

BILL NO. 23-102

ORDINANCE NO. 19504

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 14, OF THE INDEPENDENCE CITY CODE PERTAINING TO MULTI-FAMILY HOUSING.

WHEREAS, the Unified Development Ordinance was approved by the City Council on June 15, 2009, by Ordinance No. 17339 and became effective on July 1, 2009; and,

WHEREAS, after its adoption, policy issues to be addressed were discovered, and it was decided to revise these items; and,

WHEREAS, after due public notice in the manner prescribed by law, the Planning Commission held a public hearing for the consideration of the request on September 26, 2023, and rendered a report to the City Council recommending the text amendment to the UDO be approved by a vote of 6-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on November 20, 2023, and rendered a decision to approve the changes to the Unified Development Ordinance; and,

WHEREAS, in accordance with the Unified Development Ordinance, it was determined that the request is consistent with the review criteria in Section 14-701-01-F.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI, AS FOLLOWS:

SECTION 1. That Section 14-300-03-G, Use Standards, Residential, Household Living of Chapter 14, Unified Development Ordinance, are hereby added to read as follows:

14-300-03-G. Use Standards. The "use standards" column of Table 300-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required. Variances to use standards are prohibited.

Table 300-1 Residential Districts Use Table									
P: Permitted S: Special Use Permit Required C: Conditional Uses --: Not Allowed									
Use Category Specific use type	Zoning District								Use Standards
	R-A	R-1	R-2	R-4	R-6	R-12	R-18 PUD	R-30 PUD	
RESIDENTIAL									
Household Living									
Detached house	P	P	P	P	P	P	--	--	<u>14-505</u>
Zero line (detached) house	--	--	--	--	C	C	--	--	14-505
Attached house	--	--	--	--	--	C	C	C	14-505 <u>14-703</u>
Two-unit house	--	--	--	--	--	P	PC	PC	<u>14-505</u> <u>14-703</u>
Multi-unit house (3--8 units)	--	--	--	--	--	--	C	C	14-505 <u>14-703</u>
Multiplex (3--8 units)	--	--	--	--	--	--	C	C	14-505

Apartment	—	—	—	—	—	—	C	C	<u>14-703</u> 14-505 <u>14-703</u>
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SECTION 2. That Section 14-301-03-G, Use Standards, Residential, Household Living, of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-301-03-G. Use Standards. The "use standards" column of Table 301-1 identifies use-specific standards that apply to some uses. Compliance with such standards is required. Variances to use standards are prohibited.

Table 301-1 Office and Commercial Districts Use Table						
P: Permitted S: Special Use Permit Required C: Conditional Uses —: Not Allowed						
Use Category Specific use type	Zoning District					Use Standards
	O-1	O-2	C-1	C-2	C-3	
RESIDENTIAL						
Household Living						
Above ground floor or mixed in a building with 50% of the square footage on the main floor being commercial Mixed Use Residential	<u>P-C</u>	<u>P-C</u>	<u>P-C</u>	<u>P-C</u>	—	<u>14-505</u>
Multi-unit house (3—8 units)	<u>P-C</u>					<u>14-505</u>
Multiplex (3—8 units)	<u>P-C</u>					<u>14-505</u>
Apartments	<u>P-C</u>					<u>14-505</u>

SECTION 3. That Section 14-501-05, Parking ratios, of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-501-05 Parking ratios

Off-street parking must be provided in accordance with the following minimum ratios. In lieu of complying with these minimum standards, applicants may apply for approval of an alternative compliance parking plan, in accordance with Section 14-501-13.

Use Category Specific use type	Minimum Vehicle Parking Spaces
RESIDENTIAL	
Household Living	
Elderly Housing, Independent	1 per dwelling unit; plus accordance with Section 14-501-05.A
Elderly Housing, Semi -Independent	± 1.5 per 2 dwelling units
Elderly Housing, Dependent	± 1.5 per 4 dwelling units
Single family and Two-family in R-12 (Infill 3 lots or less)	1 per dwelling unit
Single family and Two-family in R-12	1 per dwelling unit; plus accordance with Section 14-501-05.A
All residential uses in R-18 PUD	1 per dwelling unit; plus accordance with Section 14-501-05.A

