AGENDA
CITY OF BELTON
PLANNING COMMISSION
MEETING AND PUBLIC HEARINGS
MONDAY, OCTOBER 1, 2012 - 7:00 P.M.
CITY HALL ANNEX, 520 MAIN STREET

I. CALL MEETING TO ORDER

II. ROLL CALL

III. APPROVAL OF THE MINUTES OF THE AUGUST 20, 2012, AND THE SEPTEMBER 17, 2012 PLANNING COMMISSION MEETINGS

IV. PUBLIC HEARINGS

A. Consideration of a Special Use Permit to allow a preschool to operate at 302 B Street.

B. Consideration of the adoption of the 2012 International Building Codes.

C. Consideration of a text amendment to the Unified Development Code regarding the Billboard Ordinance, Section 30-9(e), for "Off-Premise Signs."

D. Consideration of a text amendment to Section 40-4(a) 1-10, of the Unified Development Code regarding "Commercial – Motor Vehicle Sales."

V. PRESENTATION

A. Training video – Ethics for Public Officials

VI. DIRECTOR'S REPORT

VII. NEXT MEETING DATE: October 15, 2012

VIII. ADJOURNMENT

MEETING MINUTES

AUGUST 20, 2012

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
August 20, 2012

CALL TO ORDER
Chairman Holly Girgin called the meeting to order at 7:00 p.m.

ATTENDANCE

Commission:	Chairman Girgin, Mayor Pro Tem Gary Lathrop, Councilman Scott Von Behren, Commissioners Sally Davila, Tim McDonough, Jeff Fletcher, Chris Christensen, and Larry Thompson.
Staff:	Jay Leipzig, Community Development Director; Jason Webb, Fire Marshal; Mark Polk, Building Inspector; Zach Matteo, Assistant City Engineer; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.
Absent:	Commissioner Mike Van Eaton

MINUTES
Commissioner Thompson moved to approve the minutes of the August 6, 2012, planning commission meeting. The motion was seconded by Councilman Von Behren. All members present voted in favor, and the motion carried.

PUBLIC HEARING – HELP Humane Special Use Permit
Mr. Leipzig reported that this Special Use Permit (SUP) application is to allow HELP Humane, a no-kill animal shelter, to operate at 17122 Bel-Ray Place. HELP is currently located at 511 Main Street.

Mr. Cooper pointed out the proposed location and identified neighboring businesses. He gave a brief history of the HELP Humane organization and provided details about the proposed business site. According to the applicant, all animals will be contained within the building, no kennels outdoors. Mr. Cooper presented reasons why an SUP is required for this type of use in a commercial district. Information about the site provided by Mr. Cooper included details about parking, access, signage, screening and fencing. He stated that staff recommended approval of the SUP with four conditions. Mr. Cooper identified the adjoining businesses.

Chairman Girgin opened the public hearing to receive input regarding the HELP Humane SUP request at 7:10 p.m. Cyndi Dill, 8007 Spring Valley Road, spoke in favor of the SUP application. She indicated HELP would like to move in order to purchase a building instead of renting, which they have been doing for the past seven years. She stated the site is a good location with better visibility from 58 Highway. There was no further input and Chairman Girgin closed the public hearing at 7:13 p.m.

Mayor Pro Tem Lathrop moved to recommend approval of the SUP application to allow a no-kill animal shelter to operate at 17122 Bel-Ray Place with four conditions: 1) No issuance of the Certificate of Occupancy for HELP Humane Society, until the site has had a final inspection by the fire marshal and building official, for compliance with applicable city codes; 2) No kennels shall be stored or used outdoors; 3) No outdoor storage of supplies and/or material unless fully screened from public view; 4) The construction of a six-foot wooden privacy fence along the west property line. Commissioner Christensen seconded the motion. When a vote was taken, the following was recorded: Ayes: 8 – Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Von Behren, Commissioners Davila, McDonough, Fletcher, Christensen, and Thompson. Noes: none. Absent: 1 – Commissioner Van Eaton. The motion carried.

PRESENTATION – Age Restricted Housing Development on Cunningham Industrial Parkway

Mr. Leipzig introduced Jim Moore with the Affordable Housing Group and Zimmerman Investments, L.L.C. The developer wishes to submit an application to the Missouri Housing Development Commission for low income housing tax credits for an age-restricted multi-family apartment complex on Cunningham Industrial Parkway. The developer would like a letter of consistency with the Belton land use plan from the City in support of the application. Mr. Leipzig gave an overview of the proposed project and told about the surrounding land uses. He reported the project is not consistent or in compliance with the current City zoning map, so the property would have to be rezoned to accommodate the project. The project is also not consistent with the recently adopted future land use map. He clarified that if the letter of support is issued, the zoning map and the future land use map would both have to be amended. There was discussion about the surrounding land uses.

Mr. Jim Moore, Developer, Springfield, Missouri, gave overview of the seniors' housing project being proposed for Cunningham Industrial Parkway. He asked the Commission to consider modifying the City's land use plan. Mr. Moore gave a summary of his company's various projects and his development philosophy. He described various features of the apartments including the exterior finish which he stated would be "lots of brick" and HardieBoard. Mr. Moore explained the tenant screening process used by his company for prospective renters. Mr. Moore went on to say this family owned business will act as the developer, contractor, and property manager of the apartments and he explained the benefits of this type of development model. He answered questions regarding the brick / stone on the building, which he said will cover one-third to one-half of the exterior. Estimates of the development costs were given by Mr. Moore.

Brett Axtell, broker, announced this is a 10 million dollar project, with no incentives, and will be a $40,000 assessment.

Jeff Dean, property owner, reported that the property where Lakewood Terrace apartments is located had to go through a zone change before it was developed. The proposed project is on land across the street from Lakewood Terrace, and there has been little interest in the property with the current zoning classification according to Mr. Dean. His stated opinion was the proposed development would not have any negative effects.

