

Article 5. ZONING DISTRICTS

Use is permitted by right
 Use is permitted by right but with conditions
 Use may be permitted as a Special Use
 Per approved Plan
 Use is not permitted

P
C
S
*

	AG	RDR	RLI	R-1	RP-1	RP-2	RP-3	RP-4	PRO	NFO	PO	CP-1	CP-2	CBD	CS	PI	PMIX
Massage Therapy/Parlor (as defined herein)(Amend.#3)											C	C	C	C	C		*
Manufactured Home Sales															S	S	*
Motorcycle Sales, Rental or Service (No Outdoor Display)(Amend. #3)												P	P		P	P	*
Musical Instrument Store												P	P	P			*
Outdoor Gun Club, Skeet or Trap Shoot or Archery Range	S															S	*
Pawn Shop (Amend.#33)													C				
Paint or Wallpaper Store												P	P	P	P		*
Personal Enrichment School or Tutoring											P	P	P	P	P		*
Pet Grooming (Amend. #5)												P	P	P	P	P	
Pet Motel or Training (Amend #5)													P	P	P	P	*
<u>Pet Motel or Training with Outdoor Exercise Area</u>													<u>C</u>		<u>P</u>	<u>P</u>	* -
Photocopying and Duplicating Services											P	P	P	P	P	P	*
Photography Service										P	P	P	P	P	P		*
Plumbing and Heating Equipment Dealers													P		P	P	*
Produce Stand, Outdoor (off-site)												S	S	S	S	S	*
Radio or TV Repair											P	P	P	P	P	P	*
Recording Studio													P	P	P		*
Recreation Facility or Area, commercial or non-commercial (indoor) (Amend.#51)												C	C	C	C	C	
Recreation Facility or Area, commercial (outdoor) (Amend.#54) (Amend. 1)											S	S	S	S	S	S	*

Article 9. USES PERMITTED WITH CONDITIONS

to determine steps to be taken to help deter additional robberies including, but not limited to, adding surveillance cameras, adding new lighting or increase the amount of existing lighting, adding a bullet resistant glass bandit barrier or man trap, requiring a minimum of two employees on a given shift, etc.

3. In the event of an additional robbery where the Police Department's recommendations have not been implemented from a previous robbery, grounds may exist for revocation of the business license.

Section 9.310. Pet Motel or Training with outdoor exercise area

A pet motel or training facility with an outdoor exercise area shall be set back a minimum of 200 feet from the property line of a residential use or residential district and from outdoor seating areas of commercial uses.

~~Section 9.310.~~**Section 9.320. Plant nursery/garden center/greenhouse (commercial in AG and RDR Districts only)**

Parking shall be provided and paved with either asphalt or concrete

~~Section 9.320.~~**Section 9.330. Recreation facility or area, commercial (indoor and/or outdoor) (Amend. #33)**

A commercial indoor and/or outdoor recreation facility or area shall be allowed provided the front entrance is 300 feet or greater distance from any residential district or use.

~~Section 9.330.~~**Section 9.340. Repair services – automotive**

Repair services on equipment or vehicles, with respect to which:

- A. All activities are conducted within a building or fully screened area; and
- B. Outside storage is confined to the rear of the property and visually screened in accordance with the buffer standards of Article 13; and
- C. Do not generate noise, odors, or fumes that can be detected beyond the walls of the building in which the use is housed.
- D. Overhead doors are to remain closed to eliminate associated noise from such uses that are within 300 feet of any residential district or use. (Ventilation, exhaust and air circulation should be considered by the prospective business operator and/or owner when the enactment of this condition is present. Such use may require special fans, air conditioning, etc.).

~~Section 9.340.~~**Section 9.350. Repair services non-automotive**

Repair services on nonautomotive equipment provided:

1. All activities are conducted totally within a building; and
2. Provision of services does not generate noise, odors, or fumes that can be detected beyond the walls of the building in which the use is located.