All residential uses in R-30 PUD	1 per Efficiency/studio units 1.5 per 1 or 2 bedroom unit 2 per 3 or more bedroom units; plus accordance with Section 14-501-05.A
All other	1 per dwelling unit
Group Living	1 per 4 dwelling units or 1 per 4 beds/sleeping rooms
PUBLIC/CIVIC	
College/University	As determined in accordance with Section 14-501-07
Day Care	
Home-based (1—4)	None
All other	3 per 1,000 square feet
Hospital	1 per 2 beds plus 1 per 2 employees
Library/Cultural Exhibit	2.5 per 1,000 square feet
Park/Recreation	
Community center	1 per 4 seats
All other park/recreation	As determined in accordance with Section 14-501-07
Religious Assembly	1 per 4 seats
Safety Service	
Fire station	1 per 4 employees
Police station	1 per 3 employees
Ambulance service	1 per 4 employees
School	
Elementary/Junior High	2 per classroom
Senior High	2 per classroom plus 1 per 15 students
Utilities and Services	
Basic, minor	None
All other utilities and services	As determined in accordance with Section 14-501-07
COMMERCIAL	
Animal Service	3 per 1,000 square feet
Artist Work or Sales Space	3 per 1,000 square feet
Building Maintenance Service	2 per 1,000 square feet
Business Equipment Sales and Service	3 per 1,000 square feet
Business Support Service	
Day labor employment agency	As determined in accordance with Section 14-501-07
All other business support service	3 per 1,000 square feet
Communication Service	3 per 1,000 square feet
Eating and Drinking Establishments	1 per 3 seats
Entertainment and Spectator Sports	1 per 4 seats
Financial Service	4 per 1,000 square feet
Food and Beverage Retail Sales	4 per 1,000 square feet
Funeral and Interment Service	
Cemetery/columbarium/mausoleum	As determined in accordance with Section 14-501-07
Cremating	2 per 1,000 square feet
Undertaking	1 per 4 seats
Gasoline and Fuel Sales	1 per pump + required for retail area
Lodging	1 per room
Medical Service	5 per 1,000 square feet

Office	3.5 per 1,000 square feet
Personal Service	4 per 1,000 square feet
Repair or Laundry Service	3 per 1,000 square feet
Retail Sales	4 per 1,000 square feet
Sports and Recreation, Participant	
Indoor	1 per 4 seats
Outdoor	As determined in accordance with Section 14-501-07
Vehicle Sales and Service	
Car wash/cleaning service	2 per service bay
Heavy equipment sales/rental	1 per 1,000 square feet of office and display area
Light equipment sales/rental (indoor)	1 per 1,000 square feet of office and display area
Light equipment sales/rental (outdoor)	1 per 1,000 square feet of office and display area
Motor vehicle repair, limited	2 per service bay
Motor vehicle repair, general	2 per service bay
Vehicle storage/towing	1 per employee
INDUSTRIAL	
Manufacturing, Production and Industrial Service	2 per 1,000 square feet
Recycling Service	As determined in accordance with Section 14-501-07
Residential Storage Warehouse	3, plus 1 per 50 storage spaces
Warehousing, Wholesaling, Freight Movement	1 per 1,000 square feet
OTHER	
Agriculture, Crop	None
Wireless Communication Facility	None

(Ord. No. 18210; Ord. No. 18618)

14-501-05.A Visitor Parking

The provisions of this article shall apply to all residential uses identified in the table in 14-501-05 Parking Ratios. A visitor parking ratio of 0.4 vehicles per dwelling unit, shall be added to the minimum vehicle parking spaces calculated from the table in Section 14-501-05 Parking ratios to determine the total number of vehicle spaces. All vehicle parking shall not encroach onto public Right-of Way and shall comply with the Landscaping Bufferyards and Screening of Section 14-503. All visitor parking designs shall comply with Section 14-501. Visitor parking shall be placed within 500 ft of units. Consideration shall be made to place visitor parking stalls near development amenities. Parking lot lighting for visitor and required vehicle spaces shall comply with Section 14-508.

SECTION 4. That Section 14-501-10-B, Setbacks and Parking Surfaces, of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-501-10-B.Setbacks and Parking Surfaces.

