

Document No. 6993

ORDINANCE NO. 9432

AN ORDINANCE AMENDING CHAPTER 30, ARTICLE IV "APPLICATIONS, PERMITS
AND PROCEDURES" AND ARTICLE XI
"ACCESSORY USES AND STRUCTURES" OF THE
CODE OF THE CITY OF LIBERTY, CLAY COUNTY, MISSOURI

Be IT ORDAINED by the City Council of the City of Liberty, Missouri, Clay
County, Missouri as follows:

SECTION I

That Section 30-25.5, Special use permit, uses to be considered, is hereby
amended by adding new uses to be considered as follows:

(44) Renewable energy facilities for commercial use or non-conforming
accessory facilities.

SECTION II

That Section 30-27.5 is hereby deleted and a new Section 30-27.5 is hereby
added as follows:

Section 30-27.5. Final development plan, applicability.

A final development plan shall be required for the following:

- (1) New parking lot or parking lot expansions;
- (2) Special use permit involving new construction or expansion;
- (3) Wireless communication facilities;
- (4) New construction or expansion of mixed use, commercial and industrial
properties;
- (5) New construction or expansion of multi-family development and attached
single-family dwelling units with more than two (2) units; and
- (6) Wind turbines in all districts.

SECTION III

That Section 30-27.6.(3) is hereby deleted and a new Section 30-27.6.(3) is
hereby added as follows:

(3) Final development plan—Minor. Any application meeting one or more of the following criteria:

- a. Parking lots comprised of fifty (50) stalls or less; and
- b. For commercial, industrial and mixed use development, new construction or additions less than or equal to one thousand (1,000) square feet; and
- c. Wind turbines as non-commercial accessory structures.

SECTION IV

That Section 30-81.1, Accessory structures, in all districts, is hereby amended by adding a new item as follows:

Section 30-81.1. Accessory structures, in all districts.

(3) All accessory renewable energy structures shall require a building permit for installation and be subject to the following provisions:

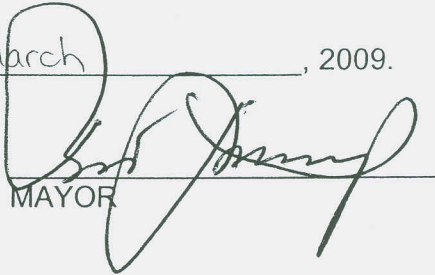
- a. Renewable energy facilities shall be no higher than current zoning height restrictions for the district. Ground mounted solar collectors that do not exceed eight (8) feet in total height are permitted within the rear yard provided they are not visible from any public street.
- b. Roof-mounted solar collectors shall not extend above the peak of the roof on which they are mounted.
- c. Roof mounted solar collectors which are visible from any public street shall be flush mounted.
- d. Roof-mounted solar collector components servicing the collector panel shall be concealed and all exposed metal shall be finished with similar colors to the structure on which it is mounted.
- e. Wind turbines shall be set back a distance greater than or equal to the overall blade tip height of the wind turbine from any property line.
- f. A neutral, non-reflective exterior color designed to blend with the surrounding environment shall be required for all renewable energy facilities.
- g. Wind turbines shall be lighted only if required by the Federal Aviation Administration. Lighting of other parts of a renewable energy facility, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties.
- h. No signage or advertising shall be allowed on the facilities.

- i. Utility connections shall be located underground.
- j. All appurtenant structures to solar and wind facilities shall be subject to reasonable regulations and shaded from view by vegetation and/or located in an underground vault and joined or clustered to avoid adverse visual impacts.
- k. The renewable energy facility must be dismantled and removed within 12 months after operations have ceased.
- l. For all sites located within a historic district zoning, an application for a certificate of appropriateness shall have been obtained.
- m. All accessory renewable energy structures which exceed current height or setback requirements for the zoning district and all commercial solar or wind farms shall be processed as a special use application under section 30.25.5 (44) Renewable energy facilities for commercial use or non-conforming accessory facilities.
- n. The principal use of the accessory renewable energy structure shall be the powering of the primary structure. Incidental selling of power back to the electric grid from an accessory structure shall not constitute a commercial use.

SECTION V

That this Ordinance shall be in full force and effect from and after the date of its passage and approval by the Mayor.

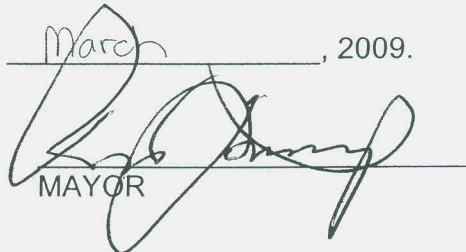
PASSED by Council this 23 day of March, 2009.


MAYOR

ATTEST:


DEPUTY CITY CLERK

Approved by the Mayor this 23 day of March, 2009.


MAYOR