be located to the rear of a primary building to minimize their impact on the streetscape.
 - d. Tandem (front to back) parking in a driveway is acceptable.
 - e. Driveway width shall be minimized. Single-car width may be permitted from the edge of street until the driveway extends beyond the rear of the primary structure.
 - f. The number of curb cuts shall be minimized.
 - g. Required parking spaces should not extend beyond the front plane of the primary building.
 - h. For multi-unit structures, parking in an interior courtyard or parking lot with a single access point is preferred to multiple driveways.
 - i. The use of paved ribbons or strips, or pervious pavement methods, is encouraged for private driveways and parking surfaces.
 - j. Parking lot setbacks
 - 1) Parking lots shall be setback a minimum of 10 feet from any public right-of-way or private street edge of pavement.
 - 2) Parking lots shall be setback a minimum of 10 feet from any residential district or use.
 - 3) The 10 foot required setbacks (above) may be reduced if a decorative screening wall or landscape screening is provided to shield vehicle lights.
 - k. Screening. Parking areas shall be screened from public view to the maximum extent feasible, by means of fencing, hedges, trellises, decorative masonry walls, or other landscaping.
 - l. Modifications to the parking requirements may be requested through the public hearing process, as provided in Article 4. Consideration may be given to preserve a feature of public significance, such as a Landmark Tree or Tree of Significance, a historic structure, a substantial mature hedge, or an exterior art feature.



Parking location for lots without alley access are recommended to be placed to the rear of the primary building, in a driveway or detached garage accessed from the street. The preferred location for parking on these lots is at the rear or the lot.



The driveway location and front yard parking spaces inappropriately alter the character of this residence.

5. Mechanical equipment and service areas.

- a. On lots with alley access, the back of the lot shall be used to accommodate service areas and minimize their visual impacts.
- b. Mechanical equipment and loading/service areas, including trash enclosures, shall be located out of public view whenever feasible and shall not front onto an arterial street.
- c. Electrical and communication transformers/cabinets shall be installed below grade in the right-of-way, including alleys, or located on-site and screened from public view.
- d. Electrical and gas meters, conduits, and other mechanical equipment should be located on rear facades.
- e. Backflow prevention/anti-siphon valves shall be integrated into the building design and concealed from public view. Such devices shall not be located within the public right-of-way.
- f. Rooftop mechanical
 - 1) New buildings and building additions shall have rooftop mechanical equipment fully screened from view by using parapet walls of the same height as the mechanical units.
 - 2) New roof-top mechanical equipment on existing buildings shall be screened by using either a parapet or individual screening panels the same height as the proposed mechanical unit(s).
- g. Ground-mounted mechanical equipment shall be located behind the building and screened from public view with fencing or landscaping or both.
- h. Trash enclosures shall be provided and shall be located behind the building when feasible. All exterior trash storage containers shall be stored within an enclosure so that they are not visible from off the property. Each trash enclosure shall be constructed of masonry walls with a steel gate painted to be compatible with the color of the masonry walls and the building it is to serve.

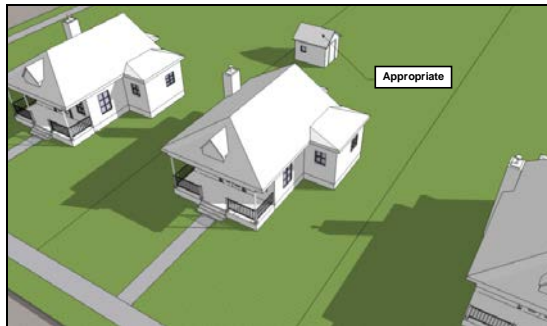
F. Mass and Scale. "Mass and Scale" refer to the physical bulk and proportion of a building or structure when compared with other structures in a defined area. In this context, perception is important. For example, two buildings of the same square footage can have very different "mass and scale" perceptions, depending on height, setbacks, building materials, and other features.