1. **Residential Districts.** The following standards apply in all R districts:
 - (a) Parking spaces and maneuvering aisles are prohibited in required exterior setbacks, except as otherwise expressly stated. Access driveways may traverse required exterior setbacks.
 - (b) Parking spaces for detached houses, zero lot line houses, attached houses, and two-unit houses may be located on an approved driveway and adjoining asphalt/concrete pads, or other designated, approved parking areas. Parking on other than asphalt, concrete, paver stones, brick,

or other hard durable surface, as determined by the Community Development Director, is expressly prohibited. Paver stones, bricks, and related materials must be designed and manufactured to withstand the weight of a motor vehicle. Driveways composed of gravel or other aggregate that lawfully existed before July 20, 2004 may continue to be used for off-street parking areas but may not be expanded or enlarged. In order to retain the use of these nonconforming gravel parking and drive areas, the areas must be maintained at all times and kept free from grass, dirt, and other debris.

- (c) No more than 40 percent of the front yard area in an R district may be paved or used for vehicle use. On corner lots, not more than 20 percent of the exterior side yard area may be paved or used for vehicle use.
 - (d) In R-A districts, on lots of five acres or more, aggregate may be used for driveways provided that the driveway approaches are constructed with the approval of the ~~Public Works~~ **Municipal Services** Department, and an asphalt/concrete parking pad for at least two vehicles is provided adjacent to the residential structure.
2. **Commercial and Industrial Districts.** In O, C, BP/PUD and I districts, parking is prohibited in required setback areas and in required landscape areas. All parking and storage of vehicles must be on a paved, all-weather surface.

(Ord. No. 17782; Ord. No. 17942; Ord. No. 17988; Ord. No. 18395; Ord. No. 19207, § 4, 4-19-2021)

SECTION 5. That Section 14-501-12-A, Public Works, of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-501-12-A. ~~Public Works~~ Design and Construction Manual. Off-street parking areas must comply with construction specifications in the ~~Public Works~~ **Design and Construction** Manual.

- 1. **New parking areas shall comply with the stormwater drainage requirements of the Kansas City Metropolitan Chapter of APWA Division V Section 5600 Storm Drainage System Facilities February 16, 2011.**
- 2. **Parking areas undergoing redevelopment, expansion, renovation, repairs, or maintenance shall comply with the Kansas City Metropolitan Chapter of APWA Division V Section 5601.3 Storm Drainage System Facilities February 16, 2011.**
- 3. **Parking lots shall be constructed so that parked vehicles shall not project over public right-of-way.**
- 4. **Surface shall be constructed of either a minimum two inch asphaltic concrete or four inch portland cement concrete.**

SECTION 6. That Section 14-501-13-G, Authorized Alternatives, of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-501-13-G. Authorized Alternatives. The Community Development Director is authorized to approve alternative compliance parking plans for the following:

- 1. Shared parking (See Section 14-501-13-H);
- 2. Off-site parking (See Section 14-501-13-I);
- 3. Special facilities for cyclists (See Section 14-501-13-J);

4. Valet parking (See Section 14-501-13-K);
5. Transportation demand management programs (See Section 14-501-13-L);
6. Transit accessibility (See Section 14-501-13-M); **and**
7. Pervious parking surfaces (See Section 14-501-13-N); **and**
- 8. Parking Ratios (See Section 14-501-05).**
89. A combination of the above listed alternatives or other alternatives authorized by the Community Development Director.

SECTION 7. That Section 14-501-14-B, Design and Location, of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-501-14-B. Design and Location

1. ~~Public Works~~ **Design and Construction Manual.** Loading and maneuvering areas must comply with construction specifications in the ~~Public Works~~ **Design and Construction Manual.**
2. **Plans.** Plans for location, design and layout of all loading spaces shall be indicated on required site plans.
3. **Space Size.** Off-street loading spaces, excluding maneuvering areas, must be at least ten feet wide and 25 feet long unless off-street loading will involve the use of semi-tractor trailer combinations or other vehicles in excess of 25 feet in length, in which case the minimum size of a space shall be 12 feet by 50 feet, with a minimum vertical clearance of 15 feet.
4. **Access.** Maneuvering spaces must be provided and designed so that there will be no backing onto a public street.

