

THE **PLANNING AND ZONING COMMISSION** OF THE CITY OF RAYMORE, MISSOURI, MET IN REGULAR SESSION **TUESDAY, MARCH 6, 2018**, IN THE COUNCIL CHAMBERS OF CITY HALL, 100 MUNICIPAL CIRCLE, RAYMORE, MISSOURI WITH THE FOLLOWING COMMISSION MEMBERS PRESENT: CHAIRMAN WILLIAM FAULKNER, KELLY FIZER, DON MEUSCHKE, MELODIE ARMSTRONG, CHARLES CRAIN, MATTHEW WIGGINS, MARIO URQUILLA AND ERIC BOWIE. ABSENT WAS MAYOR KRIS TURNBOW. ALSO PRESENT WERE COMMUNITY DEVELOPMENT DIRECTOR JIM CADORET, ASSOCIATE PLANNER DAVID GRESS, CITY ATTORNEY JONATHAN ZERR, AND ASSISTANT PUBLIC WORKS DIRECTOR GREG ROKUS.

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 February 6, 2018 meeting.**

Motion by Commissioner Fizer, Seconded by Commissioner Bowie to approve the consent agenda.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Abstain
Commissioner Armstrong	Aye
Commissioner Bowie	Aye
Commissioner Crain	Aye
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Absent

Motion passed 7-0-1.

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

A. Case #17036 - 27th Amendment to the Unified Development Code (public hearing)

Associate Planner David Gress presented the staff report. Mr. Gress stated the request is the 27th amendment to the Unified Development Code regarding accessory dwelling units. He entered the following items into the record: Growth Management Plan; Unified Development Code; Notice of Publication; and the staff report.

Mr. Gress provided a brief history on review to date of the proposed amendment. The topic was initially part of the 26th amendment but Council removed any proposed change to accessory dwelling units and remanded the discussion to a work session. At its February 5, 2018 work session, Council remanded the topic to the Planning and Zoning Commission for further consideration.

Mr. Gress indicated that the amendment is separated into three sections. Section 1 adds definitions of Attached Accessory Dwelling Unit and Detached Accessory Dwelling Unit. Section 2 modifies the

use table that identifies that attached and detached accessory dwelling units are proposed to be allowed as a special use in all single-family residential districts. Specific use standards are identified. The third revision establishes the standards that must be met to have an accessory dwelling unit. Mr. Gress described each standard that is proposed in the amendment.

Commissioner Armstrong asked for clarification on why an accessory dwelling unit would be limited to a one bedroom structure.

Mr. Gress stated it is not limited to one bedroom, but is limited to 60% of the square footage of the existing home, or 1,000 square feet, whichever is smaller.

Commissioner Armstrong did not understand why there is a limit on the size of the unit.

Mr. Gress stated the purpose is to ensure the accessory dwelling unit is subordinate in size to the existing residential home.

Commissioner Urquilla asked that as defined an accessory dwelling unit has no direct connection to the existing home, versus an addition to a home that has a door or pass-through connecting the two units.

Mr. Gress stated that is correct. If a homeowner finishes a basement, or has an addition added to the home that allows interior passage from one unit to another, that is not considered an accessory dwelling unit. An accessory dwelling unit cannot be accessed directly from the existing structure.

Commissioner Crain commented that wider hallways, bigger kitchens, bigger areas needed for senior citizens often necessitates more than 1,000 square feet. Also a paved connection is an issue on acreage lots that have gravel driveways.

Commissioner Armstrong asked if someone has an acreage lot that could support two homes why that is an issue.

Mr. Gress commented that the proposed code does apply differently depending upon the size of the lot. On a 8,400 square foot lot with a typical home size, there is limited area available for a larger accessory dwelling unit. The proposed amendment is drafted towards adding accessory dwelling units on smaller lots.

Commissioner Meuschke asked for a definition of accessory dwelling unit. Could it be a barn?

Mr. Gress stated it is a dwelling unit that must be compliant with City Code.

City Attorney Jonathan Zerr provided the Commission with the current City Code definition of accessory building.

Commissioner Armstrong asked if she were to build a larger home on her property then could her current home could become the accessory dwelling unit.

Commissioner Urquilla commented that building a second home on an acreage property would likely fall under a different section of City Code.

Community Development Director Jim Cadoret expressed concern that the Commission is discussing a second single-family home on acreage property. Acreage property only allows one single family home, no matter the size of the property. The 27th amendment proposes to allow accessory dwelling units that are clearly subordinate to the size of the existing residential structure on the lot.

Commissioner Crain commented that if he had a 2,600 square foot home on 5 acres he would be restricted to a 1,000 square foot accessory dwelling unit under the proposed ordinance.