In discussion, Mr. Leipzig pointed out that a rezone of the property would create an island of multi-family zoning surrounded by commercial, light industrial or warehouse uses. There was discussion about whether the property is a prime commercial site and Mr. Moore stated the housing group is in the process of generating a market study. There was clarification of the commitment the Commission would be making by issuing a letter of support. When asked about the feasibility of placing the proposed development across the street by Lakewood Terrace Apartment, Mr. Moore provided reasons why that would not work out. He gave details about the type of buffer that may be used between the apartments and the existing commercial buildings. There was discussion about the number of acres that would remain M-1 (Light Industrial) if three acres were rezoned to R-3 (Multi-Family), and other pros/cons of multi-family at this location. Mr. Cooper clarified aspects of the land use and zoning for the proposed project site and he put forth reasons to encourage the Commission to recommend sending a support letter. Mr. Moore reiterated that he will need a letter supporting an alteration to the City's land use plan and he suggested the Commission include any conditions they feel necessary to that recommendation of support.

Councilman Von Behren moved to write a letter of support to modify the land use map in support of this project (Age restricted multi-family apartment complex on Cunningham Industrial Parkway – the Estates on Cunningham). The motion was seconded by Commissioner Christensen. When a vote was taken, the following was recorded: Ayes: 8 – Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Von Behren, Commissioners Davila, McDonough, Fletcher, Christensen, and Thompson. Noes: none. Absent, 1 – Commissioner Van Eaton. Motion carried. Chairman Girgin left the meeting at 8:00 p.m.

STORMWATER MASTER PLAN

Mr. Leipzig introduced Tony Stanton, with Olsson & Associates, who was in attendance to present the final recommendation for the City Stormwater Master Plan. Mr. Stanton highlighted several key points of the plan including:

- The purpose and goals of the plan
- Questionnaires sent to citizens
- Key recommendations
- Description of how projects were prioritized
- Identified creation of project scoring system
- Assigned costs to new projects and maintenance projects
- The function of conservation overlay districts
- Recommend adoption of the APWA criteria

2012 INTERNATIONAL CODE ADOPTION

Mr. Leipzig introduced Jason Webb, Fire Marshal and Mark Polk, Building Official who were present to update the Commission about the adoption of the 2012 Building Codes. He reported there will be a 90-day implementation period, and estimated the adoption date will be around February 1, 2013.

Mr. Webb gave an explanation of the nationwide code production three-year cycle and he pointed out that Belton and other midwest jurisdictions adopt the codes every six years. He told of the formation of a new group whose primary intent is to standardize codes between jurisdictions and start a metro-wide code adoption process. Mr. Polk went into detail about the reason the City adopts the code every six years rather than every three years. He went on to say that this effort will unite jurisdictions across the Kansas City metro area to get on the same code cycle. It was stated that more information about the code adoption will be presented at a future meeting.

BILLBOARD ORDINANCE

Mr. Leipzig reported this item was discussed at an earlier meeting and he referred to a draft ordinance in the agenda regarding off-premise signs, specifically billboards. He named the sources that went into the creation of the draft.

Mr. Cooper told the Commission members the existing code dealing with off-premise signs does not contain regulations for billboard signs. He reported a staff member used six criteria from the draft ordinance to develop a map illustrating the areas where new billboard signs could be located, if the new language is adopted. Mr. Cooper reviewed the six criteria for placement of off-premise signs. According to Mr. Cooper this item will have a public hearing on September 17, 2012.

DIRECTOR'S REPORT

Mr. Leipzig reported there will be three public hearings at the September 17, 2012 meeting including vehicle sales, billboards, and the International Building Code adoption. The City Council will consider the age-restricted housing project on Cunningham Parkway at a future meeting.

ADJOURNMENT

Councilman Von Behren moved to adjourn the meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor, and the meeting adjourned at 8:30 p.m.

Ann Keeton
Community Development Secretary

MEETING MINUTES

SEPTEMBER 17, 2012

Minutes of Meeting
Belton Planning Commission
City Hall Annex, 520 Main Street
September 17, 2012

CALL TO ORDER

Chairman Holly Girgin called the meeting to order at 7:00 p.m.

ATTENDANCE

Commission:	Chairman Girgin, Commissioners Sally Davila, Tim McDonough, and Chris Christensen.
Staff:	Jay Leipzig, Community Development Director; Jason Webb, Fire Marshal; Mark Polk, Building Inspector; Robert Cooper, City Planner; and Ann Keeton, Community Development Secretary.
Absent:	Mayor Pro Tem Gary Lathrop, Councilman Scott Von Behren, Commissioners Jeff Fletcher, Mike Van Eaton, and Larry Thompson.

Chairman Girgin announced there is not a quorum of Commissioners present to hold the meeting and she continued the meeting and public hearings until Monday, October 1, 2012.

SPECIAL USE PERMIT

PRESCHOOL

BELTON MISSOURI - PLANNING COMMISSION
REGULAR MEETING – CITY COUNCIL ROOM
CITY HALL ANNEX, 520 MAIN STREET
MONDAY, OCTOBER 1, 2012 – 7:00 P.M.

STAFF: Robert G. Cooper, City Planner

CASE #SUP12-24

Request: Special Use Permit to allow a pre-school to operate on property zoned C-2 (General Commercial) District.

Location: Located at the southeast corner of Chestnut & B Streets, just south of East North Avenue. The physical address is 302 B Street.

NOTE: The address on the building is 405 Chestnut Street; however, the City and Cass County GIS system does not recognize that address.

Property Description: Original Belton NW2, Lot 9 & Lot(s) 10-12, Block 17

Deed Holder / Applicant: Robert Drechsel / Cindy Van Winkle

Size of Site: 84-ft. x 134-ft. (11,256-sq. ft.) / 0.26-acre

Existing Zoning / Land Use: C-2 / Commercial

Proposed Use: Pre-School

Surrounding Zoning / Land Use:

North: C-2 / Commercial - Used Car Lot
East: C-2 / Commercial - Storage
South: C-2 / Commercial - Vacant
West: C-2 / Commercial – Single-Family Dwellings