1. Height

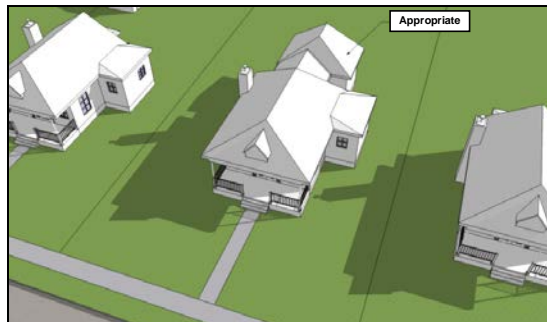
- a. The height of a new structure shall be compatible with existing buildings on the block, or in the neighborhood, as determined by the Director.
- b. The rear portion of a building may be taller than the front, if it appears in scale with the neighborhood and does not exceed the height limitation in the zoning district.
- c. New structures should not overwhelm existing single family structures in terms of height.

2. Width

- a. The width of a new structure shall be compatible with existing buildings on the block, or in the neighborhood, as determined by the Director.
- b. The primary building face shall not exceed the width of existing structures in the same neighborhood.
- c. A new structure may be wider overall, if the building front is divided into modules or distinctive wall planes with dimensions similar in size to buildings in the neighborhood, to reduce the scale.



Appropriate: A separate secondary structure maintains a sense of open space.



Appropriate: A smaller addition is linked with a connection and does not overwhelm or distract from the original structures mass, scale, or architecture.



Unacceptable: A large mass occupies most of the rear yard and overwhelms the original structure.

G. Building Form and Roofline.

1. Building form

- a. Building forms shall be consistent with existing structures within the block or neighborhood.
- b. Simple rectangular solids are typically appropriate.
- c. "Exotic" building and roof forms that would detract from the visual continuity of the streetscape are prohibited. Examples include geodesic domes, A-frames, Cylindrical, pyramidal and other elaborate building forms.
- d. Raised foundations are preferred. Finished floor heights should be within the range typically seen in the neighborhood. Additionally, placement of potential future accessible ramps should be considered at the design phase of new construction.
- e. Accessible ramps shall be integrated with the landscape and architecture. Ramps shall be located to the side or rear of the structure whenever possible. However, in the event that accessible ramps cannot be located to the side or rear of the structure, e.g. proximity to property lines or steep site topography, accessible ramps are not subject to front yard setbacks.



2. Roof forms

- a. Sloping roof forms shall predominate on new structures and additions, to fit into the context of existing buildings in the block or neighborhood.
- b. Hip or gable roof forms are preferred for the primary roof of a structure.
- c. Larger developments may include flat roofs, as seen in the Central Business Zoning District (CBD). Parapet walls shall be used for screening flat roofs and be detailed with elements such as cornices to define the building roofline.

H. Building Entrances.

1. The principal structure shall have one primary entrance that faces the street. Additional entrances may be located to the side or rear.
2. The primary entrance of a building shall be clearly identified.
3. A front porch or stoop may be used to define the primary entrance. The porch or stoop:
 - a. shall be oriented to the street,
 - b. shall be functional as a means of access to the building,
 - c. should be open on the sides,
 - d. should be covered, and
 - e. shall be large enough to provide a transition area from public space to private space.
4. Access to the primary entrance shall be clearly defined.
 - a. The entry walkway shall be separate from the driveway.
 - b. Special paving treatments may be used to enhance the entry. Special paving treatments within the public right-of-way must be approved by the City Engineer and are required to be maintained by the property owner.



Examples of primary entrances.

I. Architectural Features.

1. Architectural features consistent with traditional design in the neighborhood shall be used to enhance and maintain the character of the area.
2. Features may include porches, awnings, balconies, bay windows and stoops. Such elements shall be similar in form and scale to those traditionally found in the neighborhood.
3. Patterns created by similar shapes and sizes of building features in the neighborhood shall be repeated in new construction. Windows, porches and eaves are among the elements typically seen to align and create patterns along a block.

