

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, OCTOBER 3, 2017** IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, ERIC BOWIE (arrived at 7:15 p.m.), KELLY FIZER, JOSEPH SARSFIELD, MELODIE ARMSTRONG, DON MEUSCHKE, AND MAYOR KRIS TURNBOW. ABSENT WAS LEO ANDERSON AND CHARLES CRAIN. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, ASSOCIATE PLANNER DAVID GRESS, AND CITY ATTORNEY GEORGE KAPKE.

1. **Call to Order** – Chairman Faulkner called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance**
3. **Roll Call** – Roll was taken and Chairman Faulkner declared a quorum present to conduct business.
4. **Personal Appearances** – None
5. **Consent Agenda**
  - a. **Acceptance of minutes of September 19, 2017 meeting.**

**Motion by Mayor Turnbow, Seconded by Commissioner Sarsfield to approve the consent agenda.**

**Vote on Motion:**

|                        |        |
|------------------------|--------|
| Chairman Faulkner      | Aye    |
| Commissioner Anderson  | Absent |
| Commissioner Armstrong | Aye    |
| Commissioner Bowie     | Absent |
| Commissioner Crain     | Absent |
| Commissioner Fizer     | Aye    |
| Commissioner Meuschke  | Aye    |
| Commissioner Sarsfield | Aye    |
| Mayor Turnbow          | Aye    |

**Motion passed 6-0-0.**

6. **Old Business - None**
7. **New Business -**

**A. Case #17028 - Cunningham at Creekmoor Pool Site Plan**

Steve Warger, representing Cooper Land Development, presented the site plan for the pool facility at Cunningham at Creekmoor. Mr. Warger stated the pool is on Grandshire and would be the pool for the east side of the Creekmoor Development. We have addressed all staff comments and will work with staff to resolve the screening requirement on the site.

Associate Planner David Gress presented the staff report. Mr. Gress indicated the site plan is compliant with the applicable requirements of the Unified Development Code. Public utilities have been provided to the site. There is no specific requirement for parking at the site but 23 spaces have been provided. Screening for adjacent properties will be provided.

Chairman Faulkner asked for clarification on the street names utilized on the site plan drawings.

Mr. Gress indicated that the correct street name adjacent to the site is Grandshire.

Commissioner Bowie arrived at 7:15 p.m.

Chairman Faulkner asked about the offset of the parking entrance drive to the pool and Turnberry Lane.

Mr. Warger stated the pool is only open for 3 months of the year and would have minimal vehicular traffic as it serves the immediate neighborhood. The offset is minimal and there is not enough traffic there to create a concern.

Commissioner Bowie asked why there were 23 spaces in the lot.

Mr. Warger indicated that the 23 spaces fit well on the site. There are no minimum requirements. There will be on-street parking available as well. A lot of users of the pool will walk to the site. Larger pool parties would be held at the main subdivision pool at the clubhouse.

Mr. Gress stated Public Works Director Mike Krass reviewed the site plan, noted the offset, but did not have any concerns with the offset.

Mayor Turnbow asked about the pavilion that is provided and if parking is sufficient to not only the pool but a party at the pavilion.

Mr. Warger stated the intent of the pavilion is for shade for pool visitors. This will not be the primary site for larger parties so parking should not be an issue.

**Motion by Mayor Turnbow, Seconded by Commissioner Meuschke, to accept the staff proposed findings of fact and approve Case #17028, Cunningham at Creekmoor Pool Site Plan, subject to the conditions as outlined in the staff report.**

**Vote on Motion:**

|                        |        |
|------------------------|--------|
| Chairman Faulkner      | Aye    |
| Commissioner Anderson  | Absent |
| Commissioner Armstrong | Aye    |
| Commissioner Bowie     | Aye    |
| Commissioner Crain     | Absent |
| Commissioner Fizer     | Aye    |
| Commissioner Meuschke  | Aye    |
| Commissioner Sarsfield | Aye    |
| Mayor Turnbow          | Aye    |

**Motion passed 7-0-0.**

**b. Discussion Item - UDC amendments - Solar Energy; Accessory Dwelling Units; Animals on Residential Lots**

Community Development Director Jim Cadoret stated that the Commission completed the annual review of the Unified Development Code in June and at that time there were three items the Commission requested staff complete additional research on.

The first of those items concerned the keeping of animals on residential lots. Staff proposed a simple clarification of code in June. Staff was not proposing to allow the keeping of animals, and specifically chickens, on all residential lots. Staff proposed allowing chickens and fowl in the R-1 district on lots of at least three acres in size.

Commissioner Bowie asked for clarification on the proposal from staff. He asked if the minimum lot size would be three acres, with a limit of animals per acre.

Mr. Cadoret stated yes, there is a limit of number of animals per acre.

Mayor Turnbow asked what the growing interest is in the community for allowing this.

Mr. Cadoret stated this proposal only allows the keeping of chickens on 3 acre lots, not on all residential lots. There are a number of R-1 lots of over 3 acres and thought it would be fair to allow the keeping of chickens on these lots. Staff does not support the keeping of chickens of lots smaller than 3 acres.

Chairman Faulkner expressed interest in keeping the code language simple.

Commissioner Sarsfield spoke in favor of the keeping of chickens on smaller residential lots. He stated there could be a limit on the number of animals kept. He stated chickens are smaller than most dogs and are more quiet.

Commissioner Meuschke asked about the keeping of pot-bellied pigs, miniature horses, or similar animals.