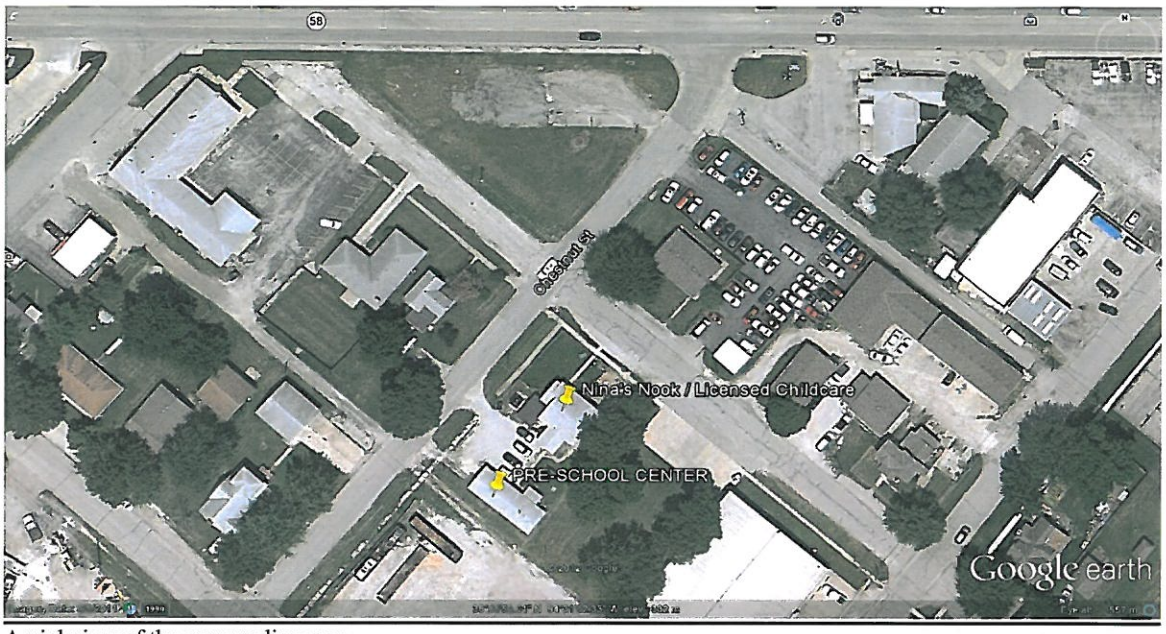
Future Land Use Map: Retail /Commercial

Code Citation:

Pursuant to Section 40-3(6) of the Unified Development Code, 'daycare / preschool' type use with more than four (4) children in a C-2 (General Commercial) Zoning District, requires a Special Use Permit.

Nature of Current Request

The applicant (Cindy Van Winkle) has contacted the City to gather information on what requirements are needed to operate a pre-school at 302 B Street. According to the applicant, they have located this site due to the close proximity to 'Nina's Nook' – an existing licensed childcare center.



Aerial view of the surrounding area

History

The subject property is addressed as 302 B Street which is a corner lot (Chestnut & B Streets) and is approximately a quarter of an acre in size and contains two (2) structures. The primary structure fronts B Street and is currently being used as "Nina's Nook" a licensed childcare, which opened to the public on June 9, 2005. It was constructed in 1950 as a 1,700-sq. ft. single-family residential dwelling unit. The secondary structure fronts Chestnut Street and is the site of the proposed pre-school center. It was constructed in 1960 as a 1,080-sq. ft. single-family residential dwelling unit.

Under the former zoning code, these uses were a permitted use by-right; no special permits were required (see Exhibit A). However, under the current Unified Development Code (UDC), these same commercial uses (childcare / preschool) which potentially could produce adverse affects on surrounding properties, now requires a special use permit, which allows staff and Commission members to implement certain conditions that may help mitigate these potential adverse affects.

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SPECIAL USE PROVISION – Some uses of land are not appropriate in all locations within a district or under circumstances where the use imposes an inappropriate impact on the public or neighboring properties and are therefore designated as "special uses". These uses may be approved at a particular location through the receipt of a special use permit where the impact of those users does not inappropriately affect or impair the use and enjoyment of neighboring properties.

STAFF REPORT

Welfare and Convenience of the Public

Staff believes that by allowing a pre-school center at the proposed location could contribute to the welfare and convenience of the public by providing a service to Belton residents and residents of the surrounding communities.

Injury to Surrounding Property

It appears, the proposed use will not have an adverse affect on the surrounding or abutting properties primarily due to existing similar uses in the immediate vicinity.

Domination of the Neighborhood

The subject site is a residential building in a commercial zoning district which is currently vacant. It appears to staff, the proposed use as a pre-school center will not dominate the neighborhood even though it is in close proximity of an existing childcare center. Currently, the pre-dominate use in the immediate area is light commercial. In addition, it will occupy a vacant building that would otherwise remain vacant and potentially contribute to the blighting effect which is occurring in sections along the East North Avenue corridor.

Off-Street Parking / Access

The Unified Development Code require, one (1) parking space for every 600-s.f. of gross floor area (gfa) and a minimum of 2 spaces for employees, plus 2 spaces for drop-off and pick-up. Based on the total size of the building, it appears there will be ample parking. In addition, the City of Belton allows (and encourages) shared parking with adjoining businesses, provided the adjacent parking lot is located no more than 400-ft. from the business.

The site has a two driveway approach…both having direct access from Chestnut Street, which is the primary source of ingress/egress. Due to the size of the parking lot and a relatively low volume of users for the pre-school, no additional access or traffic calming devices are needed. However, pursuant to Section 26-4(g) / UDC, 'all required off-street parking and loading areas shall be surfaced with permanent material such as asphalt, concrete, paving blocks, or other approved material meeting city standards'.

Nonconforming Characteristics of Use

When an otherwise lawful existing use is permitted generally in any zoning district but where, due to the adoption of this Code, required off-street parking, paving of parking areas, landscaping, screening and similar regulations are not provided, such deficiencies attributable to the use shall be considered lawful, nonconforming characteristics of such use. Said deficiencies shall be brought into conformance when the use or structure is expanded, enlarged, or the intensity is increased, even though the use itself is generally permitted.

Signage

The business may attach a wall sign on the front facade of the building. The applicant may use that area with the submittal of a sign permit application and sign elevations for staff to review. A

total of three (3) wall signs, one per wall, not to exceed 10% of the total square footage of the façade it's placed upon. The applicant may also construct a monument sign, no greater than 6-feet high and 32-sq. ft. in total size with a setback of at least 10-feet from the property line including a 3-foot landscape perimeter.

Pursuant to Chapter 18.8 of the Unified Development Code:

- all permanent signs, sign structures and cabinets must be constructed of approved combustible or non-combustible materials;
- all electrical signs, must be connected to permanent electrical service installed according to the requirements if the electrical code. All wiring for newly constructed detached signs must be underground;
- any sign drawing submitted with a sign permit application for a monument or projecting sign shall include signature and seal of a design professional;
- a wall sign that is attached to a masonry wall shall be secured by means of anchors, bolts, and expansion screws, masonry nails or similar connectors. A wall sign that is attached to a wall of wood may be anchored with wood blocks and screws.