J. Building Materials.

1. Materials used shall be consistent with materials traditionally and historically used within the neighborhood, to maintain the character of the area. The following are primary permitted materials, which are required on facades facing a street:
 - a. Wood lap siding
 - b. Wood
 - c. Fiber cement siding (such as HardiePlank)
 - d. Brick
 - e. Stone
 - f. Traditional stucco, a cement and sand based material, or Stucco Brick
2. Prohibited materials shall include:
 - a. Metal siding
 - b. Exterior Finish Insulation Systems (EFIS), a lightweight synthetic wall cladding that includes foam plastic insulation and thin synthetic coatings; except as a trim, accent, cornice or profile material.
 - c. Masonite
 - d. Mirror glass which reflects more than 40 percent of incident visible light
3. Other building materials may be permitted, but may be limited to the rear and sides of buildings, or to upper floors, or as a percentage of a façade, or only permitted as an incidental or accent material. These include:
 - a. Vinyl siding
 - b. New, high quality materials
 - c. Innovative or "green" materials, provided they appear similar in quality, texture, finish and dimension to permitted materials and which are recognized by an approved third party testing agency which meet or exceed the quality of the materials listed.
 - d. Notwithstanding the requirements of this subsection, owners of single and two-family residential dwellings occupied and used as a residential use shall be permitted to repair and replace vinyl siding on building facades.
4. Simple material finishes are encouraged.
5. Matte finishes are preferred.

K. Roof Materials.

1. Roof materials shall be compatible in appearance, with similar scale and texture, to those found traditionally in the neighborhood.
2. Permitted roof materials include:
 - a. Wood (minimum Class C)
 - b.a. High-quality composition
 - e-b. Tile
 - d-c. Stone-coated steel
 - e-d. New products which meet or exceed the quality of the listed materials above and which are recognized by an approved third party testing agency which meet or exceed the quality of the materials listed
3. Prohibited roof materials include metal products such as flat sheet metal panels, corrugated metal, and standing seam metal.

L. Signs shall comply with Article 13, Signs, of this Chapter.

M. Lighting.

1. The lighting standards set forth in this Article 7, Division V, Lighting Standards, shall apply, in addition to the standards below.
2. Exterior lighting, if provided, shall be limited and be of a pedestrian scale compatible with residential uses within the neighborhood.
3. Maximum light intensity shall be 150 watts per fixture, or the CFL or LED equivalent to 150 watts.
4. Wall pack lights shall comply with Section 7.290 of this Article 7, Division V, Lighting Standards and are encouraged to be designed to fit the architectural character of the structure. Wall pack light fixtures without full cut offs are prohibited.
5. Parking lot pole lighting is permitted for parking lots with over 10 spaces. Period style lighting is preferred. An LED or solar-powered light source is required. The maximum height of pole lights is 15 feet. The solar panel for any solar powered light fixture may extend 5 feet above the height of the fixture/maximum pole height.
6. Bollard type lighting may be used in parking lots, with a maximum height of 4 feet.
7. Exterior building lighting may be used to accentuate building design and highlight architectural details and features, and should be integrated into the building design.
8. Exterior lighting may be used to provide for a sense of safety.
9. Accent lighting shall comply with Section 7.300 of this Article 7, Division V, Lighting Standards.

N. Outdoor Spaces.

1. Public outdoor space is encouraged to enliven the street edge and provide for human interest. The following are examples:
 - a. A grassy front lawn
 - b. An interior courtyard
 - c. Flower pots

Formatted: Highlight

Formatted: Indent: Left: 0.9", No bullets or numbering

- d. Paved plaza area
 - e. Street art or yard art
 - f. Street benches
- O. Landscape shall comply with Article 14, Landscaping, Buffers and Tree Protection, and Article 5, Zoning Districts, of this Chapter.
- 1. Visibility of the primary structure from the street shall be maintained. The front setback area shall be designed to maintain a sense of openness of this semi-public space.
 - a. Plantings within the front setback shall include low ground cover, turf, shrubs, and ornamental trees.
 - b. Front yard fences are discouraged, except for required parking lot screening, consisting of a fence, wall or shrubs, which shall be a minimum of 30" and a maximum of 42" in height. Decorative front yard fences shall not exceed 42" and may only be used if they fit into the context of the neighborhood.
 - 2. Existing mature trees shall be preserved to the extent feasible.
 - a. To the extent possible, new structures shall be located outside of the drip line of an existing tree to be preserved. Any required landscaping that is damaged or dead shall be replaced with a similar species.
 - b. Root systems of existing trees shall be protected by fencing prior to construction, and by avoiding trenching or soil compaction within the drip line.