Mr. Cadoret stated there are exceptions allowed under the animal control code.

Mr. Faulkner remembered that residents have previously approached the City on the keeping of chickens on smaller lots.

Commissioner Armstrong commented that codes she has looked at has addressed standards of care for keeping of smaller animals.

Mr. Cadoret stated current code does not, but if the City is to allow chickens on smaller lots than there should be minimum standards provided.

Commissioner Armstrong stated if the City is to allow chickens on smaller lots that the care standards should be presented as well. She asked what concerns staff has on allowing chickens on smaller lots.

Mr. Cadoret stated the principal concern is on what most residents would expect to be allowed on small lots in urban subdivisions. Most individuals would not think a neighbor could keep 4 chickens on a small subdivision lot. There are concerns on the impacts on surrounding residents, such as attraction of predators and sanitary conditions of the property. Additional concern is on what happens after the hen is no longer able to lay eggs. There are numerous studies that have stated the effects that chickens have when kept on residential properties.

Commissioner Bowie asked why the 3 acre limit on R-1 properties.

Mr. Cadoret stated that chickens are allowed in RE zoned areas, which is a 3 acre minimum lot size. For consistency staff wanted to allow chickens on R-1 zoned lots of at least 3 acres.

Commissioner Meuschke stated when he moved into Raymore he was looking for an HOA and subdivision rules. He agrees with staff and stated that when he move into a subdivision he did not expect that his neighbors could have chickens. If I wanted chickens, or my neighbor to have chickens, then I would have stayed in the country.

Commissioner Sarsfield stated he thought only a few homeowners would want to keep chickens so he did not think it would be prevalent throughout the City.

Chairman Faulkner asked for a show of hands on three separate questions. First, if you want to leave Code alone and not change it all. No Commissioners raised their hand.

Second, if you want to add R-1 greater than 3 acres to the list of where chickens can be allowed. 5 Commissioners raised their hands.

Third, if you want to allow chickens on smaller acreage properties. 2 Commissioners raised their hands.

Chairman Faulkner indicated there is support to add R-1 of at least 3 acres but there is not support to go beyond that.

Mr. Gress presented information on allowing accessory dwelling units. There would be three code sections modified in the UDC to provide alternative housing options in Raymore, specifically accessory dwelling units on residential zoned lots. We would define attached and detached accessory dwelling units; would modify the use table by allowing the units in defined residential districts; and establish design guidelines for the units.

Commissioner Bowie asked about the requirement that the property owner be an occupant on the property.

Mr. Gress stated this would prevent the entire property from being a rental property. The idea is that the accessory dwelling unit is provided as a residence for a family member needing some level of care.

Commissioner Sarsfield expressed concern on the potential height of an accessory dwelling unit.

Mr. Gress stated the code as proposed would limit the height of the unit to the height of the existing home on the lot.

Mayor Turnbow asked the impact of restrictive covenants on the permitting process.

Mr. Cadoret stated that staff does not administer or enforce restrictive covenants.

Chairman Faulkner asked for a show of hands if there is support to proceed with an amendment. Five commissioners expressed support to proceed with an amendment. Commissioner Armstrong stated she did not see the need for the code and thought the proposal was overly restrictive. Commissioner Sarsfield stated there were unanswered questions on the specifics of the code.

Mr. Gress presented information on amending language in the UDC regarding solar energy systems. Staff specifically looked at the requirements for roof mounted systems. The proposal would allow solar energy systems on any roof of the home.

Chairman Faulkner asked about the impacts on commercial properties and screening requirements.

Mr. Gress stated there are requirements to screen the ancillary components of the solar energy systems.

Chairman Faulkner asked for a show of hands on whether to proceed with an ordinance to amend the current requirements. All seven commissioners expressed support to proceed. Screening of units on commercial buildings will not be a requirement.

**8. City Council Report**

Mr. Kapke gave the City Council report.

**9. Staff Report**

Mr. Cadoret provided an overview of the upcoming cases to be considered by the Commission.

**10. Public Comment**

None

**11. Commission Member Comment**

Mayor Turnbow thanked Mr. Sarsfield for his service on the Planning and Zoning Commission.

Commissioner Sarsfield thanked the Commission for allowing him to serve.

Commissioner Fizer commented on the Arts Commission Paint and Sip event. She thanked Commissioner Sarsfield for his service to the Commission.

Commissioner Armstrong thanked staff for its work and thanked Commissioner Sarsfield.

Commissioner Meuschke stated he liked the new City logo.

Commissioner Bowie thanked Commissioner Sarsfield for his work on the Commission.

Chairman Faulkner thanked staff and Mr. Kapke for their work.

**12. Adjournment**

**Motion by Mayor Turnbow, Seconded by Commissioner Meuschke to adjourn the October 3, 2017 Planning and Zoning Commission meeting.**

**Vote on Motion:**

|                        |        |
|------------------------|--------|
| Chairman Faulkner      | Aye    |
| Commissioner Anderson  | Absent |
| Commissioner Armstrong | Aye    |
| Commissioner Bowie     | Aye    |
| Commissioner Crain     | Absent |
| Commissioner Fizer     | Aye    |
| Commissioner Meuschke  | Aye    |
| Commissioner Sarsfield | Aye    |
| Mayor Turnbow          | Aye    |

**Motion passed 7-0-0.**

The October 3, 2017 meeting adjourned at 9:04 p.m.

Respectfully submitted,

Jim Cadoret