DIVISION I. GENERAL REQUIREMENTS FOR ACCESSORY USES AND STRUCTURES

Section 8.010. Intent, definition and interpretation

It is the intent of this Article to regard certain uses and structures as being accessory to the principal use of the premises so that they may be carried on under the umbrella of the principal use. A use or structure will be considered "accessory" when it is being used in conjunction with the principal use and is incidental and integrally related to the principal use. All accessory structures are listed in Table 8-1 with their respective requirements. Accessory structures not listed in Table 8-1 shall be submitted to the Director for consideration and interpretation. An interpretation made by the Director may be appealed through the process provided for in Article 18 of this Chapter.

Section 8.020. Relationship to principal use

- A. No accessory use or structure shall be allowed on any lot, except in the AG, Agricultural district, unless it is accessory to an existing principal use or structure on the lot on which it is to be located.
- B. Accessory structures shall not be permitted in a required front or side yard except as specifically provided in Table 8-1.
- C. Residential accessory uses shall not be rented or occupied for financial consideration, except for an accessory dwelling unit as further provided for in this Chapter. (Amend. #24)
- D. Construction of an accessory structure shall not commence until construction of the principal building has commenced.
- E. On a corner lot no accessory structure shall be located closer to the side street right-of-way line than the building setback line for the principal structure. (Amend. #38-A)
- F. When an accessory structure is attached to the principal structure by a breezeway, passageway, or similar means, or is located within 10 feet of the principal structure it shall comply with the yard requirements of the principal structure to which it is accessory.
- G. Accessory structures located in non-residential districts shall only be used by the owner, employees of the owner, or tenant of the premises.
- H. Accessory structures located in residential districts shall only be used by the owner or tenant of the principal structure located on premises except as further limited herein.

Section 8.030. Location, number and height of accessory use/structure

- A. Location and location exceptions. No accessory use or structure permitted by this Article may be located except as specifically authorized in this Article. (See Table 8-1 "Special Conditions" for location and location exceptions)

- B. Encroachments into easements or right-of-way. See City of Lee's Summit Encroachment Policy. (Amend.#58)
 - ~~1. Only nonpermanent, portable buildings/structures shall be permitted to encroach into water, sewer and general utility easements. Such encroachments may be required to be removed for utility maintenance at the sole expense of the property owner.~~
 - ~~2. Encroachments into drainage easements and right-of-ways shall be governed by the Department of Public Works Encroachment Policy.~~
- C. Number. Any number of accessory structures is permitted provided that the lot coverage is not exceeded, except as further limited herein. The maximum impervious coverage for all residential uses in any district shall be 60%. (Amend. #38-A)
- D. Height requirements (See Table 8-1)

DIVISION II. PERMITTED ACCESSORY USES AND STRUCTURES

Section 8.040. AG Agricultural District – permitted accessory uses and structures

- A. All uses listed in Section 8.050
- B. A second single family dwelling, provided the primary and accessory dwellings are on the same parcel of land under single ownership and the parcel contains a minimum of ten (10) acres.
- C. Loft dwelling above detached garage, barn or other such storage structure, provided:
 - 1. Additional parking is provided on site to accommodate the separate dwelling unit, other than the driveway for the principal structure; and
 - 2. Building codes can be met as they relate to the separation requirements between the structure and residential living unit
 - 3. 1 loft dwelling unit may be established above each structure listed above not to exceed 3 such loft dwelling units.
- D. Accessory dwelling units may also be laterally attached to accessory structures provided:
 - 1. Additional parking is provided on site to accommodate the separate dwelling unit, other than the driveway for the principal structure; and
 - 2. Building codes can be met as they relate to the separation requirements between the structure and residential living unit
 - 3. 1 accessory dwelling unit may be laterally attached to each structure listed above not to exceed 3 such attached dwelling units.
- E. Irrigation equipment used to water crops, such as a pump, pump housing, piping and compressor used to transfer and distribute water
- F. Kennel. A commercial kennel with outside runs shall be located not less than two hundred (200) feet from residentially zoned property
- G. Livestock pasturing
 - 1. Minimum parcel size – 10 acres

- c. When used in this section the term "residential subdivision" means a single plat or multiple plats comprising a residential community or residential development. A residential subdivision shall be considered a developing residential subdivision if the remaining vacant lots constitute ten percent (10%) or more of the entire residential community or residential development. (Amend. #39)
7. Signs per Article 13 of this Chapter
8. Re-locatable classrooms/trailers are permitted as a temporary accessory use to schools and churches in any zoning district except when occupying a tenant space in an office or commercial building or complex or within a storefront or retail shopping center. (Amend. #39)