Screening / Buffer

City code requires that any outdoor area used for recreation must be enclosed by a fence no less than 42-inches in height.

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Staff Recommendation

Approval… subject to the following condition(s):

1. No issuance of the Certificate of Occupancy for the pre-school center, until the site has had a final inspection by the fire marshal and building official, for compliance with applicable city codes;

2. No outdoor storage of supplies and/or material unless fully screened from public view;

3. The construction of a fence no less than 42-inches in height in any area which will be used for outdoor recreational purposes;

4. All areas used for off-street parking shall be paved with asphalt, concrete, paving blocks, or other city approved material.

Planning Commission Alternatives

The Planning Commission has the following options available in the consideration of this application:

1. Approve the application as submitted upon finding that the requirements of Section 40, of the Unified Development Code for Special Use Permits, as been satisfactorily addressed.

2. Approve the application subject to specified conditions.

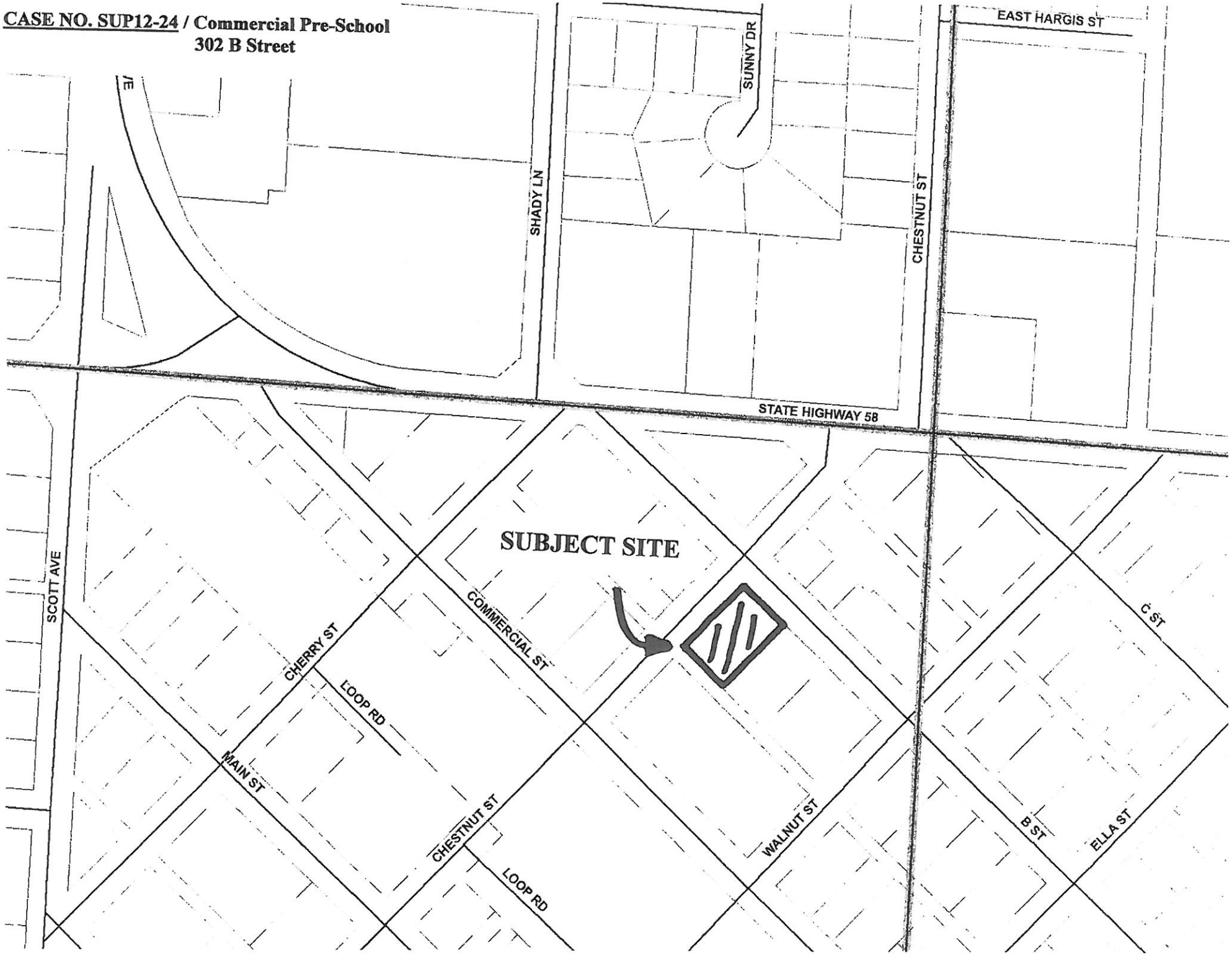
3. Table the application if additional information is needed, such as time of use or other related factors.

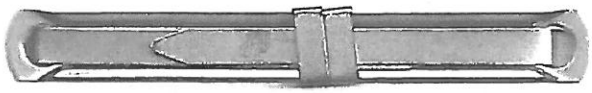
4. Deny the application if the required findings cannot be made or if the proposed use is found to be incompatible with the neighborhood.

Attachments:

1. Vicinity Map
2. Arial Photo
3. Exhibit 'A' / Zoning Letter

CASE NO. SUP12-24 / Commercial Pre-School
302 B Street





CITY OF BELTON
506 Main Street
P.O. Box 230
Belton, Missouri 64012
(816) 331-4331
Fax (816) 322-4620

EXHIBIT "A"

October 23, 2006

Joanna Jamison
413 Pacific Drive
Belton, MO 64012

RE: *Zoning Certification*
"Joanna's Childcare Services" / 302 B Street

Ms. Jamison:

This letter is to serve as notice and verification that the captioned use and location is zoned C2 (General Commercial) District which allows childcare services as a permitted use by-right.

As of 10/23/06, the subject site does not have any outstanding code violations. Therefore, this business may be allowed to continue at this location.

Should you need additional information, please contact this office at (816) 331-4331.

