

Legislation Details (With Text)

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| File #: | 2018-1985 | Name: | |
| Type: | Public Hearing - Sworn | Status: | Agenda Ready |
| File created: | 3/30/2018 | In control: | City Council - Regular Session |
| On agenda: | 8/23/2018 | Final action: | |
| Title: | Public Hearing - Appl. #PL2018-088 - Unified Development Ordinance (UDO) Amendment #67 - Article 5 Zoning Districts, Article 8 Accessory Uses, Article 9 Uses Permitted with Conditions and Article 10 Special Use Permits, to allow in-home massage therapy as a conditional use for a home occupation in the R-1 (Single-family Residential) zoning district; City of Lee's Summit, applicant. | | |

Sponsors:

Indexes:

Code sections:

Attachments: 1. UDO Amendment 67 Attachments for Articles 5, 8, 9 and 10 .pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--|----------------------------------|--------|
| 7/24/2018 | 1 | Planning Commission | recommended for approval | Pass |
| 6/13/2018 | 1 | Community and Economic Development Committee | forwarded without recommendation | Pass |

Public Hearing - Appl. #PL2018-088 - Unified Development Ordinance (UDO) Amendment #67 - Article 5 Zoning Districts, Article 8 Accessory Uses, Article 9 Uses Permitted with Conditions and Article 10 Special Use Permits, to allow in-home massage therapy as a conditional use for a home occupation in the R-1 (Single-family Residential) zoning district; City of Lee's Summit, applicant.

There have been several applications submitted with requests to provide in-home massage therapy as a home occupation. In 2006, a UDO amendment was adopted requiring a special use permit for an in-home massage therapy to be conducted as a home occupation which is both time consuming and expensive compared to other home occupations that are allowed by right. When in-home massage therapy was initially brought to our attention for consideration, concerns were raised about the potential neighborhood impacts. Since that time a number of in-home massage therapy uses have been approved through the special use process with no concerns being voiced by the neighborhoods in which located.

This proposed amendment would convert the in-home massage therapy from an "S", Special Use, to a "C", Conditional Use, as a home occupation. The same Article 8 home occupation conditions would apply plus the additional conditions established in Article 9 for the conditional use. These uses have not posed issues within single-family neighborhoods. Limiting the hours of operation and the length of time imposed between client sessions have minimized traffic concerns as well. Massage therapists area also required to meet all State licensing requirements and Chapter 28 Division 2 of the Code of Ordinances of the City of Lee's Summit.

Article 5 - Amends Table 5-1 by changing the "S" to a "C" for in-home massage therapist

Article 8 - Amends prohibited home occupations for massage therapy by replacing the SUP restriction with the condional use restriction

Article 9 - Adds the same conditions from Article 10 Special Use Permits

Article 10 - Removes the SUP requirements which have been transferred to Article 9

Staff will be prepared to discuss the proposed amendments to Articles 5, 8, 9 and 10 at the public hearing.

June 13, 2018 - CEDC recommended forwarding the proposed amendment to the Planning Commission for public hearing.

Staff recommends approval of UDO Amendment #67.

Bob McKay, Director of Planning and Special Projects