SECTION 8. That Section 14-505-09, Multi-unit houses, of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-505-09 Multi-unit houses

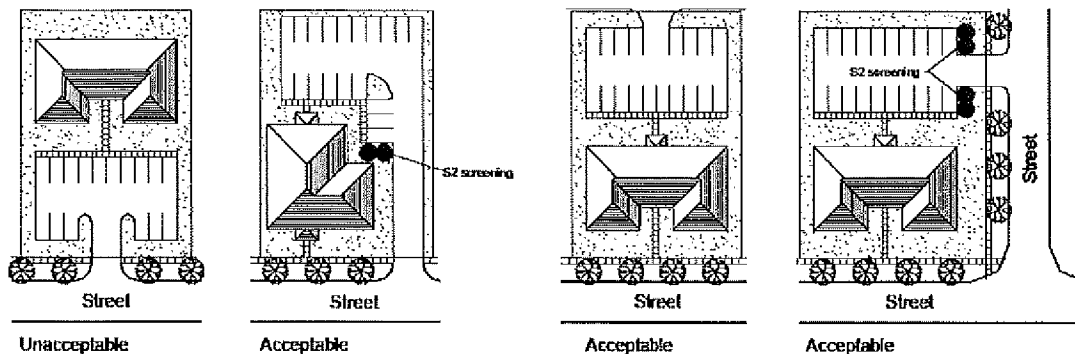
14-505-09-A. General. Multi-unit houses are subject to the standards of Section 14-300-05-A (Table 300-2) and 14-505-04, except as expressly modified or supplemented by the following standards.

14-505-09-B. Entrances. Patio-style doors, such as sliding glass doors, may not be used for main entrance doors.

14-505-09-C. Pedestrian Circulation. A pedestrian circulation system must be provided that connects residential entrances to adjacent public rights-of-way and to parking areas and other on-site facilities.

14-505-09-D. Parking Location/Orientation. Surface parking and parking within accessory structures must be located behind principal building or otherwise concealed from view of abutting streets. Parking areas may not be located directly between the principal building and the street or within any required interior side setback area. Any portion of a parking area that is not completely concealed from view of an abutting street must be screened in accordance with Section 14-503.

Figure 500-18



14-505-09-E. Site Plan Review. Site plan review, pursuant to Article 14-705, is required for all multi-unit houses containing more than four dwelling units.

14-505-09-E. Exterior appearance. All exterior sides of multi-unit house buildings shall be designed with the consideration that they will be visible from surrounding residences. Building materials, window size and placement, and general façade composition shall be compatible on all four sides of the structure.

14-505-09-F. Density. In the O-1 and C-1 districts, the density shall comply with the maximum density allowed in the R-18/PUD District. In O-2, C-2 and C-3 districts, the density shall comply with the maximum density allowed in the R-30/PUD District.

14-505-09-G. Open Space. On-site outdoor space shall be a minimum of 10 percent of the site. The purpose is to assure that multi-unit housing development includes adequate outdoor space for residents and guests. Adequate outdoor space includes a mix of:

1. Usable green spaces for unstructured recreation, playgrounds, outdoor swimming pools, and athletic courts; and
2. Common gathering spaces such as plazas and courtyards. A significant portion of the outdoor space shall be consolidated in a centralized portion of the development. This requirement applies to all zone districts where multifamily is permitted.
3. The required outdoor space may not include areas intended for vehicular use. Landscape buffers and other required landscape features do not count toward the outdoor space requirements unless they are designed as usable green space or common gathering space or are adjacent to and within 25 feet of such space. Internal sidewalks and trails intended for use by all residents and guests may contribute to the requirement when adjacent to eight feet of landscape area and include amenities such as benches or similar features. Detention ponds may only count toward the requirement for the portions designed to include usable green space and common gathering space. Balconies and rooftop "outdoor spaces" that is not part of an individual dwelling unit may count toward the requirement. Dog parks may count for up to 40 percent of the requirement.
4. Outdoor Space Credit. Multi-unit housing properties located within 330 feet of a public park may reduce the outdoor space requirement by half. To receive this credit, a direct pedestrian route to the park is required, which may not cross an arterial street.

SECTION 9. That Section 14-505-10, Multiplex and apartment/condo buildings, of Chapter 14, Unified Development Ordinance, is hereby amended to read as follows:

14-505-10 Multiplex and apartment/condo buildings

14-505-10-A. General. Multiplex and apartment/condo buildings are subject to the standards of Section 14-300-05-A (Table 300-2) ~~and 14-505-04~~, except as modified or supplemented by the standards of this article.