Sincerely,

Robert G. Cooper, City Planner

Cc: Robyn Bair, Planning Director
Tamara Gray, Code Enforcement Officer
File

2012 INTERNATIONAL

BUILDING CODE

City of Belton
Building Inspection / Plan Review
520 Main Street
Belton MO 64012
PH: 816-331-4331
FAX816-331-6973

International Code
Transition to the 2012 Code

The International Codes is a family of codes. With the exception of the International Residential Code, the various disciplines followed in the construction industry are governed by separate codes which specifically address that discipline.

It is important to note that the codes regulate building construction only. Site Development, utilities, streets, zoning, etc, are governed by Sub-division regulations and other sections of the UDC and certain sections of the Fire Code.

Those codes adopted by the City of Belton, MO include the following:

International Building Code (IBC): Deals with Structural matters, Occupancy classifications and Life Safety in commercial projects.
International Plumbing Code (IPC)
International Mechanical Code (IMC)
International Fuel Gas Code (IFGC)
International Energy Conservation Code (IECC)
International Fire Code (IFC)
National Electric Code (NEC)
The International Residential Code (IRC) The IRC is a standalone code that pertains only to one and two family dwellings and incorporates all disciplines. Since home construction is, for the most part, more standardized and less affected by design and use criteria, one code has been developed to guide this type of construction activity.

The IRC is a prescriptive code. Anything that does not fall into the parameters set by the IRC becomes subject to one of the broader, more detailed, codes noted above. For example, the IRC regulates home construction only to three stories. It is possible to build a four story home, but then it becomes subject to the IBC, IPC, etc.

The codes contained many changes that have not been reflected in the attached summary. Many of the changes relate only to high wind areas, seismic areas, climatic condition not found here or deal with changes to construction materials and testing techniques and methods. The summary provided reflects those changes which can have a significant effect on construction activity in Belton.

City of Belton
520 Main Street
Belton MO 64012
PH: 816-331-4331

2012 Significant Code Changes
International Building and Plumbing Codes

Current (2006 IBC) Requirement	2012 IBC	Significance
None	Section 423 references the ICC500 standards for Storm Shelter Construction.	The IBC does not mandate storm shelter, but now regulates their construction if built.
None	Section 424 Regulates children's play structures wherever they are built.	Prior regulations only cover play structures built in Malls. They are now regulated wherever they are built.
None	Section 501.2 allows fire code official to require address numbers be posted in multiple locations.	Gives the fire code official the ability to facilitate emergency response in cases where a single set of numbers may be difficult to see.
None	New in 2009, Section 703.6 requires fire rated walls to be marked indicating that penetrations be protected.	Eliminates guess work in the future when alterations or additions are made and alerts all parties that a wall is a rated structure.
None	New Section 903.2.11.1.3 requires sprinklers in basements greater than 1,500 SF where obstructions could interfere with hose streams.	When walls or partitions are installed in a basement, the ability to apply hose streams through the exterior openings and reach the entire basement area are reduced.
None	New in 2009, Section 1007.8 requires two way communication in front of each elevator bank.	Intent is to provide communication for disabled persons who need assistance in a fire or other emergency. Not required if an area of refuge is provided.
None	New in 2009, Section 1008.1.2 allows manual horizontal sliding doors instead of swinging doors for means of egress from space with 10 or fewer occupants.	Allows for greater design flexibility and efficiency.
None	New in 2009, Section 1011.2 requires low level exit signs in R-1 occupancies (Motels)	Assist persons to exit safely when exits signs at the higher level are obscured by smoke.

None	New in 2009, Section 1408 requires new EIFS performance standards, structural design installation and special inspection.	EIFS has been increasing in use throughout the country and has been given its own section in the code.
None	Section 1503.4.1 was added to reference the IPC when designing secondary rood overflow systems.	The IBC had not specifically referenced this matter. The cross references to the IPC insures that the requirement is not overlooked.
None	New in 2009, Section 1603.1.6specifies the geotechnical information to be included in construction documents.	Helps insure that adequate information is available for foundation design prior to installation.
None	Section 1703.1.1 requires an approved special inspector or agency be independent of the contractor.	It is necessary to maintain objectivity and eliminate conflicts of interest.
None	Section 1710.1 requires a written submittal to the Building Official prior to commencing the structural observations.	Establishes the frequency and scope of special inspection before the fact.
None	Section 1807.2 regulates the design of retaining walls and clarify the conditions that apply when verifying the stability of retaining walls.	Increased safety factors have been added to the design criteria to resist the lateral action of soil to produce sliding and overturning.
None	Section 2210 sets the minimum information to be included in designs to Trusses for rafters or joists including bracing detail and third party inspection of manufacturing site.	Implemented to help assure the proper design and fabrication of trusses constructed off site.

Current International Plumbing Code	2012 IPC	Significance
Section 403.4.1 Dealt with the maximum separation of restroom facilities in occupancies in other than covered malls.	Added the requirement for directional signs to public restroom facilities.	Makes facilities more accessible.
Section 410.2 prohibited drinking fountains in public restrooms	Section 410.2 of the 2006 code has been renumbered to 410.4. The new 410.2 now requires two drinking fountains where ever the code used to call for two. One to be at a low position to comply with accessibility regulations.	Makes drinking fountains accessible to all the public.
None	Section 410.3 allows restaurants who serve water free of charge to exclude drinking fountains. Other occupancies may substitute bottle water dispensers or water coolers.	Provides an alternative to the installation of drinking fountains.
None	Section 607.2 limits the distance from the source of hot water to the fixture.	Assists in energy and water conservation.
Appendix C – Gray water re-cycling systems	Has been moved into the code as Chapter 13	No longer has to adopted along with the plumbing code as it is now part of the code.
Section 301.3 has been renumbered as 301.6	The new 301.3, 301.4 & 301.5 require pipe and tubing to be marked with the manufacturer's name and to be third party certified.	Will eliminate any doubt that materials meet the required standards.
Section 304.6 required overhead appliances in private garages to be a minimum of 6' above the floor.	Section 304.6 now requires overhead appliances to be mounted 1' higher than the door opening.	Assures clearance of vehicles passing under the appliance.

