

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, CHAPTER 14, OF THE INDEPENDENCE CITY CODE PERTAINING TO ADMINISTRATIVE ADJUSTMENT APPEALS.

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 virtual public hearing for the consideration of the request on July 13, 2021, and rendered a report to the City Council recommending the rezoning be approved by a vote of 5-0; and,

WHEREAS, after due public notice in the manner prescribed by law, the City Council held a public hearing on August 16th, 2021, 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 Sections 14-706-01 of Chapter 14, Unified Development Ordinance, are hereby amended to read as follows:

“14-706-01-J. Appeals. Appeals of the Community Development Director's decision on an administrative adjustment must be taken to the Board of Adjustment **with the exception of appeals on Article 5 Subsection 14-506 which must be taken to Planning Commission by filing a notice of appeal with the Community Development Director. Appeals to the Planning Commission must be filed within 15 calendar days of the Community Development Director's action. The Planning Commission shall have the right to affirm or overrule the decision of the Community Development Director. Further, an applicant may appeal a decision of the Planning Commission to the City Council if such notice of appeal is made to the Community Development Director within 15 calendar days of the Planning Commission's decision. The City Council shall have the right, by resolution, to affirm or overrule the decision of the Planning Commission.** “

SECTION 2. 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parts and provisions of the City Code shall be in full force and effect unless previously or subsequently amended or repealed.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 3. That correction of any scrivener's errors identified within these articles are hereby authorized by this ordinance.

PASSED THIS _____ DAY OF _____, 2021, BY THE CITY COUNCIL OF
THE CITY OF INDEPENDENCE, MISSOURI.

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

ATTEST:

City Clerk

APPROVED - FORM AND LEGALITY:

Acting City Counselor

REVIEWED BY:

City Manager

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