14-505-10-B. Entrances. Patio-style doors, such as sliding glass doors, may not be used for main entrance doors.

14-505-10-C. Pedestrian Circulation. A pedestrian circulation system must be provided that connects residential entrances to adjacent public rights-of-way and to parking areas and other on-site facilities.

14-505-10-D. Parking Location/Orientation. Surface parking and parking within accessory structures must be located behind principal building or otherwise concealed from view of abutting streets. Parking areas may not be located directly between the principal building and the street or within any required interior side setback area. Any portion of a parking area that is not completely concealed from view of an abutting street must be screened in accordance with Section 14-503.

~~**14-505-10-E. Site Plan Review.** Site plan review, pursuant to Article 14-705, is required for all multiplex and apartment/condo buildings containing more than four dwelling units.~~

14-505-10-E. Facade Materials and Building Requirements. The following building materials shall be used for all multiplex and apartment/condo buildings located within the city:

1. Masonry. Brick, stone, concrete masonry units (CMU's) with split-face, fluted, scored or other rough texture finish. (Specifically excluding smooth finish CMU or concrete brick i.e. "Cherokee block", with the color and texture of clay brick.). Masonry shall be utilized exclusively on the ground level with a minimum of 35% utilized on the entire building.
2. Concrete. Precast, exposed aggregate, cast in place, or tilt up panels provided a rough texture is present or to be added.
3. Stucco. Including E.I.F.S., Dryvit, but excluding pre-manufactured panels. EFIS (Exterior Finish Insulation Systems) may be permitted on exterior building walls that are more than eight feet above the adjacent ground or paved surface. EFIS may not be used on more than 35 percent of any building wall. All EIFS must be of a moisture drainage type and also incorporates an air and water-resistive barrier.
4. Structural clay tile. Excluding glazed surface finish.
5. Glass. Glass curtain walls, glass block, excluding mirror glass which reflects more than 40 percent of incident visible light.
6. Metal. Used only in an incidental role i.e., trim, architectural features, standing seam metal roofing or other architectural metal siding or roofing as approved by the Planning Commission and/or City Council as part of the development plan.
7. Roofing materials. As approved per development plan.

14-505-10-F. Building Design. The following standards apply to all building facades and exterior walls. A building's walls shall have horizontal and vertical architectural interest and variety to avoid the effect of a single, blank, long or massive wall with no relations to human scale.

1. Four-sided architecture. All sides of a building shall include similar architectural details materials and colors to avoid a back side or at least to minimize a back side presentation to other buildings or residential neighborhoods.
2. Offsets.

- (a) Horizontal breaks shall be provided on all sides of buildings to provide architectural relief and may include bands of accent color, brick course variances in color or placement, i.e., soldier course bricks for bands of different texture, windows, cornices, wall protrusions, horizontal belt courses, etc.
 - (b) Vertical breaks shall be provided on all sides of buildings to provide architectural relief as in Subsection A, above.
- 3. Color. Colors of all exteriors including walls, trim, accents, roofs, mechanical equipment, etc., shall be indicated on the preliminary and final development plans and, when required, shall be approved by the Planning Commission and/or by the City Council following recommendation by the Planning Commission.
- 4. Roof mounted equipment. All rooftop units shall be screened from view with a parapet or an architectural treatment compatible with the building architecture equal to the height of the unit (as measured from the roof surface). Screening shall not include painted mechanical units or pre-finished mechanical units. For mechanical units not adequately screened by the parapet, supplementary screening shall be provided by the use of pre-finished architectural metal panels, stucco panels, masonry walls, or other similar building materials. The screens shall incorporate similar detailing, features, and colors used in the building.
- 5. Ground mounted equipment. Ground mounted equipment shall be totally screened from view by landscaping or masonry wall up to a height of the units to be screened.
- 6. Outside Stairways. Multifamily dwelling structures with outside staircases leading to units on floors above the ground floor are prohibited.
- 7. Roofs.
 - (a) Flat roofs. Buildings using flat roofs with a pitch of two inches vertical to 12 inches horizontal or less shall incorporate detailed parapets or exaggerated cornice lines to provide architectural relief.
 - (b) Roof penetrations. All roof penetrations shall be placed in architecturally designed appurtenances. Small vent pipes may be painted to blend in with a roof to disguise their presence. Roof penetrations shall be shown on the preliminary and final plans to the extent possible.
- 8. Building Entrance. Each building must have a clearly defined, highly visible entrance featuring at least three of the following permanent elements:
 - (a) Canopies;
 - (b) Porticos;
 - (c) Overhangs;
 - (d) Recesses/projections;
 - (e) Arcades;
 - (f) Raised corniced parapets over the door;
 - (g) Peaked roof forms;
 - (h) Arches;
 - (i) Outdoor patios;
 - (j) Display windows;

