

## **BILL NO. 19-136(a)**

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AN ORDINANCE APPROVING APPLICATION #PL2019-134 - UNIFIED DEVELOPMENT ORDINANCE (UDO) AMENDMENT #5A, ARTICLE 5 OVERLAY DISTRICTS – DIVISION VIII ENVISION LS AREA DEVELOPMENT PLAN (ADP) DESIGN STANDARDS – ESTABLISHMENT OF AN APPEALS PROCESS FOR PROHIBITED USES; CITY OF LEE'S SUMMIT APPLICANT

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

WHEREAS, Application #PL2019-134, proposing amendments to Article 5 Overlay Districts – Division VIII Envision LS Area Development Plan (ADP) Design Standards; and Article 15 Rules of Interpretation and Definitions – Division II Definitions – establishment of an appeals process for prohibited uses and amendment to definitions; and,

WHEREAS, the Community and Economic Development Committee considered the proposed UDO Amendment to Article 5 Overlay Districts – Division VIII Envision LS Area Development Plan (ADP) Design Standards; and Article 15 Rules of Interpretation and Definitions – Division II Definitions on April 10, 2019, and authorized the amendments to be advertised for public hearings; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for Application #PL2019-134 on May 9, 2019, and rendered a report to the City Council recommending that the proposed amendment to Article 5 Overlay Districts – Division VIII Envision LS Area Development Plan (ADP) Design Standards; and Article 15 Rules of Interpretation and Definitions – Division II Definitions be approved; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on Application #PL2019-134 on July 16, 2019, and directed staff to present the proposed amendments to the EnVision LS Area establishing an appeals process for prohibited uses and an amendment to definitions as separate ordinance items for individual consideration; and,

WHEREAS, the City Council determined that the portion of the proposed UDO amendment contained in Application #PL2019-134 which establishes an appeals process to allow for the consideration of prohibited uses in the EnVision LS Area would serve the interests of the citizens of Lee's Summit.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LEE'S SUMMIT, MISSOURI, as shown on the attached copy, appended hereto and made a part hereof.

SECTION 1. That Article 5 Overlay Districts – Division VIII Envision LS Area Development Plan (ADP) Design Standards, is hereby amended in the manner shown on the copy appended hereto as Exhibit "A" and incorporated herein by reference.

SECTION 2. That it is the intention of the City Council and is hereby ordained that the provisions of this Ordinance shall become and be made a part of the UDO, and the sections of this Ordinance and the UDO may be renumbered as appropriate to accomplish such intention.

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SECTION 3. That this ordinance shall be in full force and effect from and after the date of its passage, adoption, and approval by the Mayor.

PASSED by the City Council of the City of Lee's Summit, Missouri, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED by the Mayor of said city this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

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Mayor *William A. Baird*

ATTEST:

\_\_\_\_\_  
City Clerk *Trisha Fowler Arcuri*

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney *Brian W. Head*