DIVISION V. PROHIBITED ACCESSORY USES AND STRUCTURES

Section 8.170. Prohibited accessory uses and structures

The following accessory uses and structures are specifically prohibited:

1. Automotive repair in residential districts except for personal vehicles being repaired inside a garage
2. Hog lots
3. Livestock commercial feed lots
4. Detached carports except when specifically approved as part of a preliminary development plan for a multi-family development
5. Outdoor vending machines, except for:
 - a. Certain outdoor vending machines that are accessory to financial institutions, such as ATM's, self service car wash business dispensers offering such items as cleaners, waxes and towels for vehicle washing and similar accessory uses and structures approved by the Director. Such accessory vending machines shall be attached to or built into exterior walls of the commercial business or integrated into a drive island, and
 - 4.b. Mobile food vending regulated in Article 11 of this Chapter.

Note: Retail sales of products being displayed outdoors, provided such products are being sold within the commercial building where the products are being displayed shall not constitute an accessory use or structure. Said outdoor product display shall be located immediately adjacent to the wall of the building or within 20 feet of such wall, or in the case of a C-Store adjacent to the pump island, except for seasonal sales regulated by Article 11.

(Amend. #58)

Article 13. Signs

Zoning District	Use	Sign Type	Maximum Number	Maximum Sign Area	Height	Illumination (Lighting)	Special Conditions
		<ul style="list-style-type: none"> -Freestanding -Ground -Hanging -Monument -Monument with EMB -Landscape wall sign -Pillar 	1 per street frontage; maximum of 2	<ul style="list-style-type: none"> 16 sq. ft. for ground or hanging; 72 sq. ft. sign face area 96 sq. ft. structure area for monument 70 sq. ft. for pillar 	<ul style="list-style-type: none"> 6 feet for ground or hanging; 12 feet for monument; 20 feet for pillar 	<ul style="list-style-type: none"> External indirect Halo Internal 	75 feet between freestanding signs
CP-2	Multi-tenant building	<ul style="list-style-type: none"> Attached: -Appliqué -Awning -Canopy -Over Canopy -Projecting -Under Canopy -Wall 	2 per tenant	10% of building façade for wall, awning or canopy; 6 sq.ft. for projecting, over or under canopy	6 foot max. letter height	<ul style="list-style-type: none"> External indirect Halo Internal 	10 feet clearance for projecting; 8 feet for under canopy
		<ul style="list-style-type: none"> -Freestanding -Ground -Hanging -Monument -Monument with EMB -Landscape wall sign -Pillar 	1 per building per street frontage; maximum of 2 per lot	<ul style="list-style-type: none"> 16 sq. ft. for ground or hanging; 72 sq. ft. sign face area 96 sq. ft. structure area for monument, 70 sq. ft. for pillar 	<ul style="list-style-type: none"> 6 feet for ground or hanging; 12 feet for monument; 20 feet for pillar 	<ul style="list-style-type: none"> External indirect Halo; Internal 	75 feet between freestanding signs
CBD	Uses permitted in CBD	<ul style="list-style-type: none"> Attached: -Appliqué -Awning -Canopy -Over Canopy -Projecting -Under Canopy -Wall 	2 attached per tenant	10% of building façade for awning, canopy, or wall; 6 sq.ft. for projecting, over or under canopy	2 foot max. letter height	<ul style="list-style-type: none"> External indirect Halo Exposed Neon (not for the purpose of internal illumination (Amend. #58)) 	10 feet clearance for projecting; 8 feet for under canopy
		<ul style="list-style-type: none"> -Freestanding: -Ground -Hanging -Monument 	1 freestanding	<ul style="list-style-type: none"> 16 sq. ft. for ground or hanging; 32 sq. ft. sign face and structure area for monument 	6 feet		75 feet between freestanding signs
		Sandwich board	1 per tenant	12 sq. ft.	6 feet		Only in front of business advertising