



The City of Lee's Summit
Final Agenda
Community and Economic Development Committee

Wednesday, October 11, 2017

4:30 PM

City Council Chambers

City Hall

220 SE Green Street

Lee's Summit, MO 64063

1. CALL TO ORDER
2. ROLL CALL
3. APPROVAL OF AGENDA
4. APPROVAL OF ACTION LETTER
 - A. [2017-1552](#) Approval of the September 13, 2017 Community and Economic Development Committee Minutes

Attachments: [CEDC Action Letter for September 13 2017.pdf](#)
5. PUBLIC COMMENTS
6. ITEMS FOR DISCUSSION
 - A. [2017-0869](#) Presentation & Discussion - Unified Development Ordinance (UDO) Article 12 Parking Regulations - RV's, Boats, Trailers

Attachments: [1-11-17 CEDC Recreational Vehicle and Trailer Parking.pdf](#)
[Parking Matrix.xlsx](#)
[Current UDO Parking Regulations](#)
 - B. [2017-1532](#) Status Update - Creation of Short Term Rental Regulations

Attachments: [CEDC Draft Ordinance 10-11-17](#)
 - C. [2017-1538](#) Discussion on Residential Rental Property Regulations
7. ROUNDTABLE
8. ADJOURNMENT

For your convenience, City Council agendas, as well as videos of City Council and Council Committee meetings, may be viewed on the City's Internet site at "www.cityofls.net".



The City of Lee's Summit

220 SE Green Street
Lee's Summit, MO 64063

Packet Information

File #: 2017-1552, **Version:** 1



The City of Lee's Summit
Action Letter - Draft
Community and Economic Development Committee

Wednesday, September 13, 2017

4:30 PM

City Council Chambers

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220 SE Green Street

Lee's Summit, MO 64063

1. CALL TO ORDER

2. ROLL CALL

Present: 5 - Chairperson Diane Forte
Councilmember Trish Carlyle
Councilmember Fred DeMoro
Liaison Donnie Funk
Alternate Craig Faith

Absent: 1 - Vice Chair Diane Seif

3. APPROVAL OF AGENDA

A motion was made by Councilmember DeMoro, seconded by Councilmember Carlyle,
that the agenda be approved. The motion carried unanimously.

4. APPROVAL OF ACTION LETTER

A. [2017-1445](#) Approval of the August 9, 2017 Community and Economic Development
Committee Minutes.

A motion was made by Councilmember Faith, seconded by Councilmember Carlyle, that
the Action Letter be approved. The motion carried unanimously.

5. PUBLIC COMMENTS

There were no public comments at the meeting.

6. ITEMS FOR DISCUSSION

A. [2017-1480](#) Discussion on Residential Rental Property Regulations

Status report presentation only - no action necessary.

B. [2017-1493](#) Status Update - Creation of Short Term Rental Regulations

Status report presentation only - no action necessary

7. BUSINESS

Community and Economic Development Committee

Action Letter - Draft

September 13, 2017

- A. [TMP-0646](#) AN ORDINANCE AMENDING THE ECONOMIC DEVELOPMENT INCENTIVE POLICY FOR THE CITY OF LEE'S SUMMIT, MISSOURI.

A motion was made by Councilmember Faith, seconded by Councilmember DeMoro, to present the amendments of the Policy and proposed ordinance to the full City Council for consideration. The motion carried unanimously.

8. ROUNDTABLE

Councilmember Faith made a comment to look at citizen led committees to have a chance to weigh in on UDO amendments. Chairperson Forte asked that the staff look at conducting pre-inspections on residential rental property during the licensing phase.

9. ADJOURNMENT

There being no further business, Chairperson Forte adjourned the meeting a 5:26 pm.

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Packet Information

File #: 2017-0869, **Version:** 1

Presentation & Discussion - Unified Development Ordinance (UDO) Article 12 Parking Regulations - RV's, Boats, Trailers

Issue/Request:

Presentation & Discussion - Unified Development Ordinance (UDO) Article 12 Parking Regulations - RV's, Boats, Trailers

Key Issues:

Earlier this year, staff provided a presentation an effort to assist the Community and Economic Development Committee and staff with developing proposed amendments to the regulations pertaining to parking of recreational vehicles, boats, trailers, etc. The presentation included an historical overview of past provisions and changes that have occurred over time. The goal of the presentation and discussion was to create a very basic direction for which to develop proposed regulations for parking of recreational vehicles and trailers primarily within residential zoned areas. The presentation provided earlier in the year is attached to the packet for reference. The CEDC provided feedback after hearing the presentation and guidance given to further define the term "recreational vehicle" so as to be more specific to assist in providing further direction in proposing amendments.

Staff has prepared a matrix with various types of trailers, RV's and other property that are often parked in residential driveways and has prepare the matrix based on current UDO provisions. Staff will guide the CEDC through the matrix to identify proposed changes and seek further feedback from the CEDC in developing amendments to the UDO.

Proposed City Council Motion:

No formal motion necessary, however staff will be seeking direction from the CEDC on creating proposed amendments to develop and bring back to the CEDC for formal consideration.

Background:

See attached powerpoint presentation

Presenter: Mark Dunning, Assistant City Manager and Robert McKay, Director of Planning & Special Projects

Yours Truly

Recreational Vehicle and Trailer Parking

Unified Development Ordinance

Article 12 Parking Regulations

CEDC - January 11, 2017

1962 – Ordinance #715

- Allowed parking of recreational vehicles in residential zones

2001 – Ordinance #5209

- Storage limited to pads adjacent and connected to driveways. Prohibited storage on residential driveway unless on corner lot where separate driveway off other street exists

2005 – UDO Amendment #10

- Parking and/or storage of RV's in AG, RDR, R-1, RP-1 and RP-2 and defined storage as “uninterrupted parking for a period of 72 hours”.