(k) Architectural details such as tile work and moldings that are integrated into the building structure and design; or

(l) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

14-505-10-G. Density. In the O-1 and C-1 districts, the density shall comply with the maximum density allowed in the R-18/PUD District. In O-2, C-2 and C-3 districts, the density shall comply with the maximum density allowed in the R-30/PUD District.

14-505-10-H. Open Space. On-site outdoor space shall be a minimum of 10 percent of the site. The purpose is to assure that multifamily development includes adequate outdoor space for residents and guests. Adequate outdoor space includes a mix of:

1. Usable green spaces for unstructured recreation, playgrounds, outdoor swimming pools, and athletic courts; and
2. Common gathering spaces such as plazas and courtyards. A significant portion of the outdoor space shall be consolidated in a centralized portion of the development. This requirement applies to all zone districts where multifamily is permitted.
3. The required outdoor space may not include areas intended for vehicular use. Landscape buffers and other required landscape features do not count toward the outdoor space requirements unless they are designed as usable green space or common gathering space or are adjacent to and within 25 feet of such space. Internal sidewalks and trails intended for use by all residents and guests may contribute to the requirement when adjacent to eight feet of landscape area and include amenities such as benches or similar features. Detention ponds may only count toward the requirement for the portions designed to include usable green space and common gathering space. Balconies and rooftop "outdoor spaces" that is not part of an individual dwelling unit may count toward the requirement. Dog parks may count for up to 40 percent of the requirement.
4. Outdoor Space Credit. Multifamily properties located within 330 feet of a public park may reduce the outdoor space requirement by half. To receive this credit, a direct pedestrian route to the park is required, which may not cross an arterial street.

SECTION 10. That Section 14-505-12, Mixed use residential, of Chapter 14, Unified Development Ordinance, is hereby added to read as follows:

14-505-12 Mixed use residential

14-505-12-A. General. Mixed use residential is subject to the standards of Section 14-301-04 (Table 301-2) through 14-301-06, except as expressly modified or supplemented by the following standards.

14-505-12-B. Ground Floor Use. Commercial and other nonresidential uses allowed in the subject zoning districts must occupy at least 100% of the building's ground floor area.

14-505-12-C. Density. In the O-1 and C-1 districts, the density shall comply with the maximum density allowed in the R-18/PUD District. In O-2, C-2 and C-3 districts, the density shall comply with the maximum density allowed in the R-30/PUD District.

14-505-12-D. New Construction. The following requirements shall be applied to all new construction mixed use residential buildings located with the City.

1. Facade Materials and Building Requirements. The following building materials shall be used for all mixed-use residential buildings located within the city:

- (a). Masonry. Brick, stone, concrete masonry units (CMU's) with split-face, fluted, scored or other rough texture finish. (Specifically excluding smooth finish CMU or concrete brick i.e. "Cherokee

block", with the color and texture of clay brick.). Masonry shall be utilized exclusively on the ground level with a minimum of 35% utilized on the entire building.

- (b). Concrete. Precast, exposed aggregate, cast in place, or tilt up panels provided a rough texture is present or to be added.
- (c). Stucco. Including E.I.F.S., Dryvit, but excluding pre-manufactured panels. EFIS (Exterior Finish Insulation Systems) may be permitted on exterior building walls that are more than eight feet above the adjacent ground or paved surface. EFIS may not be used on more than 35 percent of any building wall. All EIFS must be of a moisture drainage type and also incorporates an air and water-resistive barrier.
- (d). Structural clay tile. Excluding glazed surface finish.
- (e). Glass. Glass curtain walls, glass block, excluding mirror glass which reflects more than 40 percent of incident visible light.
- (f). Metal. Used only in an incidental role i.e., trim, architectural features, standing seam metal roofing or other architectural metal siding or roofing as approved by the Planning Commission and/or City Council as part of the development plan.
- (g). Roofing materials. As approved per development plan.

