

## Legislation Text

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**File #:** BILL NO. 22-244, **Version:** 1

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An Ordinance amending Chapter 16, Lee's Summit Property Maintenance Code, by adopting regulations pertaining to vehicle parking and storage regulations for private property of the Code of Ordinances for the City of Lee's Summit, Missouri.

(Note: First read by City Council on December 6, 2022. Passed by unanimous vote.)

### Issue/Request:

Staff is looking to reduce confusion about how recreational vehicles (RVs), boats and utility trailers are parked in residential areas. In order to accomplish this goal, certain provisions governing the parking and storage of RVs, boats and trailers are being moved from the UDO to the Property Maintenance Code. The code amendments before the CEDC are comprised of deletions of provisions in the UDO and more clearly defined RV and utility trailer standards in the City's Property Maintenance Code.

Since the adoption of Ordinance No. 6912 in April 2010, which modified parking provisions for recreational vehicles and utility trailers, there has been confusion and frustration with regard to enforcement actions and the application of regulations in responding to concerns or complaints regarding recreational vehicles and/or utility trailers parked in residential zoned districts. There currently exists three main issues with the current ordinance:

1. Location of the regulations within the UDO versus the Property Maintenance Code
2. Unclear definitions of what constitutes a recreational vehicle or trailer
3. Conflicting sections on what is currently allowed and what is not allowed

The proposed ordinance changes attempt to address each of these issues.

Staff has worked with the Community and Economic Development Committee (CEDC) to further refine the proposed amendments and is bringing forward the proposed ordinances (both Property Maintenance Code and UDO) for consideration of adoption. Both ordinances are structured to correlate with each other, so if there is a desire to move these amendments forward for adoption, both the UDO amendment ordinance and the proposed Property Maintenance Code ordinance amendment should be adopted together, otherwise conflict(s) will exist within the City's Code of Ordinances.

Please reference the last attachment to this packet titled "8-1-13 UDO Parking memo" for historical background information. In 2017 efforts were pursued to amend various sections of the City codes in hopes of bringing clarity and better understanding to the parking regulations. Please refer to the "Background" portion of this packet for efforts taken since 2017.

### Proposed Council Motion:

I move for adoption of an Ordinance amending the Code of Ordinances of the City of Lee's Summit, Missouri,

Chapter 16, Lee's Summit Property Maintenance Code, by adopting regulations pertaining to vehicle parking and storage regulations for private property .

Background:

In 2017, 2018 and 2021 staff worked with the CEDC to bring forward proposed amendments to the UDO and Property Maintenance Codes. The CEDC recommended moving forward with public hearings for the UDO amendments and bringing the Property Maintenance Code amendments forward to the Mayor and City Council. The Planning Commission recommended approval of the proposed UDO amendments and the UDO amendments were placed on the same City Council agenda with the Property Maintenance Code amendments as the amendments to both ordinances were critical as they needed to work together and correlate to avoid gaps or inconsistencies in the regulations or enforcement activities. Provided below is a summary of the actions taken by the Mayor and City Council:

March 1, 2018 - UDO Public Hearing on Article 12 (Bill # 18-39) to remove parking regulations for RV's, boats, trailers from the UDO so that they may be placed within the Property Maintenance Code as amended.

Vote on first reading of ordinance: 6 in favor - 2 opposed (Bill # 18-39 was then placed on the March 15th agenda for adoption under second reading of ordinances)

March 1, 2018 - LS Property Maintenance Code amendment (Bill #18-48) to incorporate amended parking regulations from the UDO to the Property Maintenance Code for RV's, trailers, and boats.

Vote on first reading of ordinance: 8 in favor - 0 opposed (Bill #18-48 was placed on the March 15, 2018 agenda for adoption under the consent agenda

March 15, 2018 - Property Maintenance Code Amendments (Bill #18-48) on consent agenda for second reading and adoption -bill passed unanimously.

March 15, 2018 - UDO Public Hearing on Article 12 (Bill # 18-39) - on agenda for second reading as the first reading on March 1, 2018 was not unanimous. Bill failed (3 in favor and 5 opposed) which will result in conflicts with Bill #18-48 as existing parking regulations will remain in the UDO.

March 23, 2018 - Mayor Rhoads vetoes Bill No. 18-48 and places the matter on the April 5, 2018 City Council agenda for further consideration.

April 5, 2018 - City Council upholds the Mayor's veto, therefore Bill No. 18-48 is not adopted.

May 12, 2021 - CEDC discussion regarding proposed amendments and directs staff to develop proposed amendments to Unified Development Ordinance and the Property Maintenance Code since both codes have been updated since the last time the amendments were considered by the Mayor and City Council.

July 14, 2021 - the CEDC provided staff direction to move forward with processing the proposed UDO amendments related to parking regulations for recreational vehicles and trailers. The CEDC requested the proposed Property Maintenance Code amendment be brought back to the CEDC for final review after

discussion of whether Utility Task Vehicles (UTV's) are considered All-Terrain Vehicles (ATV's). Staff has amended the proposed Property Maintenance Code amendments to provide clarity that the parking regulations apply to both UTV's and ATV's.

August 11, 2021 - after a short presentation and discussion, the CEDC voted unanimously by vote of 4 - 0 to recommend approval of the ordinance to the full City Council.

September 9, 2021 - the Planning Commission recommended the UDO portions of the code changes be approved.

September 21, 2021 -the City Council denies the amendments with a tie vote of 4-4.

Dan Harper, P.E., Assistant Director of Field Services