2010 – UDO Amendment #35

- Defined RV's to include motor homes, camping/travel trailers, all terrain vehicles, boats and jet skis
- Small RV's 20 feet and under
- Large RV's over 20 feet
- No more than two RV's parked or stored
- May only have 1 large RV maximum
- RV shall not be used for on-site dwelling purposes for more than 7 days and not permanently connected (water, sewer, etc)
- Shall not extend over lot line, sidewalk or ROW and not obstruct 25' vision clearance triangle
- Storage limited to driveways in front of 3-car garages or pads adjacent and connected, or corner lots with separate drive
- RV's -10 feet separation from nearest adjacent structure
- **Enclosed /Unenclosed hauling/utility trailers stored in garage unless approved by PDP or SUP**

March 18, 2010

- City Council passed Amendment #35 with much discussion regarding RV and trailer parking provisions – directing staff continue to work on regulations through the CEDC

Proposed

- Allow storage of 1 RV or trailer year round:
 - stored in drive of 3 car garage; or
 - pad adjacent to and connected for single or two car garage; or
 - separate drive on corner lot
- Allow parking of one additional RV for a period not to exceed 10 days parked on driveway or pad adjacent and connected













Questions / Discussion

Parking Matrix - Based on Current Unified Development Ordinance

	Boat/Trailer	Personal Water Craft/Trailer	All Terrain Vehicle(s) & Trailer	Utility Trailer open	Utility Trailer closed	Goose-neck Trailer	Pop-up Camper	Teardrop Trailer	Travel Trailer / Toy Hauler	Class A Motor Home	Class B Motor Home	Class B+ Motor Home	Class C Motor Home
Single drive	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Single drive with accessory pad	P	P	P	NP	NP	NP	P	P	P	P	P	P	P
Two car drive	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP	NP
Two car drive with accessory pad	P	P	P	NP	NP	NP	P	P	P	P	P	P	P
Three car drive	P	P	P	NP	NP	NP	P	P	P	P	P	P	P
Three car drive with accessory pad	P	P	P	NP	NP	NP	P	P	P	P	P	P	P
Separate drive on corner lot	P	P	P	NP	NP	NP	P	P	P	P	P	P	P
Screened from public view from public street	?	?	?	NP	NP	NP	?	?	?	?	?	?	?

OPTIONS

NP - Not Permitted

P- Permitted

Throughout Year

Seasonal

Duration in Days

Considerations

Size of Property

Location on Property

Side / Rear/Front Entry Garage & Driveway

Visibility from other properties

Size of vehicle/trailer

Number of vehicles/trailers

Capacity to park without "spillover"

Article 12. Parking

Table of Contents

Section 12.010	Purpose and Intent	2
Section 12.020	Applicability	2
Section 12.030	Vehicle Parking.....	2
Section 12.040	Alternate Parking Plan	7
Section 12.050	Shared Parking Guidelines	8
Section 12.060	Landbanking	8
Section 12.070	Queuing Requirements for Drive-through facilities..	9
Section 12.080	Accessible Parking Spaces.....	10
Section 12.090	Downtown Area Parking Guidelines.....	11
Section 12.100	Proximity of Parking Spaces to Use.....	13
Section 12.110	Improvement of Residential Driveways.....	13
Section 12.120	Parking Lot Design	14
Section 12.130	Driveway Approach Design (See the City of Lee's Summit Design & Construction Manual)	17
Section 12.140	Loading.....	17
Section 12.150	Restricted Vehicles	17
Section 12.160	Recreational Vehicles and Utility Trailers.....	17

NOTES:

Section 12.010 Purpose and Intent

- A. The purpose of the parking and loading regulations is to ensure that all land uses have adequate off-street parking facilities and adequate facilities for vehicle movement and loading activities associated with a land or building use.
- B. The intent of these regulations is to ensure that the use of land does not negatively interfere with the use of and circulation on public rights-of-way, and that private on-site circulation does not pose a potential safety problem.
- C. The parking requirements contained in this Article are minimum requirements only.

Section 12.020 Applicability

The minimum standards of this Article shall be applicable for any of the following:

- A. The construction of a new building;
- B. The enlargement of an existing building or the increase in capacity of an existing building, such as the addition of dwelling units, guest rooms, seats or floor area;
- C. The establishment of a new use or change of use;
- D. The expansion of an existing use;
- E. Where an existing building or use has insufficient parking at the time of passage of this Article or any amendment thereto, said building may be enlarged or use intensified only if adequate parking is provided for the entire building and all uses on the property in accordance with the requirements of this Article.

Section 12.030 Vehicle Parking

- A. Required spaces.
 - 1. Table 12-1 shall be utilized to determine the minimum number of parking spaces to be provided. For uses not specifically identified, the Director shall establish the parking requirements either based upon a listed use deemed most similar to the proposed use or based upon industry standards.
 - 2. The number of parking spaces to be provided for a particular use or development may be established through approval of an Alternate Parking Plan as described in this Article. Use of an Alternate Parking Plan is encouraged in order to tailor the parking to the particular needs of the use or development and to allow introduction of operational solutions such as ride-sharing programs, shared parking or remote employee parking lots.
- B. Dedication to parking use. Unless approved otherwise, parking spaces provided to meet the minimum requirements of this Article, along with the aisles and driveways necessary to provide access to those spaces, shall not be

used for any other purpose than temporary vehicle parking. Specifically, no such parking area may be used for the sale, repair, dismantling or servicing of any vehicles, or for the sale, display or storage of equipment, goods, materials or supplies, except as further provided in this Chapter.

C. Computation of required parking.

1. Multiple uses. Except as approved otherwise, developments containing two or more uses shall have the total number of parking spaces required for each use.
2. Floor area. All required parking calculations shall be based on gross floor area unless otherwise stated. Gross floor area (gfa) shall mean the total area of all floors, measured between the exterior walls of a building. Gross leasable area (gla) shall mean the total area of all floors intended for occupancy and the exclusive use of tenants, specifically excluding public or common areas such as utility rooms, stairwells, enclosed malls and interior hallways.
3. Fractions. Whenever the computation of the number of parking spaces required by this Article results in a fractional parking space, one (1) additional parking space shall be required for one-half (1/2) or more fractional parking space, and any fractional space less than one-half (1/2) of a parking space shall not be counted.