City of Belton
520 Main Street
Belton MO 64012
PH: 816-331-4331

2012 Significant Code Changes
International Residential Code

Current (2006 IRC) Requirement	2012 IRC	Significance
Section R105.2 exempts accessory structures less than 120 SF from requiring a permit	Section R105.2 Exempts accessory structures less than 200 SF from requiring a permit	Would reduce number of permits issued and control of placement of significant sized structures. Recommend amending to maintain current size limitation.
None	Section R302.5.1 requires self closing devices on doors between garage and living units.	Increases fire separation between garage and habitable spaces.
None	Section R303.4 requires a whole house ventilation system below specified levels of air exchange.	Tighter construction saves energy but increases interior pollution. This section provides for a controlled method of bringing fresh air into the structure.
None	Section R314.5 allows the use of wireless smoke detectors.	Gives the builder more flexibility of design and provides more choice to remodelers.
None	Section R315requires a Carbon monoxide detector in structures with fuel fired appliances.	Additional life safety feature.
None	Section R323 Acknowledges the ICC/NSSA – 500 as a referenced standard for storm shelter construction.	Does not require a storm shelter but provides a standardized accepted method of construction if one is built

Section R613.2 Required any window more than 72" above grade to have a minimum sill height of 24" or a fixed pane or no more than a 4" openable area.	Section R612 requires an opening limiting device for all windows 72" above grade and a sill height or 24". Device must be able to be released without special tools or knowledge.	Increases protection from falls by young children. Window manufacturers are already adapting to the new requirement.
Section 907.3.4 required removal of all layers of shingles in a medium to high hail area	Deleted from the code.	Our amendment nullifying this section is no longer required.
Chapter 11 – Energy Efficiency	New Chapter. Old replaced with section from IECC Code. Adds Blower door test requirement, hot water pipe insulation, increased insulation,	Bring IRC into Conformance with Commercial codes and with new Federal standards for energy conservation.
None	Section M2302 –Guidelines for Photvoltaic Solar energy systems	Added conformity and safety for solar units.
None	Section M2503.6 requires that field installed shower floor liners be leaked tested.	Assures a tight seal at the shower floor.
None	Section P3005.2.6 requires a cleanout be installed at the base of each soil or waste stack.	Provides for access to all plumbing lines under slab or underground.
None	Section E3902.12 requires Arc Fault receptacles throughout most of structure.	Protects against fires due to arcing electrical appliances.
None	Section E3905.8 requires a fan rated box in the ceiling where switched conductors are used.	Protects against overloading ceiling boxes.

Belton Fire Department
Fire Prevention Bureau

2012 Fire Code Significant Change Summary

Current (2006 IFC) Requirement	2012 IFC Requirement	Significance
None	Section 102.5 was added to clarify that portions of the fire code regarding fire apparatus access, fire protection water supplies, LP gas cylinders, and other matters in one- and two-family dwelling developments built under the IRC still apply.	Clarification for developers and code officials that the IRC is a stand-alone code for the construction of one- and two-family dwellings, but the issues involving the property being developed are still regulated by the IFC.
None	Section 105.4.1 was added clarifying that the fire code official has the authority to waive the requirement for plans and specifications to bear the stamp of a registered design professional.	Allow the fire code flexibility when the services of a registered design professional are not required.
None	Section 105.4.4.1 was added allowing "phased approval" of construction.	Permits the fire code official to "fast-track" certain elements of a project before the design of other elements is complete.
None	Section 112 was added providing the fire code official with the authority to disconnect utilities to eliminate hazards or to safely execute emergency operations.	Sometimes lesser remedies are ineffective and the only option is disconnection of utilities in order to render a building safe.
None	Section 113 was added allowing the fire code official to establish fees and recover costs.	This section is designed as a place-holder that still requires the local jurisdiction to adopt a fee schedule for permit and plan review fees.
307.3 authorized the fire code official to order the extinguishment of open burning that created a hazardous condition.	Section 307.3 was revised to clarify that the fire code official can order a hazardous fire be extinguished by the person responsible for the condition or violation.	The 2006 version included the fire department in the extinguishment scenario, which is not always the case. Sometimes the fire code official will order the operator to extinguish the unlawful fire.
Local Amendment	Section 307.4.3 clarifies that the use of outdoor fireplaces is regulated.	The City of Belton has allowed these devices under a local amendment for many years. Similar language to our amendment is now in the code itself.

None	Section 316.4 was added regulating certain objects (such as antennas) on roofs.	Obstructions and objects on roofs can hamper firefighting operations and increase risk to fire fighters. This section establishes requirement for marking of guy wires, ect.
None	Section 404.3.3-403.3.3.3 was added requiring lockdown plans.	Many schools and other similar occupancies are using "lock-downs" as a safety measure. This addition requires that these lock-downs be in accordance with a written plan that is approved by the fire code official.
Local Amendment	Section 503.4.1 requires fire code official approval for any traffic calming measures in fire department access road.	The City of Belton has had similar language in our code for many years. This change is very similar to how we currently operate.
None	Section 510 was moved from the appendix to the body of the code. It requires emergency responder radio coverage be provided in buildings.	If radio coverage is present outside of a building, that coverage has to be maintained in 95% of all areas of the building. This provides responders with adequate communication during an emergency.
None	Section 603.4 was added regulating the use of portable gas-fired appliances in certain occupancies.	Many restaurants and similar establishments use these devices to provide warmth for patios and outdoor eating areas. This section establishes where they are permitted, prohibited, and addresses LP gas containers.
None	Section 605.11 was added to regulate the installation of photo-voltaic systems.	The proliferation of PV systems creates a dangerous situation for fire fighters. This section establishes regulations to reduce trip-hazards, allow for pathways, provide disconnects, ect.
Section 703.1 required maintenance of certain fire-resistive construction.	Section 703.1.3 establishes that all fire-resistance rated construction be maintained in accordance with NFPA 80.	Maintenance of these passive fire protection features is important to the overall fire protection plan for a building.