2. Building Design. The following standards apply to all building facades and exterior walls. A building's walls shall have horizontal and vertical architectural interest and variety to avoid the effect of a single, blank, long or massive wall with no relations to human scale.

- (a). Four-sided architecture. All sides of a building shall include similar architectural details materials and colors to avoid a back side or at least to minimize a back side presentation to other buildings or residential neighborhoods.
- (b). Offsets.
 - (i) Horizontal breaks shall be provided on all sides of buildings to provide architectural relief and may include bands of accent color, brick course variances in color or placement, i.e., soldier course bricks for bands of different texture, windows, cornices, wall protrusions, horizontal belt courses, etc.
 - (ii) Vertical breaks shall be provided on all sides of buildings to provide architectural relief as in Subsection A. above.
- (c). Color. Colors of all exteriors including walls, trim, accents, roofs, mechanical equipment, etc., shall be indicated on the preliminary and final development plans and, when required, shall be approved by the Planning Commission and/or by the City Council following recommendation by the Planning Commission.
- (d). Roof mounted equipment. All rooftop units shall be screened from view with a parapet or an architectural treatment compatible with the building architecture equal to the height of the unit (as measured from the roof surface). Screening shall not include painted mechanical units or pre-finished mechanical units. For mechanical units not adequately screened by the parapet, supplementary screening shall be provided by the use of pre-finished architectural metal panels, stucco panels, masonry walls, or other similar building materials. The screens shall incorporate similar detailing, features, and colors used in the building.
- (e). Ground mounted equipment. Ground mounted equipment shall be totally screened from view by landscaping or masonry wall up to a height of the units to be screened.
- (f). Outside Stairways. Mixed use residential structures with outside staircases leading to units on floors above the ground floor are prohibited.

(g). Roofs.

- (i) Flat roofs. Buildings using flat roofs with a pitch of two inches vertical to 12 inches horizontal or less shall incorporate detailed parapets or exaggerated cornice lines to provide architectural relief.
- (ii) Roof penetrations. All roof penetrations shall be placed in architecturally designed appurtenances. Small vent pipes may be painted to blend in with a roof to disguise their presence. Roof penetrations shall be shown on the preliminary and final plans to the extent possible.

(h). Building Entrance. Each building must have a clearly defined, highly visible entrance featuring the following:

- (i) Buildings must have a primary, working entrance door facing the primary street. Angled entrances at building corners may be used to satisfy this requirement.
- (ii) Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas or courtyard entrances to a cluster of shops or businesses.

3. Open Space. On-site outdoor space shall be a minimum of 10 percent of the site. The purpose is to assure that mixed use development includes adequate outdoor space for residents and guests. Adequate outdoor space includes a mix of:

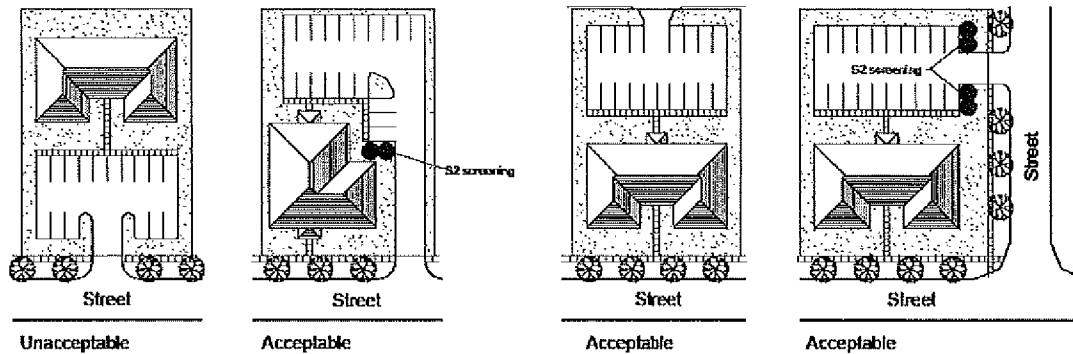
- (a). Usable green spaces for unstructured recreation, playgrounds, outdoor swimming pools, and athletic courts; and
- (b). Common gathering spaces such as plazas and courtyards. A significant portion of the outdoor space shall be consolidated in a centralized portion of the development. This requirement applies to all zone districts where multifamily is permitted.
- (c). The required outdoor space may not include areas intended for vehicular use. Landscape buffers and other required landscape features do not count toward the outdoor space requirements unless they are designed as usable green space or common gathering space or are adjacent to and within 25 feet of such space. Internal sidewalks and trails intended for use by all residents and guests may contribute to the requirement when adjacent to eight feet of landscape area and include amenities such as benches or similar features. Detention ponds may only count toward the requirement for the portions designed to include usable green space and common gathering space. Balconies and rooftop "outdoor spaces" that is not part of an individual dwelling unit may count toward the requirement. Dog parks may count for up to 40 percent of the requirement.
- (d). Outdoor Space Credit. Mixed use residential properties located within 330 feet of a public park may reduce the outdoor space requirement by half. To receive this credit, a direct pedestrian route to the park is required, which may not cross an arterial street.