Table 12-1 MINIMUM PARKING BY USE		
Use	Number of Parking Spaces	Required for Each:
RESIDENTIAL		
Single-family residence	2	Dwelling unit (fully enclosed)
Single-family cluster/patio home	2	Dwelling unit (one must be fully enclosed)
Single-family residence – Old Lee's Summit Neighborhood	2	Dwelling unit (one must be fully enclosed)
Two-family, Three-family or Four-family residences	2	Dwelling unit (one must be fully enclosed) Visitor parking per plan approval
Loft dwelling	1	Dwelling unit
Multi-family residence	1	Efficiency or studio unit
	1.5	1 or 2 bedroom unit
	2	3 or more bedroom unit
	plus 0.5	per unit for visitor parking

Bed & breakfast – home stay (max. 3 rooms), rooming house, boarding house	2	Residence
	1	Room for rent
Bed & breakfast inn (max. 12 rooms)	1	Room for rent
	1	Employee on maximum shift
Group homes	1.5	Employee on maximum shift
Group living quarters: Fraternity & sorority houses, dormitories, etc.	1	2 residents or beds
Hotel or motel with a restaurant or lounge open to the public Hotel or motel with no restaurant or lounge; or with a restaurant or lounge provided for guests only	1.5	Room
	1	Room
Nursing home/elder care	1	2 beds
	plus 1	Employee on maximum shift
Retirement community	1	Dwelling unit
	plus 1	Employee on maximum shift
COMMERCIAL		
Amusement center, recreational attraction, roller skating or ice skating rink	6	1,000 sf of gfa
Animal services (boarding, grooming and veterinary)	2.5	1,000 sf of gfa or determined by Director at plan approval
Automobile, truck, recreational vehicle, manufactured home or utility structure sales, equipment sales and service	2	1,000 sf of indoor sales area
	plus 1 3	2,500 sf of outdoor display Service bay
Bank	4	1,000 sf of gfa
Banquet facility	1	3 persons based on calculated occupant load as determined by Building Code
Bars and taverns	1	Employee on maximum shift
	plus 1	4 seats or building capacity as determined by Building Code
Bowling center	4.5	Lane
Car wash – automated and self- service	1	Employee on maximum shift

Contractor building supplies, brick or lumber yard (not home improvement center)	2.5	1,000 ft of indoor sales area
Convenience store, gas station	5	1,000 sf of gfa
Daycare center	2.5	1,000 sf of gfa
Funeral home	1 plus 1	3 fixed seats per 30 sf of assembly area with no fixed seats
Furniture or carpet store	1.5	1,000 sf of gfa
Golf course or driving range		Determined by Director at plan approval
Grocery store/specialty market (not a supermarket)	4	1,000 sf of gfa
Health club or fitness center	4.5	1,000 sf of gfa
Home improvement center/farm supply store	4	1,000 sf of gfa
Movie theater	1	4 seats
Offices – general and professional (not medical, dental or veterinary)	4	1,000 sf of gfa
Offices – medical or dental	5	1,000 sf of gfa
Outdoor plant nursery, garden center (with or without building)		Determined by Director at plan approval
Outdoor recreational facility		Determined by Director at plan approval
Restaurant – carry-out, drive-up or drive-through only	2 plus 1	Business Employee on maximum shift
Restaurant – fast-food and sit-down	14	1,000 sf of gfa
Retail establishments not otherwise listed	5	1,000 sf of gfa
Service establishments not otherwise listed	5	1,000 sf of gfa
Service station, auto repair shop or garage	3	Service bay (each bay may be counted as a parking space)

Shopping centers (excluding pad sites):		
25,000 sq. ft. – 399,999 sq. ft.;	5	1,000 sq. ft. of gla
400,000 sq. ft. – 599,999 sq. ft.;	4.5	1,000 sq. ft. of gla
600,000 sq. ft. +	4	1,000 sq. ft. of gla
Supermarket	5	1,000 sf of gfa
INDUSTRIAL – INCLUDING STORAGE, WHOLESALE AND MANUFACTURING		
Manufacturing	2.5	1,000 sf of gfa
Mini-warehouse storage facility	2	Facility
	1	Employee on maximum shift
Open storage of sand, gravel, petroleum, etc	1	2,500 sf of outdoor sales area
Warehouse, including commercial sales to the public	4	1,000 sf of sales or office space
	plus 1	1,000 sf of storage area
Warehouse, transfer and storage	1	1,000 sf of gfa
Wholesale, office-warehouse	4	1,000 sf of office space
	plus 1	1,000 sf of storage area
INSTITUTIONAL AND OTHER		
Auditoriums, churches, theatres, stadiums and other places of assembly	1	3 seats, or
	1	12 feet of pew, or
	1	30 sf in the largest assembly room
Civic clubs, museums, fraternal lodges, etc.	5	1,000 sf of gfa
Hospital	1.8	Bed
	plus 5	1,000 sf of office space
School – college/university (instructional space)	10	Classroom
School – elementary, junior high school	2	Classroom
School – senior high school	6	Classroom
School – technical college, trade school	20	Classroom

Subdivision swimming pool/clubhouse	1 minimum of 6	16 lots in subdivision; pool/clubhouse facility
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Section 12.040 Alternate Parking Plan

A. A request for approval of an Alternate Parking Plan shall be accompanied by the following information:

1. A parking demand study or other data that establishes the number of spaces required for the specific use. The study or data may reflect parking for the same use existing at a similar location or for similar uses at other locations. Published studies may be utilized to support alternative parking requests.
2. If shared parking is proposed for a mixed use development, the sum of peak parking demands by use category shall be accommodated for day and night hours on weekdays and weekends. The guidelines for shared parking contained in this Article may be used in lieu of a separate study.
3. If a remote or off-site parking lot is proposed to meet any portion of the parking required, the site and its current zoning classification must be identified, along with the method to transport parking patrons to the use.
4. If more parking spaces are proposed than would be allowed under the guideline standards of this Article, a landscaping plan shall be submitted that illustrates compliance with the parking lot landscaping requirements of Article 14.

B. Consideration of Plan.

1. Administrative process. The Director may approve an Alternate Parking Plan, including landbanking, as part of a final development plan if the Director determines that the number, configuration, location and landscaping, if applicable, of proposed parking spaces satisfies the demand for parking generated by the proposed development, when viewed in light of all relevant factors.
2. Preliminary development plan process. The City Council may consider an Alternate Parking Plan as part of a preliminary development plan. Consideration of the preliminary development plan shall follow the procedures for approval of preliminary development plan applications as set forth in Article 4.
3. Appeal process. If the Director denies a proposed Alternate Parking Plan, the reason for the denial shall be provided to the owner in writing within fifteen (15) days after the date a complete Alternate Parking Plan is submitted to the Director for consideration. The applicant may appeal the decision to the Board of Zoning Adjustments or may apply for a modification through the preliminary development plan process.