None	Section 903.2.2 was added in 2009 and requires sprinklers in "Day Surgery Centers".	Patients in these facilities are anesthetized and incapable of self-rescue in the event of a fire. This section requires sprinklers in the area of the surgery center and on all floors between it and the exit discharge.
Group E (Educational) occupancies were required to be sprinklered if the fire area exceeded 20,000 square feet.	Section 903.2.3 was modified to lower that threshold to 12,000 square feet to make it consistent with other similar hazards.	The design professional can now take advantages of certain trade-ups and credits that will help lower to cost of construction.
None	Section 904.1.1 requires that people who preform service on fire extinguishing equipment be certified.	Before this change, the fire code official had no way of requiring certification.
None	Section 1011.2 was added requiring floor-level exit signs in hotels. Floor-level signs are designed to be visible by people crawling below smoke.	This requirement was in the codes many years ago but was taken out. The placement of these floor-level signs helps guide people unfamiliar with their surroundings to an exit.
None	Section 904.1.1 and 906.2.1 were added requiring certification of service personnel conducting maintenance.	Missouri has no state licensing of service personnel. This makes it difficult for local code officials to insure the people preforming maintenance of these life safety systems are adequately trained. This change allows the code official to require them be certified by an approved organization.
None	Section 1011.2 was added requiring floor-level exit signs in certain occupancies.	Exit signs are designed to help guide building occupants to exits during emergencies. This requirement places the signs near the floor where they are less likely to be obscured by smoke in hotel/motel occupancies.
None	Section 1019.4 was added requiring separation of exit balconies from lot lines.	Where balconies are used as exits, this requirement protects the people using the exit from a fire in an adjacent building.
Chapter 24 – Tents and Membrane Structures	Comprehensive revision in 2009 and relocated to chapter 31 in 2012.	The chapter was substantially revised to correlate with the IBC dealing mainly with canopies.

BILLBOARD ORDINANCE

PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, OCTOBER 1, 2012 – 7:00 P.M.

Robert G. Cooper, City Planner

CASE #TA12-21/ CONTINUED FROM AUGUST 20TH MEETING

DISCUSSION: Consideration of a Text Amendment to Section 30-9(e), of the Unified Development Code (Off-Premise Signs).

The purpose of amending the Unified Development Code (UDC), allowing billboard signs within city limits, is to apply appropriate limitations on these types of sign structures. The purpose of the ordinance is to encourage effective use of signs as a means of communication for businesses, organizations and individuals in the city.

In addition, the ordinance is designed to prevent signs from becoming a public nuisance; e.g. prohibit signs of excessive size and number that they obscure one another to the detriment of the economic and social well-being of the community; to protect the safety and welfare of the public by minimizing hazards to pedestrians and vehicular traffic; to preserve property values by preventing unsightly and chaotic development that has a blighting influence upon the community; and to minimize the possible adverse effects of signs on near-by public and private property, and to implement the goals and objectives of the growth management plan.

The need for a clear and concise ordinance would regulate all of the bulk requirements necessary. Currently, Section 30-9(e) of the Unified Development Code, provides minimal guidance. Staff believes additional language to the existing ordinance is necessary in order to effectively regulate billboard signs.

EXISTING CODE CITATION

Section 1-5 / Definition – Off-Premise Sign

"a sign, including billboards and poster panels, that directs attention to a business, commodity, service, or product sold, or conducted, not offered on the premises".

Section 30-9(e) / Sign Code - Off-Premise Sign

(1) Off-Premise signs are permitted only along state and federal highways;
(2) No off-premise sign may be located within 1,000-feet of an existing off-premise sign;
(3) A letter of authorization by the property owner is required for applications of any off-premise sign;
(4) Site plans and sign permits are required.

DRAFT – SUGGESTED ORDINANCE LANGUAGE

(e) Off-premise signs

(1) Special Use Permit required

In addition to complying with the terms of this Article, a special use permit must be obtained in accordance with the procedures set forth in Section 40-2 of the UDC prior to the erection of a billboard.

(2) Placement of off-premise signs

(a) Off-premise signs shall be located on private property;

(b) Off-premise signs shall be permitted only along interstate highways and U.S. 71-Highway, within 600-feet of the nearest edge of the right-of-way;

(c) An off-premise sign shall not be located closer than 500-feet of a free-standing sign or closer than 2,000-feet apart, per roadway side, and all off-premise signs must comply with the Missouri Department of Transportation (MoDOT) setback regulations;

(d) Off-premise signs shall not be located adjacent to or within 1,500-feet of any interchange, intersection at grade, or safety rest area that is existing or approved for construction;

(e) To preserve adjoining property values and avoid adverse aesthetic impacts, billboards shall not be located within 1,500-feet of land zoned for residential purposes;

(f) Billboards shall be permitted only in areas zoned C-2, M-1, and M-2.

(3) Lighting

(a) Billboards shall not include any revolving or rotating beams or beacons of light;

(b) Billboards shall not include any flashing, intermittent or moving light or lights, except electronic message boards designating public service information such as time, date, temperature or similar information;

(c) Billboards may be lighted by external lighting such as floodlights, thin line and gooseneck reflectors, provided the light source is directed upon the face of the billboard and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the interstate or highway or into any portion of adjacent properties and the lights are not an intensity so as to cause glare, impair the vision of the driver of a motor-vehicle, or otherwise interfere with a driver's operation of a motor vehicle.

(d) Billboards shall not be illuminated so that it interferes with the effectiveness of, or obscures an official traffic sign, device or signal;

(e) Billboards shall not have a maximum average lighting intensity level that exceeds twenty (20) foot-candles.

(4) Size

Billboards shall not exceed a maximum area for any one sign of 1,200-square feet with a maximum height of 30-feet and a maximum length of 60-feet, inclusive of border and trim but excluding the base or apron, supports and other structural members. The maximum size limitations shall apply to each side of a sign structure, and signs may be placed back to back, double-faced, or in a v-type construction with not more than two-displays to each facing, but the sign structure shall be considered as one sign.

(5) Setback and height of billboards

(a) To provide a safety zone to prevent injury or property damage from collapse caused by acts of nature or other causes, billboards shall meet the following minimum setback requirements from all points of the sign:

(i) at least ninety (90) feet from its nearest edge to the rights-of-way of any interstate or primary highway;

(ii) at least ninety (90) feet from all property lines and all roofed structures; and;

(iii) at least ninety (90) feet from any other structure that would require a building permit for its construction.

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STAFF COMMENT

These regulations are designed to enhance good aesthetics, as well as to preserve property values by preventing unsightly, chaotic development and ill-placed billboard signs that may create a blighting influence upon the community.

STAFF RECOMMENDATION

Approve as presented.

VEHICLE SALES

PLANNING COMMISSION REGULAR MEETING
CITY HALL ANNEX, CITY COUNCIL ROOM
520 MAIN STREET
MONDAY, OCTOBER 1, 2012 – 7:00 P.M.

Robert G. Cooper, City Planner

CASE #TA12-14 / CONTINUED FROM THE AUGUST 6th MEETING

DISCUSSION: Consideration of a Text Amendment to Section 40-4(a) 1-10, of the Unified Development Code (Commercial –Motor Vehicle Sales).

