

**EXHIBIT A ENCROACHMENT POLICY
SCHEDULE OF NON ALLOWED, ALLOWED, AND CONDITIONAL USES**

Proposed Use	Right of Way	Access Easement	General Utility Easement	Water/Sewer Easement	Drainage Easement	Avigation Easement (See Note 9)
Animal Pens	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Bridges and Footbridges	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Buildings (Temporary or Permanent)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Decks/Porches/Carports	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Detention Basins (Dry Earthen Basins)(See Note 9)	NON ALLOWED	NON ALLOWED	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE	NON ALLOWED
Detention Basins (Using Retaining Walls)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Dog Fences-Underground	NON ALLOWED	CONDITIONAL USE	ALLOWED	CONDITIONAL USE	ALLOWED	CONDITIONAL USE
Doghouses (portable/non-permanent)	NON ALLOWED	NON ALLOWED	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE (see note 6)	NON ALLOWED
Driveways-Commercial and Residential	ALLOWED USE (see note 7)	ALLOWED USE	ALLOWED USE	ALLOWED USE	ALLOWED USE	CONDITIONAL USE
Fences (Masonry of Any Height)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Fences (Non Masonry)	NON ALLOWED*	NON ALLOWED	ALLOWED	CONDITIONAL USE	CONDITIONAL USE (see note 6)	NON ALLOWED
Flag pole	NON ALLOWED*	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Landscaping (see note 1)	ALLOWED USE*	NON ALLOWED	ALLOWED USE	ALLOWED USE	ALLOWED USE (see Note 3)	CONDITIONAL USE
Lighting (private)	NON ALLOWED*	CONDITIONAL USE (see note 8)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Mail Boxes	ALLOWED USE*	CONDITIONAL USE (see note 8)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Newspaper Sales Boxes (news racks)	ALLOWED USE*	ALLOWED USE	ALLOWED USE	ALLOWED USE	ALLOWED USE	ALLOWED USE
Parking Lots (Asphalt or Concrete)	NON ALLOWED	CONDITIONAL USE	CONDITIONAL USE (see note 5)	CONDITIONAL USE (see note 5)	CONDITIONAL USE (see notes 5 & 6)	NON ALLOWED
Patio Decks - Above Grade	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED

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Patios(At Grade - Concrete/Asphalt)	NON ALLOWED	NON ALLOWED	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE (see note 6)	CONDITIONAL USE
Ponds	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Pool Decks	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Private Electric/Gas/Telephone Service	ALLOWED USE (see notes 7&8)	ALLOWED USE	ALLOWED USE (see note 8)	ALLOWED USE (see note 8)	ALLOWED USE (see note 8)	NON ALLOWED
Private Connections to Public Storm System	CONDITIONAL USE (see note 6)	CONDITIONAL USE (see notes 6 & 8)	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 6)	CONDITIONAL USE (see note 6)
Private Fire Line (Water)	ALLOWED USE (see notes 7&8)	ALLOWED USE	ALLOWED USE (see note 8)	ALLOWED USE (see note 8)	ALLOWED USE (see note 8)	ALLOWED USE (see note 7)
Private Building Service (Sewer/Water)	ALLOWED USE (see notes 7&8)	ALLOWED USE	ALLOWED USE (see note 8)	ALLOWED USE (see note 8)	ALLOWED USE (see note 8)	ALLOWED USE (see note 7)
Recreational Items (Basketball, Skateboard, etc.)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Retaining Walls (see note 2)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Retention Basins (Pond)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Shrubs, Small (less than 2.5 feet above street pavement) (See UDO Section 8.710)	CONDITIONAL USE (see note 4)	NON ALLOWED	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE (see notes 3 & 6)	CONDITIONAL USE
Shrubs, Large (greater than 2.5 feet above street pavement) (See UDO Section 8.710)	NON ALLOWED	NON ALLOWED	CONDITIONAL USE (see note 3)	CONDITIONAL USE	CONDITIONAL USE (see notes 3 & 6)	NON ALLOWED
Signs and Monuments (private)	NON ALLOWED*	CONDITIONAL USE (see note 8)	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Septic systems	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Sprinkler System -Irrigation	CONDITIONAL USE (see note 7)	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE
Stairways	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Structural Columns	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Sump Pump, or Roof Drainage or <u>Swimming Pool or Hot Tub</u>	CONDITIONAL USE*	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE	CONDITIONAL USE

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Discharge Pipe	(see note 6)	(see notes 6 & 8)			(see note 6)	
Swimming Pools/Hot Tubs Above/Below Ground	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Temporary Buildings/Structures	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Trees (large species - See UDO Ord. 5209)	NON ALLOWED*	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED	NON ALLOWED
Trees (See UDO Section 8.710)	NON ALLOWED*	NON ALLOWED	CONDITIONAL USE (see note 3)	CONDITIONAL USE	CONDITIONAL USE (see note 6)	NON ALLOWED
Walkways (Concrete or Asphalt)	CONDITIONAL USE (see note 8)	CONDITIONAL USE (see note 8)	CONDITIONAL USE (see note 3)	CONDITIONAL USE	CONDITIONAL USE (see note 6)	CONDITIONAL USE

**Reference Exhibit B for Additional NON ALLOWANCED, ALLOWANCED AND CONDITIONAL USES in the City Right of Way in the Downtown Central Business District*

UDO=Unified Development Ordinance Adopted by Section 27-Sudivision 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

1. Includes smaller plantings or ground level landscaped beds, small gardens, small flower beds, and small decorative rocks.
2. Includes any structural member to reinforce the retaining wall, raised landscape beds supported by landscaped blocks, timbers or concrete.
3. ALL encroachments shall be considered NON ALLOWED where drainage is altered or impeded.
4. Any trees or shrubs within the sight triangle or which create a sight distance problem are considered NON ALLOWED.
5. Where the parking lot has curb and gutter, maintain a minimum of 4 feet horizontal distance from the utility line to the curb and gutter if the utility is parallel to curb.
6. Conditioned upon underground routing of storm drainage (i.e., 1% annual storm) beneath the surface. Fences are prohibited in mapped flood hazard zones.
7. Private water, sanitary sewer, electric, gas, telephone lines should cross easements and right-of-way at approximate right angles.
8. Cannot impede access for intended purpose.
9. Avigation easements include Runway Protection Zones, Runway Safety Zones, Transition Zones and other areas defined in Article 5, Division 1 – Airport Overlay District, in the UDO. In addition to the conditions of this policy, all work within the ground footprint of an avigation easement requires an FAA Form 7460 to be completed and submitted to the FAA for approval to evaluate an object's impact on airport operations.
10. ALL encroachments shall be considered NON ALLOWED within a Roadway or Sidewalk.
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

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control device placed by the City.

- 13. City assets (or City sponsored assets) 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.**