C. Approved plan.

1. Following approval by the Director or the City Council, the requirements of the approved Alternate Parking Plan shall be included in any sale, lease, or other transfer of right of occupancy affecting any part of the development.
2. All tenants of the property or development, whether an owner, lessee, subtenant, purchaser, or other occupant, shall comply with the approved Alternate Parking Plan.

Section 12.050 Shared Parking Guidelines

Parking facilities may be shared by multiple uses which have different hours of operation or peak periods of parking demand, subject to the following:

- A. The applicant shall submit a shared parking analysis to the Director demonstrating that no significant conflict in the principal hours of operation or periods of peak parking demand for the uses for which shared parking is proposed will exist. It shall address, at a minimum, the size and type of the development, the composition and description of the uses and their operational characteristics, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads for all uses that will be sharing spaces.
- B. The shared parking analysis shall be prepared pursuant to guidelines published by the Urban Land Institute or other generally accepted methodology.
- C. Parking spaces that are proposed to be shared must be clearly available to each use and not appear in any way to be serving a particular use through the use of signage or through design techniques that would tend to orient use of the spaces to a particular use or building.
- D. Shared parking arrangements assuring the continued availability of the number of parking spaces designated for shared use must be evidenced by a written agreement acceptable to the Director, and approved by the owners of each of the affected properties or uses. The approved agreement shall be recorded and a copy supplied to the Director.
- E. Should any of the shared parking uses be changed, or should the Director find that any of the conditions described in the approved shared parking plan or agreement no longer exist, the property owner shall have the option of submitting a revised shared parking study or of providing the number of spaces for each use as if counted separately. If the Planning Director determines that the revised shared parking study or agreement does not satisfy the off-street parking needs of the proposed uses, the shared parking request shall be denied, and no certificates of occupancy shall be issued until the full number of off-street parking spaces is provided.

Section 12.060 Landbanking

Landbanking is the setting aside of sufficient green space for future parking expansion needs of a particular use or building. Landbanking of future parking spaces may be approved as part of an Alternate Parking Plan by the City Council when approving a preliminary development plan or the Director as part of a final development plan when deemed to be appropriate for the particular development and not in conflict with the best interest of the City. The land area so delineated for

future parking shall be brought to finished grade, landscaped and shall not be used for building, storage, loading or other purposes. Upon determination by the Director, City Council or owner that additional parking is needed, the owner shall construct it.

Section 12.070 Queuing Requirements for Drive-through Facilities

In addition to meeting the off-street parking requirements of this Article, drive-through facilities shall meet the following standards:

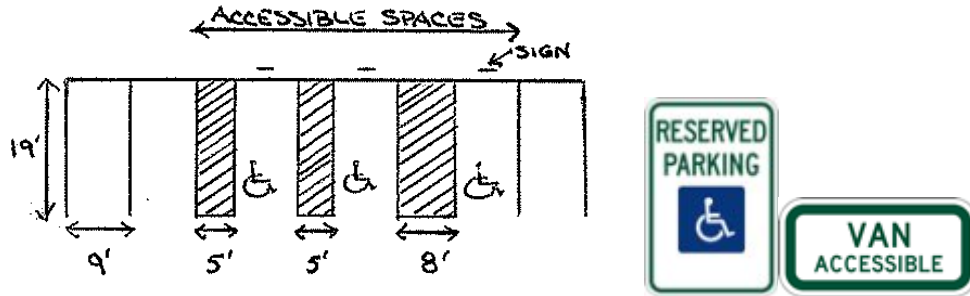
- A. Required queue spaces. The minimum number of required queue spaces shall be as shown in Table 12-2. Variations from these minimums may be allowed on a case-by-case basis by the Director. The applicant may appeal the decision to the Board of Zoning Adjustments or may apply for a modification through the preliminary development plan process.

Table 12-2 REQUIRED QUEUE SPACES		
Use Type	Minimum Spaces	Measured From
Automated teller machine (ATM)	5 (single-lane facility); 3 (multi-lane facility)	ATM
Bank teller lane	5 (single-lane facility); 3 (multi-lane facility)	Window or kiosk
Car wash stall, automated	5	Stall entrance
Car wash stall, self-serve	3	Stall entrance
Dry cleaners	2	Window
Gasoline pump island	2	Pump
Restaurant drive-through	4 Plus 4	Menu board First window
Pharmacy drive-through	5 (single-lane facility); 3 (multi-lane facility)	Window or kiosk
Other	Determined on a case-by-case basis by the Director.	

- B. Dimensions. Each queue space shall be a minimum ten (10) feet wide by twenty (20) feet long.
- C. Design. Each queue lane shall be clearly defined and designed so as not to conflict or interfere with other vehicular or pedestrian traffic using the site. Parking lots designed with one-way traffic flow shall have a bypass lane with a minimum width of ten (10) feet or as required by the Fire Code. The bypass lane shall be clearly designated and distinct from the queuing area.

Section 12.080 Accessible Parking Spaces

- A. A portion of the total number of required off-street parking spaces in each parking area shall be specifically designated and reserved for use by persons with physical disabilities.
- B. One in every eight (8) required accessible spaces (but no less than one) shall be adjacent to an aisle eight (8) feet wide clearly marked with a sign indicating that the space is “van accessible”. All other accessible spaces shall have an adjacent aisle five (5) feet wide.



- C. Accessible spaces shall be provided in each parking lot in the following ratio to the total number of spaces required for the use. These spaces shall be counted as part of the total number of parking spaces required by this Article. A modification or variance may not be granted for the number of required accessible spaces.