~~Section 7.440.—Development and Renovation within the Downtown Core Area~~

~~A.—Preliminary and Final Development Plans.—Applications for new development or redevelopment of any commercial or mixed use property in the Downtown Core Area shall be reviewed through the preliminary development plan and final development plan application, modification and appeal processes as set forth in Article 4, Applications and Procedures, of this Chapter.~~

~~B.—Exterior Renovation Permit.—An Exterior Renovation Permit is required for all exterior work in the Downtown Core Area when the Design Standards of this Division apply, but the preliminary and final development plan review processes of Article 4 do not apply, and as otherwise provided herein. The applicability of the Design Standards is described in detail in sections 7.450(A) and 7.460(A) of this Division.~~

~~1.—Requirements~~

- ~~a.—For example, an Exterior Renovation Permit shall be required prior to any rehabilitation, remodeling, or construction of a building addition, for any exterior work on any building located in the Downtown Core Area, as defined herein.~~
- ~~b.—In addition, an Exterior Renovation Permit may be required for installation of new exterior fixtures, windows, doors, or lighting on any building located in the Commercial Core, as defined herein; provided, however, that an Exterior Renovation Permit is not required for general repair and maintenance of existing single and two family dwellings occupied as a residential use.~~
- ~~c.—An Exterior Renovation Permit is not required for exterior painting, but consideration should be given to the color palette of the applicable period of the building and consistent with what is typically seen in the neighborhood.~~

- ~~d. An Exterior Renovation Permit is not required for interior remodeling, underground utility work, or maintenance and repair of public infrastructure.~~
- ~~e. An Exterior Renovation Permit is required for any work on a building listed in the National Register, for which tax credits are being requested and where the Secretary of the Interior's Standards for the Treatment of Historic Properties apply.~~
- ~~2. Applications for an Exterior Renovation Permit shall be made to the Planning and Development Department on a form provided by the Director. The Director shall review the application and issue a written decision based upon the provisions of this Division within ten (10) business days of the receipt of the application. For the purpose of this section, the Director's decision is deemed to have been served on the date it is personally delivered, or if mailed, the date that is three (3) days from the date that the decision is placed in the U.S. mail.~~
- ~~3. If the Director disapproves an application for an Exterior Renovation Permit or otherwise fails to approve an application in the manner requested by the applicant, the applicant may appeal the Director's decision to the City Council by filing a written application for appeal with the City Clerk within twenty (20) business days of the date that the Director's decision is served. Upon receipt of any appeal filed pursuant to this section, the City Clerk shall schedule the appeal for the next available regular session meeting of the City Council, and provide notice to the applicant of the date, time and place that the appeal shall be heard. The applicant will have full opportunity to present evidence and testimony in support of the applicant's appeal. The hearing shall be conducted as a contested case under the provisions of Chapter 536 RSMo. The City Council shall render a decision at the end of the hearing of the appeal. If the City Council denies the appeal, it shall issue its written decision at the next scheduled regular session meeting of the City Council. The written decision shall include written findings of fact and conclusions of law. The decision of the City Council shall be final for purposes of appeal pursuant to Chapter 536, RSMo.~~

Section 7.450. Demolition & Casualty Loss

- ~~A. Demolition. Demolition of buildings and structures, including any demolition or deconstruction of a building or structure in the Downtown Core Area, requires a demolition permit under Section 7-127 of the City of Lee's Summit Code of Ordinances. All applications for demolition permits involving demolition or deconstruction of a building or structure in the Downtown Core Area, but not including demolition permits for interior demolition and remodeling, underground utility work, or maintenance and repair of public infrastructure, shall remain pending for 30 days from the date of the application, during which time the application shall be forwarded to the chair of the Historic Preservation Commission. The chair may place the application on an agenda of the Historic Preservation Commission as a discussion item, but shall have no authority to act on the permit. No such demolition permit may be issued until the date that is 30 days from the receipt of the application or the day of the Historic Preservation Commission's review, whichever comes first, except in those circumstances where the Building Official determines that demolition or deconstruction is required because of an emergency or threat to public health, safety and welfare.~~
- ~~B. Casualty Loss. The requirements of subsection 7.480(A) do not apply to demolition required as a result of a casualty loss, but the requirements of the Code of Ordinances, including, without limitation, the permit requirements of Section 7-127 of the Code, still apply.~~