Mr. Cadoret commented that the Commission could modify proposed language in the 27th amendment to allow larger accessory dwelling units on acreage lots.

Chairman Faulkner commented that the proposal is not new code, but an amendment to existing code. The proposal is more permissive than current code as far as districts where the units are allowed.

Commissioner Armstrong asked why the proposal limits the size of an accessory dwelling unit if current code does not limit the size of other accessory structures.

Mr. Gress commented that there are other sections of the Unified Development Code that limit the size of accessory buildings on residential lots.

Commissioner Crain commented that the proposed ordinance is more restrictive than the current code language that allows accessory dwelling units on acreage property. He commented he does not want the proposal to take away rights the current code allows.

Mr. Gress completed his review of the staff report.

Chairman Faulkner opened the public hearing at 7:49 p.m.

No public were present.

Chairman Faulkner closed the public hearing at 7:49 p.m.

Commissioner Bowie asked for clarification on the requirement for a signed agreement from the property owner to occupy one of the units.

Mr. Gress commented that the agreement remains with the property and would be extended to future property owners.

Mr. Zerr stated there needs to be agreement with the property owner prior to establishing the accessory dwelling unit and it needs to be recorded.

Commissioner Meuschke asked if there is anything in code that would allow the City to go after a property owner that decides not to live in one of the units and rents both units on the property.

Mr. Cadoret stated the proposed code would require the property owner to live in one of the units and there are enforcement mechanisms in the code for non-compliance.

Chairman Faulkner commented there are no requirements in the draft ordinance regarding utility connections.

Mr. Cadoret stated staff intentionally left utility language out of the proposal. The property owner will have the option to connect to existing utilities if capacity and line size is adequate or could extend new utility line connections to the accessory dwelling unit.

Commissioner Armstrong asked about the paved connection as it applies to all residences.

Mr. Gress stated in the RR and smaller lot districts a paved connection is required, including the driveway.

Commissioner Armstrong asked for the rationale for the architectural standards.

Mr. Gress stated the requirements are intended to allow for compatibility of the accessory dwelling unit with the existing residential unit. Staff does not want additional attention placed on the accessory dwelling unit if the unit is not consistent with the architectural details of the existing unit.

Commissioner Urquilla commented that he agreed if the accessory dwelling unit is attached, but when its detached you often see differences in appearance of an accessory structure from the home.

Mr. Zerr suggested that the terms consistent and compatible could be replaced with harmonious. In addition, any decision made by the Director could be appealed to the Commission.

Chairman Faulkner commented that he could go for removing proposed requirement #13 on architectural compatibility.

Commissioner Meuschke commented that the proposal could affect future annexation areas since those areas are rural. I believe we need to separate rural estate lots from the smaller residential lots as part of this proposal.

Chairman Faulkner stated that he thought there could be less restrictive standards for the A and RE district.

Mr. Cadoret suggested that the Commission table the request to the March 20 Commission meeting and allow staff to incorporate the suggested changes made by the Commission.

Motion by Commissioner Urquilla, Seconded by Commissioner Bowie to table Case #17036 to the March 20, 2018 Planning and Zoning Commission meeting.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Armstrong	Aye
Commissioner Bowie	Aye
Commissioner Crain	Aye
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Absent

Motion passed 8-0-0.

8. City Council Report

Mr. Zerr gave the City Council report for the February 26 Council meeting.

9. Staff Report

Mr. Cadoret provided an overview of the upcoming cases to be considered by the Commission and on the 2018 National APA Planning Conference scheduled for April 21-24.

Public Works Assistant Director Greg Rokos provided an overview of the status of current City infrastructure projects.

10. Public Comment

None.

11. Commission Member Comment

Commissioner Meuschke asked for an update on the status of the 155th Street bridge replacement.

Mr. Rokos stated there should be final approval of design plans this week.

Chairman Faulkner welcomed Commissioner Wiggins and thanked staff for its work and support to the Commission.

12. Adjournment

Motion by Commissioner Meuschke, Seconded by Commissioner Urquilla to adjourn the March 6, 2018 Planning and Zoning Commission meeting.

Vote on Motion:

Chairman Faulkner	Aye
Commissioner Wiggins	Aye
Commissioner Armstrong	Aye
Commissioner Bowie	Aye
Commissioner Crain	Aye
Commissioner Fizer	Aye
Commissioner Meuschke	Aye
Commissioner Urquilla	Aye
Mayor Turnbow	Absent

Motion passed 8-0-0.

The March 6, 2018 meeting adjourned at 8:47 p.m.

Respectfully submitted,

Jim Cadoret