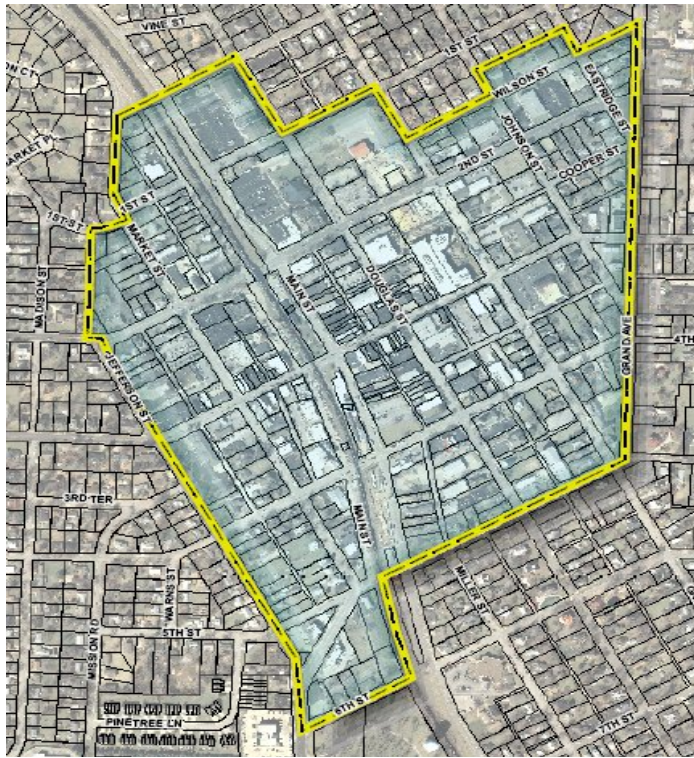
Table 12-3 ACCESSIBLE SPACES REQUIRED			
Spaces Required for Use	Auto Accessible	Van Accessible	Total
1 to 25	0	1	1
26 to 50	1	1	2
51 to 75	2	1	3
76 to 100	3	1	4
101 to 150	4	1	5
151 to 200	5	1	6
201 to 300	6	1	7
301 to 400	7	1	8
401 to 500	7	2	9

501 to 1,000	7 per 8 accessible spaces	1 per 8 accessible spaces	2% of total spaces
1,001 and over	7 per 8 accessible spaces	1 per 8 accessible spaces	20, plus 1 per 100 spaces over 1,000

- D. Access aisles shall be on the same level as the parking spaces they serve.
- E. Accessible parking spaces shall be located on a surface with a slope not exceeding one (1) vertical foot in fifty (50) horizontal feet.
- F. Accessible spaces shall be located at the nearest point to the front building entry and/or accessible ramp. Accessible spaces separated from the front building entry by a drive aisle shall have clearly discernable cross walks.
- G. Accessible ramps shall be designed and constructed so as to be integrated into the sidewalk. Ramps shall not be located within or extend into an accessible space, access aisle or any other portion of the parking lot.
- H. Parking spaces for vans shall have a vertical clearance of ninety-eight (98) inches minimum at the space and along the vehicular route thereto. In cases of a loading zone, a minimum vertical clearance of one-hundred fourteen (114) inches shall be provided at passenger loading zones and along vehicle access routes to such areas from site entrances.
- I. Every accessible parking space required by this Article shall be identified by a sign, mounted on a pole or other structure, located between thirty-six (36) inches and sixty (60) inches above the ground, measured from the bottom of the sign, at the head of the parking space. A sign identifying an accessible parallel parking space shall be mounted eighty-four (84) inches above the ground, measured from the bottom of the sign, and shall be placed at a point parallel to the center of the parking space. All identifying signs shall be twelve (12) inches wide by eighteen (18) inches in height and meet the requirements set forth in the Manual on Uniform Traffic Control Devices, as referenced in the Lee's Summit General Code of Ordinances.
- J. In addition to the requirements of this Section, all accessible parking spaces and areas shall comply with the requirements of the federal Americans with Disabilities Act.

Section 12.090 Downtown Area Parking Guidelines

- A. Downtown area defined. For the purposes of this Section, "downtown area" shall mean the area loosely bounded by SE 1st Street on the north, SE 5th Street on the south, SW Jefferson Street on the west and SE Grand Street on the east.



B. Residential uses. Vehicle parking shall be provided in accordance with Table 12-1.

C. Non-residential uses.

1. Vehicle parking.

- a. In the downtown area, the vehicle parking requirements of this Article for non-residential uses shall apply only to the net increase in floor area of use intensity created by new construction or building expansion or a substantial change in use. A substantial change in use is defined as a change which results in an increase in the demand for parking by twenty-five (25%) percent or more from the previous use.
- b. The parking requirement calculation for each non-residential use in the downtown area shall be based on the requirements of this Article, or 5 spaces per 1,000 square feet of gross floor area, whichever requires the fewer number of spaces.
- c. Any existing vehicle parking spaces that are eliminated by new construction or expansion must be replaced by that business or use, unless such spaces are in excess of the requirements for that business or use being served, and are in the same ownership.

2. Shared parking district.

- a. The requirements for additional parking may be waived in the downtown area if available public parking is located on the same block or within 300 feet for residential or 500 feet for non-residential uses. This public parking must have sufficient capacity, as calculated by the City Traffic Engineer (or designee), to absorb the required number of

spaces and cannot be on the opposite side of the railroad tracks running between SE Main Street and SW Main Street.

- b. Sufficient capacity will be based on a rolling 12 month inventory of public parking spaces in the area. This capacity will be evaluated against the projected demands determined by the City Traffic Engineer (or designee), taking into account time-of-day variations in parking demand as calculated by local data provided by the Urban Land Institute or Institute of Transportation Engineers.

3. Loading zones.

- a. The application process for a curb loading zone shall be subject to the regulations of the Lee's Summit General Code of Ordinances.
- b. The use of curb loading zones shall be subject to the regulations of the Lee's Summit General Code of Ordinances.

Section 12.100 Proximity of Parking Spaces to Use

- A. On-site parking. Unless otherwise provided under an approved Alternate Parking Plan, all parking spaces required to meet the standards of this Article shall be located on the same lot as the use they serve.
- B. Off-site parking. If required parking spaces are not located on the same lot or on a contiguous lot owned or leased by the intended user thereof for the particular use or building they are intended to serve, the following shall apply:
 1. The parking spaces must be located on a property that has the same zoning classification as the property that the spaces serve, or a less restrictive zoning classification.
 2. No required parking spaces may be located across a major arterial street or any State or US highway from the use they are intended to serve, unless a grade-separated pedestrian walkway connection is provided.
- C. Park and rides. Parking lots intended for park and ride lots shall be approved only by Special Use Permit and shall comply with all setback, landscaping, stormwater detention/retention, and pavement requirements and any other city regulations associated with parking lot improvements.