4. Ground Floor Transparency. Each building shall have ground floor transparency featuring the following:

- (a). At least 50 percent of the street-facing building facade between four feet and ten feet above the sidewalk must be comprised of clear, non-reflective windows that allow views of indoor commercial space or product display areas. On corner lots, this 50 percent transparency requirement applies only along the front of the building; the minimum transparency requirement on the exterior side of the building is 30 percent.
- (b). Display windows that do not provide views into the interior of the building may be counted towards satisfying up to 50 percent of the minimum transparency requirements, provided that they internally illuminated and are at least two feet in depth.

5. **Building Placement.** In lieu of complying with the exterior setback standards of Section 14-301-04-A (Table 301-2), each mixed-use residential building shall be located not less than 5 feet and no more than 15 feet from the street right-of-way line.
6. **Parking Location/Orientation.** Surface parking and parking within accessory structures must be located behind principal building or otherwise concealed from view of abutting streets. Parking areas may not be located directly between the principal building and the street or within any required interior side setback area. Any portion of a parking area that is not completely concealed from view of an abutting street must be screened in accordance with Section 14-503.

Figure 500-20



14-505-12-E. Rehabilitation of existing building. The following requirements shall be applied to all existing buildings to be rehabilitated for mixed use residential buildings.

1. **Ground Floor Transparency.** Each building shall have ground floor transparency featuring the following:
 - (a). At least 50 percent of the street-facing building facade between four feet and ten feet above the sidewalk must be comprised of clear, non-reflective windows that allow views of indoor commercial space or product display areas. On corner lots, this 50 percent transparency requirement applies only along the front of the building; the minimum transparency requirement on the exterior side of the building is 30 percent.
 - (b). Display windows that do not provide views into the interior of the building may be counted towards satisfying up to 50 percent of the minimum transparency requirements, provided that they internally illuminated and are at least two feet in depth.
2. **Building Entrance.** Each building must have a clearly defined, highly visible entrance featuring the following:
 - (a). Buildings must have a primary, working entrance door facing the primary street. Angled entrances at building corners may be used to satisfy this requirement.
 - (b). Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas or courtyard entrances to a cluster of shops or businesses.
3. **Roof mounted equipment.** All rooftop units shall be screened from view with a parapet or an architectural treatment compatible with the building architecture equal to the height of the unit (as measured from the roof surface). Screening shall not include painted mechanical units or pre-finished mechanical units. For mechanical units not adequately screened by the parapet, supplementary screening shall be provided by the use of pre-finished architectural metal panels, stucco panels, masonry walls, or other

similar building materials. The screens shall incorporate similar detailing, features, and colors used in the building.

4. Ground mounted equipment. Ground mounted equipment shall be totally screened from view by landscaping or masonry wall up to a height of the units to be screened.

SECTION 11. That all other parts and provisions of the City Code shall be in full force and effect unless previously or subsequently amended or repealed.

SECTION 12. That correction of any scrivener's' errors identified within these articles are hereby authorized by this ordinance.

PASSED THIS 20th DAY OF November, 2023, BY THE CITY COUNCIL OF THE CITY OF INDEPENDENCE, MISSOURI.



Presiding Officer of the City Council
of the City of Independence, Missouri

ATTEST:

Suzanne Holland
City Clerk

APPROVED - FORM AND LEGALITY:

J.M. Ce
City Counselor

REVIEWED BY:

Zachary Walker
City Manager

NOTE: Words struck through are being removed by this ordinance and words underscored and bolded are being added by this ordinance.