

**EXHIBIT B ENCROACHMENT POLICY
SCHEDULE OF NON ALLOWED, ALLOWED, AND CONDITIONAL USES
LOCATED WITHIN THE DOWNTOWN CENTRAL BUSINESS DISTRICT RIGHT OF WAY***

Proposed Use	Roadway	Parking Zone	Furnishing Zone	Throughway Zone	Frontage Zone
Artwork (paint, murals, chalk) (see note 1)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Artwork (statuary)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE
Awnings/Canopies	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 2)	CONDITIONAL USE (see note 2)
Benches	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE
Bicycle Racks/Lock-To Stations	NON ALLOWED	NON ALLOWED	CONDITIONAL USE	NON ALLOWED	NON ALLOWED
Bins/Receptacles (trash/recycle)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see notes 3, 4)
Chairs/Stools (e.g. Seating)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 4)
Charging/Docking Stations (Shared Mobility Devices)	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 5)	NON ALLOWED	NON ALLOWED
Fences (Non Masonry)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Flag pole (permanent)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Kiosks/Wayfinding (See Note 9)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Landscaping	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 6)
Lighting (private)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Mail Boxes	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see notes 3, 4, 5)
Merchandise for Sale or Display (see note 7)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Newspaper Sales Boxes (news racks)	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 3, 4, 5)	NON ALLOWED	ALLOWED USE
Planters/Pots/Containers/Etc.	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 3, 4, 5)
Retail Racks/Shelving (see note 7)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED

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Proposed Use	Roadway	Parking Zone	Furnishing Zone	Throughway Zone	Frontage Zone
Retaining Walls (see note 8)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Sandwich Boards	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 9)	NON ALLOWED	CONDITIONAL USE (see note 9)
Shrubs, Large (greater than 2.5 feet above street pavement) (See UDO Section 8.710)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 6)
Shrubs, Small (less than 2.5 feet above street pavement) (See UDO Section 8.710)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 6)
Signs and Monuments (private)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 9)
Structural Columns	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Tables	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 4)
Trees (large species - See UDO Ord. 5209)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Trees (See UDO Section 8.710)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Walls (seating) (see note 8)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Water Fountains/Baths/Ponds	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED

UDO=Unified Development Ordinance Adopted by Section 27-Subdivision Regulations and Section 33 Zoning, of the Lee's Summit Code of Ordinances. Most current version of UDO available on line at https://library.municode.com/mo/lee's_summit/codes/unified_development_ordinance

** Exhibit A schedule of uses still applies to easements listed in Exhibit A within the CBD zone. For Proposed Uses listed in both tables, the stricter allowances and required agreements will prevail.*

1. Artwork, painting, murals, etc. may still be permitted through the special event permitting process. Artwork will only be permitted upon streets designated as alleys within the Downtown Central Business District. Color, Design, Content and Location shall not be in conflict with the Manual on Uniform Traffic Control Devices. Content shall not include advertising.
2. Awnings shall have a minimum vertical clearance of 8 feet over the entire throughway zone. Structural columns will not be used to support awning or canopies. No obstructions to movement related to an awning or canopy shall be placed in the ROW. Awnings installation and awnings with messaging are subject to the UDO provisions and applicable permits.

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3. Any bin/receptacle, mailbox, planter/container/pot, etc. shall be at least 27 inches tall so as not to create a tripping hazard and be detectable by the visually impaired in compliance with ADA.
4. The outer edge of any such table, chair, stool, etc. shall be detectable by the visually impaired in compliance with ADA (e.g. table legs positioned within 4 inches of the outside table edge).
5. Cannot impede access for intended purpose.
6. Includes smaller plantings or ground level landscaped beds, small gardens, small flower beds, and small decorative rocks. All landscape plantings, rock, etc. shall be located within a planter/pot/container and shall be at least 27 inches tall where located on the ground so as not to create a tripping hazard and be detectable by the visually impaired in compliance with ADA or at least 8 feet above ground where overhanging the right-of-way at least 4 inches beyond any building face or other detectable structure.
7. Exceptions to Non Allowed and Conditional Allowed uses may be granted in association with approved Special Event Permits.
8. Includes any structural member to reinforce the retaining wall, raised landscape beds supported by landscaped blocks, timbers or concrete.
9. Signs shall comply with the UDO.
10. ALL encroachments shall be considered NON ALLOWED where drainage is altered or impeded.
11. Any encroachment within the sight triangle or which create a sight distance problem are considered NON ALLOWED.
12. No encroachment shall interfere with, obscure or obstruct the function or use of lighting, signing, pavement marking or other traffic control device placed by the City.
13. City assets (or City sponsored assets), such as benches, signs, kiosks, planters, street trees, street lights, etc. are excepted and ALLOWED as approved by the City Engineer.
14. Encroachments within a zone or easement shall not overhang, protrude or otherwise encroach another zone or easement whatsoever unless both zones or easements provide the same CONDITIONAL USE and/or ALLOWANCE. The curb and gutter shall be considered a part of the roadway.