Section 12.110 Improvement of Residential Driveways

- A. Residential driveways shall be constructed of asphaltic concrete, Portland cement concrete or masonry pavers engineered to support the weight of a vehicle.
- B. Parking on other than asphaltic concrete/Portland cement concrete/masonry paved driveways or pads is expressly prohibited, except for lots of 1 acre or greater in size zoned AG (agricultural) or RDR (rural density residential).
- C. Driveways on lots of 1 acre in size or greater zoned AG, RDR, RLL (residential large lot) or R-1 (single-family residential) shall be paved a minimum of fifty (50) feet beginning from the edge of street pavement. The remainder may be

gravel or paved.

D. Where permitted, gravel driveways shall be maintained to meet the following standards:

1. The surface of the driveway or parking area shall consist of a uniform layer of gravel evenly distributed from edge to edge, and shall be free of bare spots and vegetation.
2. The depth of the gravel layer shall be an average of 2 inches and a minimum of 1 inch.
3. The material used for a gravel driveway or parking area shall be rock or crushed stone not more than 1 inch in diameter and shall not contain dirt, sticks, construction debris or other foreign material. Sand, rock powder or other similar material less than 1/8 inch in diameter is not prohibited, but shall not be included in the measurement of minimum gravel depth.

Section 12.120 Parking Lot Design

The provisions of this Section apply to all vehicle parking spaces and parking areas, whether the parking meets or exceeds the number of required spaces established in this Article.

A. Head-in parking. Head-in parking from any public right-of-way or private street shall not be permitted, except that the use of head-in parking in the downtown area, as defined in this Article, may be considered on a case-by-case basis. Driveways serving single-family, two-family, three-family and four-family residences are exempted from the head-in parking restriction.

B. Parking setback.

1. All parking lots shall be set back a minimum twenty (20) feet from any public right-of-way or private street edge of pavement.
2. Parking lots shall be set back a minimum twenty (20) feet from any residential district or use.
3. Parking lots shall be set back a minimum six (6) feet from the side and rear property line when not part of shared parking and/or cross access.

C. Dimensions.

1. Standard parking space dimensions shall not be less than nine (9) feet wide by nineteen (19) feet long.
2. Where the head of the parking space abuts a six (6) foot wide sidewalk or curbed landscaped area, the length of the parking space may be reduced by two (2) feet to allow for vehicle overhang. Such overhang shall be measured from the face of the curb.
3. Parallel parking space dimensions shall not be less than nine (9) feet wide by twenty-three (23) feet long.

D. Striping.

1. All parking spaces shall be clearly demarcated with lines a minimum four (4) inches in width. The width of each parking space shall be measured from the centers of the striping.
2. Striping shall not incorporate advertising of any kind.

E. Access and circulation

1. Access aisles in parking lots shall have the following dimensions:

Table 12-4 PARKING LOT ACCESS AISLE WIDTH (FT)						
PARKING SPACE ANGLE						
	0° (Parallel)	30°	45°	60°	90°	No spaces*
One-way traffic	15	14	16	18	24	10
Two-way traffic	20	20	20	22	24	20

* - Refers to access aisles with no parking spaces located on either side.

2. Minimum access aisle widths for parking lots with parking space angles different from those listed in Table 12-4 shall be determined on a case-by-case basis.
3. One-way traffic aisles must be clearly marked with directional arrows on the pavement at each intersection with another aisle.
4. Ingress and egress to parking areas shall be by means of paved driveways from the adjoining street. The minimum width of driveways for ingress and egress shall be the same as those specified above for aisles. Driveway width, for the purpose of this Section, shall include only the pavement and not the curb and gutters.
5. The location of all parking area driveways shall conform to the Access Management Code.

F. Improvement of parking, loading and storage lot areas.

1. Surface and curbing.

- a. All vehicle parking and loading areas and all access drives shall be improved with one of the following:
 - (i) a minimum 5-inch asphaltic concrete base overlaid with a 2-inch asphaltic concrete surface constructed on a sub-grade of either 12-inch prepared soil, 8-inch aggregate or 9-inch fly ash treated soil;
 - (ii) a minimum 6 inches of full depth unreinforced Portland cement concrete constructed on a sub-grade of either 12-inch prepared soil,

8-inch aggregate or 9-inch fly ash treated soil.

- b. Designated fire lanes and delivery/freight truck access lanes shall be improved with one of the following:
 - (i) a minimum 6-inch asphaltic concrete base overlaid with a 2-inch asphaltic concrete surface constructed on a sub-grade of either 12-inch prepared soil, 8-inch aggregate or 9-inch fly ash treated soil;
 - (ii) a minimum 6 inches of full depth unreinforced Portland cement concrete constructed on a sub-grade of either 12-inch prepared soil, 8-inch aggregate or 9-inch fly ash treated soil.
 - c. Trash enclosures shall be improved with a Portland cement concrete pad and a Portland cement concrete approach 30 feet in length, measured from the enclosure opening. The pad and approach shall be improved with a minimum 6 inches of full depth unreinforced Portland cement concrete constructed on a sub-grade of either 12-inch prepared soil, 8-inch aggregate or 9-inch fly ash treated soil.
 - d. All vehicle parking lot areas and access drives in all zoning districts shall have a boundary constructed of straight-back Portland cement concrete curbing (CG-1) or an integral Portland cement concrete sidewalk and curb with a vertical face. Driveways serving single-family, two-family, three-family and four-family residences are exempted from the CG-1 curbing requirement. This requirement shall also not apply to accessible parking spaces where the adjacent pedestrian walkway is designed to be at the same grade as the accessible spaces for the purpose of providing access to said walkway.
 - e. The use of curb blocks in parking areas shall be prohibited, except at the head of accessible parking spaces when they are adjacent to a pedestrian walkway with no raised curb.
 - f. Temporary asphalt curbs may be used in areas to be expanded only as shown and approved on the final development plan.
 - g. Storage lots shall be paved with an asphaltic concrete or Portland cement concrete surface engineered to support the weight of the anticipated loads.
- 2. Maintenance. Vehicle parking areas, including drives and drive aisles, shall be maintained in proper repair with the required surfacing and curbing. Pot holes and surface cracks shall be filled and sealed in a timely manner.
 - 3. Time limit. All required vehicle parking areas shall be ready for use, including the above surfacing requirement, before the issuance of a final certificate of occupancy (in the case of a new building or addition) or within forty-five (45) days after the issuance of an occupational license (in the case of a change of occupancy in an existing building). An extension of time may be granted by the Director due to adverse weather conditions. In no case shall any occupancy be permitted prior to the parking areas being striped.