The purpose of amending the Unified Development Code (UDC), allowing new and used car lots within a C-2 (General Commercial) zoning district with a Special Use Permit is to address the numerous used car lots being located primarily along the North Scott / E. North Avenue corridor. Many of the existing car lots are situated side-by-side. The close proximity of these car lots has created nuisance issues and hazardous traffic concerns.

The Planning Commission has previously met with staff and discussed such issues as the compatibility and placement of car lots; visual characteristics of this type of use, screening, minimum lot size requirements and whether the ordinance needed to be amended.

The need for a clear and concise ordinance which would regulate all of the bulk requirements was discussed. Currently, Section 40-4 of the Unified Development Code, regulates some standards and norms for used car sales lots. The Commission felt that by amending the existing ordinance, will effectively enhance the review and approval process as well as enhance good aesthetics and to preserve property values by preventing unsightly and chaotic development that has a blighting influence upon the community.

The purpose of this report is to support a public hearing discussion of the new requirements for used vehicle sales.

NOTE: On May 22, 2012, The City Council accepted Resolution #R2012-37, directing staff to delay the acceptance and processing of new applications for used vehicles sales establishments with the City of Belton between May 22 and November 30, 2012.

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EXISTING CODE CITATION

(4) Commercial – Motor vehicle sales. Motor vehicle sales businesses must have a special use permit, granted for an initial term of one year and renewable for additional five-year terms, and must meet the following requirements:

(a) Motor vehicle sales dealer's license; site and space requirements: the following standards and norms shall govern the operation of existing multi-vehicle used vehicle lots and shall apply to any multi-vehicle lots proposed or established in the future:

(1) There shall be at least one entrance-exit on the main thoroughfare serving the lot of at least 24-feet in width;
(2) The lot must be paved with a surface material such as asphalt or concrete;
(3) The lot must be sufficiently flood-lighted to discourage vandalism or theft;
(4) The lot must have barriers or other forms of visible demarcation clearly delineating the specific area to be occupied by used vehicles, which shall be approved by the city inspector;
(5) Buildings and their intended uses must be stipulated on the application and receive approval prior to the issuance of an occupational license;
(6) All vehicles on the lot must be capable of passing the state vehicle inspection, as required by Missouri Statutes;
(7) All vehicles on the lot will be complete and no vehicle will be used for the scavenging or other junk purposes by any operator issued a license under the provisions of this section;
(8) Multi-vehicle used vehicle lots may be operated in conjunction with the garage located thereon for the purposes of performing necessary maintenance on those vehicles offered for sale on said used vehicle lot; otherwise, a multi-vehicle used lot shall be used solely for the purpose of selling used vehicles and shall not be operated in conjunction with any other type of business without the approval of the city council of the city upon proper application and hearing thereon who shall consider in dealing with said issue, the compatibility of the proposed uses from a zoning, businesses, commercial and aesthetic viewpoint.
(9) Major maintenance work must be performed within the confines of the garage and must be completed before the vehicle is returned to the lot for sale;
(10) All multi-vehicle used vehicle lots shall be identified by an internally lighted sign, installed and maintained in accordance with the city's zoning Ordinance.

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DRAFT --SUGGESTED ORDINANCE LANGUAGE

(4) Commercial – Motor vehicle sales. Motor vehicle sales businesses shall have a special use permit, granted for an initial term of one year and renewable for an additional five-year term and must meet the following requirements:

(a) Motor vehicle sales dealer's license; site and space requirements: the following standards and norms shall govern the operation of existing multi-vehicle used vehicle lots and shall apply to any multi-vehicle lots proposed or established in the future:

(1) There shall be at least one entrance-exit on the main thoroughfare serving the lot at least 24-feet in width;

(2) The lot must be paved with a surface material of concrete or asphalt;

(3) Each site must sufficiently provide its own independent exterior security lighting; e.g. wall or pole mounted;

(4) The lot must have barriers or other forms of visible demarcation clearly delineating the specific area to be occupied by used vehicles, which shall be approved by the city inspector;

(5) Buildings and their intended uses must be stipulated on the site plan with the special use permit application and receive Planning Commission approval prior to the issuance of an occupational license;

(6) Used vehicle business owner shall have a current State Motor Vehicle Dealer license and a City Occupational license.

(7) All vehicles on the lot must be capable of passing the state vehicle inspections, as required by Missouri Statutes;

(8) Only one (1) used vehicle dealer allowed with each special use permit and only one special use permit allowed per site;

(10) All vehicles on the lot must be complete and no vehicle will be used for the scavenging or junk purposes by any operator issued a license under the provisions of this section;

(11) Any maintenance work must be performed within the confines of the garage and must be completed before the vehicle is returned to the lot for sale;

(12) Used vehicle sales lots may be operated in conjunction with the garage located thereon for the purposes of performing necessary maintenance on those vehicles offered for sale on said used vehicle lot; otherwise, a multi-vehicle used sales lot shall not be operated in conjunction with any other type of business without the approval of the city council upon proper application and hearing thereon who shall consider in dealing with said issue, the compatibility of the proposed uses from a zoning, businesses, commercial and aesthetics viewpoint.

(13) All used vehicle sales lots shall be identified by an internally illuminated wall sign. Cardboard, plywood or hand-painted signs are prohibited;

(14) No used vehicle sales lot shall be established or expanded within 1,000-feet of any other motor vehicle sales business;

(15) No used vehicle sales lot shall be established on a lot less than one-acre in size;

(16) No used vehicle sales lot shall be established or expanded within 100-feet of the district boundary-line of any residential zoning district;

(17) All used vehicle sales lots shall meet the minimum landscaping and screening requirements;

(18) All parking areas shall meet the City's design requirements. Each special use permit shall include a site plan showing parking spaces for employees, customers, display vehicles and adequate off-street unloading areas.

STAFF COMMENT

It is the purpose and intent through the amendment of this ordinance, to establish firm guidelines as to the compatibility and placement of car lots; the visual characteristics of this type of use, and use the ordinance as a mechanism to protect residential neighborhoods and non-residential areas from becoming blighted.

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The regulations are designed to enhance good aesthetics as well as to preserve property values by preventing unsightly and chaotic development that has a blighting influence upon the community.

STAFF RECOMMENDATION

Approve as presented.