Section 12.130 Driveway Approach Design (See the City of Lee's Summit Design & Construction Manual)

Section 12.140 Loading

- A. Required loading spaces shall be determined on a case-by-case basis by the Director through the required approval process.
- B. The dimensions of loading spaces will be determined on a case-by-case basis depending on the requirements of each project, including the length of trucks to be served and configuration of building(s) on the site.
- C. All off-street loading areas shall be screened in accordance with Article 14 of the UDO.

Section 12.150 Restricted Vehicles

- A. No motor vehicles designed or regularly used for carrying freight, merchandise, or other property or more than eight (8) passengers and that is licensed in excess of one (1) ton gross vehicle weight, excluding any vehicle which is licensed as a recreational vehicle, shall be parked in a residential zone, except for deliveries. In no case shall said vehicle be stored in a residential zone.
- B. Inoperative vehicles may not be stored or repaired (other than in enclosed garages) on the premises.
- C. In zoning districts other than the industrial zoning districts, construction equipment and construction vehicles may not be stored or repaired on the premises (other than in enclosed garages), except as follows:
 - 1. When being utilized for construction activities on the premises pursuant to a valid permit issued by the City for construction work necessitating the use of equipment, or when used for permitted work on the public right-of-way; or
 - 2. When the equipment is used as an accessory use in accordance with Article 8; or
 - 3. When associated with a special use permit as part of an allowable primary use, such as an equipment rental business.

Section 12.160 Recreational Vehicles and Utility Trailers

A. Definitions

- 1. Recreational vehicle shall include but not be limited to motor homes, camping/travel trailers, all-terrain vehicles (ATVs), boats and jet skis for the purposes of this Article. Small recreational vehicles shall refer to those 20 feet in length and under. Large recreational vehicles shall refer to those over 20 feet in length.
- 2. Storage shall mean uninterrupted parking for a period of seventy-two (72) hours for the purposes of this Article.

- B. General requirements. The following requirements shall apply to the parking and storage of recreational vehicles in residential districts at all times, except as otherwise provided by this Article.
1. No more than two (2) recreational vehicles shall be parked or stored outdoors on lots zoned AG, RDR, RLL, R-1, RP-1 or RP-2. Of the two allowed recreational vehicles, no more than one (1) may be a large recreational vehicle as defined in this Section.
 2. Parking and/or storage of recreational vehicles in other districts shall be prohibited except when specifically approved as part of a preliminary development plan or special use permit for said purpose.
 3. Recreational vehicles shall not be used for on-site dwelling purposes for more than seven (7) days per year and shall not be permanently connected to sewer lines, water lines or electrical lines.
 4. No part of a recreational vehicle shall extend over any lot line, sidewalk, right-of-way or into the 25' vision clearance triangle.
 5. Parking and/or storage of a recreational vehicle shall only be allowed on hard surfaces, i.e., asphaltic concrete, Portland cement concrete or masonry pavers engineered to support the weight of said vehicle, except as otherwise provided in this Article.
 6. Storage shall be limited to driveways in front of 3-car garages, pads adjacent and connected to the driveway or in the case of rear yard parking/storage, such pad shall be permanently connected to the driveway with an asphaltic concrete or Portland cement concrete drive, except as otherwise provided in this Article.
 7. Storage on a residential driveway is prohibited except for corner lots where a separate driveway is provided off the street on the other street frontage specifically for the purpose of storage which does not interfere with the residential parking of passenger vehicles.
 8. Recreational vehicles stored on a driveway or pad shall maintain a minimum 10 feet of separation from the nearest structure on an adjacent property.
 9. Enclosed and unenclosed hauling/utility trailers in residential districts shall only be stored in a garage, unless otherwise approved as part of a preliminary development plan or special use permit for said purpose.

Packet Information

File #: 2017-1532, **Version:** 4

Status Update - Creation of Short Term Rental Regulations

Issue/Request:

Status Update - Creation of Short Term Rental Regulations

Key Issues:

At the August 9, 2017 Community and Economic Development Committee (CEDC) meeting, staff presented some initial research and commentary on findings regarding short term rental uses and how other communities are dealing with these uses. The CEDC requested staff gather feedback from the community on short term rentals and continue to research potential regulations regarding these uses.

A special public meeting was held on September 12, 2017 at 6:30 PM in the City Council Chambers of City Hall to obtain feedback and public comments and concerns short term rentals.

At the September CEDC meeting Staff provided a summary overview of the special public meeting held on Tuesday September 12, 2017 and continued the pursuit of creating regulations regarding short term rentals within the community.

Staff distributed a draft ordinance on September 25, 2017 to members of the public who attend the September 12, 2017 public outreach meeting.

Staff will present the draft ordinance to CEDC and a further summary of public comments.



LEE'S SUMMIT MISSOURI

DEVELOPMENT SERVICES

October 11, 2017

TO: Community and Economic Development Committee
FROM: Josh Johnson, AICP – Assistant Director of Plan Services, Development Services
RE: **Draft Short Term Rental (STR) Ordinance**

Background

Recently, the City processed has process enforcement cases for Short Term Rentals (STRs) listed under STR websites such as Air BnB. These cases brought to light the issue of STRs. Lee's Summit has some regulations related to traditional Bed and Breakfasts. Like most communities, our ordinance did not contemplate day to day rentals of individual rooms in homes throughout the City.

At the August 9, 2017 Community and Economic Development Committee (CEDC) meeting, staff presented some initial research and commentary on findings regarding short term rental uses and how other communities are dealing with these uses. The CEDC requested staff gather feedback from the community on short term rentals and continue to research potential regulations regarding these uses.

A public meeting was held on September 12, 2017 at 6:30 PM in the City Council Chambers of City Hall to obtain feedback and public comments and concerns short term rentals. The following is a summary of public comments:

- STR's jeopardizes the definition of a single-family home
- Concerns with who the renters are? In lieu of neighborhood children
- The general annoyance to neighbors
- Need restrict parking of boats, trailers, signs on the property
- Concern with the impact on traffic and parking
- Concerns with STR's used for parties
- Monarch View HOA is making changes to their CCR's, however it's a timely process, won't be until 2019 until approved.
- Vogue Condo representative states they don't allow STR's at the Vogue and are very much opposed to it in the downtown—parking is an issue already.

- HOA's needs City's assistance to escalate disciplinary action for STR's
- Concerns of the homeowner not living in the home
- Problems stated by the President of Monarch View: enforcement, follow up to make sure they do what they say they are going to do, where are the rentals, doesn't like homeowner not living in the home, safety, parking , disturbances, who are these renters?
- Folks with young children are scared
- Fairfield Woods Board member stated they have changed their restrictions to not allow renters
- Timber creek President say's they have it spelled out in their CCR's , they don't want AirBnB's
- Bed and Breakfast Inn owner spoke—there is a good SUP process in place, it's a safe process, inspections, fire codes, works closely with Health Dept, they pay taxes, we need to be proactive with these issues and come to a balance.
- DT resident concerned because they are in an old part of town with no HOA's—doesn't want all the big beautiful homes to turn in to Bed and Breakfasts
- Clarification needed for HOAs and State Law
- The right location for these STR's needs to be identified
- Discussion regarding legalities of Associations, vs city's regulations, and vs. State regulations
- Citizen states "these rentals just scares him to death"
- Citizen wanted to state that besides monarch view, there are many other subdivisions who feel the same way they do.

At the September 13, 2017 CEDC meeting Staff provided a summary overview of the special public meeting held on Tuesday September 12, 2017 and continued the pursuit of creating regulations regarding short term rentals within the community.

Staff distributed a draft ordinance, shown later in this document, on September 25, 2017 to members of the public who attended the September 12, 2017 public outreach meeting. A summary of reactions to the draft ordinance is as follows:

- There should be more of a defined time limit for the length of stay, 2-14 days
- The area near the downtown locational requirement should be enlarged
- STRs should allow for a family to rent a home
- STRs should not be concentrated in the downtown area
- Owner occupancy is too restrictive, consider requiring the owner to live within 50 of the rental
- The limitation to four guest is too restrictive and should be changed to 5-6.

- STRs should have to be rented for an entire 7 day period with a limitation on 6 weekly rentals per year
- Off-street parking must be provided
- Require background checks for noise
- Consider STRs a business
- Owner is subject to arrest for excessive noise
- There could be a conflict with requiring a business license as most HOAs prohibit businesses

Draft Ordinance

Article 2-Short Term Rentals-A portion of a dwelling unit rented on a short-term basis, typically less than 7 days.

Article 9-Uses Permitted With Conditions

Short Term Rentals

- a. Location:
 1. Parcels greater than one acre in size or;
 2. Parcels within the Old Town Master Development Plan area as shown in the Comprehensive Plan.
 3. Short Term Rentals are only allowed in Single- Family Dwelling Units or Two-Family Dwelling Units (Duplex).
- b. The owner must occupy a dwelling unit on the same parcel;
- c. A maximum of two rooms shall be rented;
- d. A maximum of four guests are permitted;
- e. The owner must obtain a Business License with the City;
- f. The owner must provide their contact info to the City;
- g. Chapter 17, Article IX , Section 17-254, Regulations Regarding Control of Noise and Sound, must be posted in each room for rent;
- h. Units must be provided with:
 1. A functioning fire extinguisher;
 2. Child-proofed electrical outlets;
 3. A map identifying escape routes;
 4. Emergency Contact Information for the Owner.

Use Table Updated to make Short Term Rentals Conditional for
R-1, RP-2, RP-3, RP-4, P-Mix, AG, PRO, CBD

Section 10.170 Bed and Breakfast Inn

A bed and breakfast inn property shall be subject to the following conditions and restrictions:

- A. Appearance. If located in an existing residence, the exterior residential appearance of the dwelling unit shall not be changed. If an addition is to be made to an existing residence or new structure is to be constructed, building elevations shall be submitted for approval, and a residential appearance shall be maintained.
- B. Ownership. The owner of the residence is not required to reside on the premises. If the owner does not live on the premises, a resident manager or resident employee shall be required, while guests are present.
- C. Rooms. The maximum number of guest rooms shall be twelve (12).
- D. Parking location. Parking areas shall be located on the side or rear of the property and shall be screened from adjacent residential properties by a solid screen fence or wall.
- E. Food Service. Restaurant facilities or food service shall be optional; and any such facilities or service shall require the approval of the Jackson County Health Department. No cooking or food preparation will be allowed in guestrooms.
- F. Codes. The residence shall comply with all requirements of the Building Code and the Fire Department that bring about compliance with significant safety requirements of the Uniform Building Code, Uniform Fire Code, and Life Safety Code.
- G. Inspections. The Fire Department and other city departments shall be permitted to perform inspections as in any other business.
- H. Landscaping and screening. A bed and breakfast inn shall be subject to the landscaping requirements of Article 13.
- I. Length of stay. No person shall be an occupant of a bed and breakfast inn for more than fourteen (14) consecutive days.
- J. Other criteria. In determining whether a bed and breakfast inn is an appropriate use in the proposed location, the Commission and Governing Body may consider the following:
 - 1. Whether the use is appropriate in view of the use, development and zoning of adjacent and nearby property.
 - 2. Whether the use will adversely affect the existing use or usability of adjacent or nearby property.
 - 3. Whether the use is in conformity with the policy and intent of the comprehensive plan.
 - 4. Whether there are existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the proposed use.

Packet Information

File #: 2017-1538, **Version:** 1

Discussion on Residential Rental Property Regulations

Issue/Request:

Discussion over progress developing Residential Rental Property Regulations.

Key Issues:

To preserve the integrity and safety of housing options within the City, protect the rights of renters, and preserve the standards of the surrounding neighborhoods, it is desired to have a discussion on potential rental inspection and proactive code enforcement measures within the City.

This discussion will be an update on the progress made since the September 2017 CEDC meeting. A staffing and fee estimate for the program will be presented. Staff is seeking feedback on the assumptions and estimates.

Proposed Committee Motion:

N/A

Background:

In December of 2011, Mr. Mark Dunning presented information to the CEDC regarding potential Rental Inspection programs for discussion.

In August of 2017, a discussion with CEDC occurred, and staff was directed to prepare an ordinance for review and discussion within 6 months. As part of the program development process, we are updating CEDC on the progress made each month and having a public discussion.

In September of 2017, a review of existing programs located throughout the metro was presented along with a proposed framework for a Lee's Summit program. The discussion also included the proposed next steps in the program development process.

Presenter: Ryan Elam, Director of Development Center and Josh Johnson, Assistant Director of Plan Services