

Minutes of Meeting
Belton Planning Commission
City Hall Annex – 520 Main
April 19, 2010

CALL TO ORDER

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

ATTENDANCE

Commission: Chairman Girgin, Mayor Pro Tem Gary Lathrop, Councilman Bobby Davidson, Commissioners Tim McDonough, Jeff Fletcher, Scott VonBehren, and Roger Horne

Staff: Jay Leipzig, Community Development Director; Robert Cooper, City Planner; Jason Webb, Fire Marshal; Mark Polk, City Inspector; Ted Lange, Belton Park Department; and Ann Keeton, Community Development Secretary

Absent: Commissioners Sally Davila and Larry Thompson

MINUTES

Commissioner Horne moved to approve the minutes of the April 5, 2010, Planning Commission meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor and the motion carried.

PUBLIC HEARING – Zone Change 702 Belton Avenue

Staff Report: Mr. Cooper presented the staff report for the zone change request for a five acre property at 702 Belton Avenue from R-1(Single-Family Residential) to A (Agricultural). He gave a description of the property and surrounding area which he categorized as having agricultural characteristics. He reported an old vacant farm house on the property has been vacant for years. The applicant would like to demolish the farm house and construct a barn on the property to be used primarily for storage of equipment. According to Mr. Cooper, the applicant has no plans to develop the property.

A review of the zone change request was given by Mr. Cooper in accordance with the comprehensive plan, neighborhood compatibility, and environmental impacts. He reported the requested use is less intensive, therefore it would be considered compatible, and should not create an increase in environmental impacts.

Mr. Cooper reported staff supports a recommendation to approve the zone change request.

Chairman Girgin opened the public hearing at 7:04 p.m. This hearing was being held to receive public input regarding a zone change application for property at 702 Belton Avenue from R-1 (Single-Family Residential) to A (Agricultural).

Ray Gann, 805 Belton Avenue and property owner of 702 Belton Avenue spoke in favor of the zone change application. Under the current zoning, when the house on the property is

demolished, the garage would also have to be taken down. Mr. Gann would like to remodel the garage to use for storing property maintenance equipment and machinery used to power a well. The property will be maintained for personal use and will not house a commercial farming operation according to Mr. Gann. It was reported the foundation of the farm house is made of concrete blocks. He went on to say the property has various types of fruit and ornamental trees on it and he may put in a garden for himself. It was clarified the reason for the rezoning request is to allow Mr. Gann to have a storage building on the site without a house. Councilman Davidson asked the Commission to consider adding a condition of approval which would prohibit farm animals from being raised on the property. Mr. Gann emphasized there would be no animals or fences on the property while he is the owner.

Being no further input, Chairman Girgin closed the public hearing at 7:12 p.m. **Councilman Davidson moved to recommend approval of a zone change at 702 Belton Avenue from R-1 (Single-Family Residential) to A (Agricultural) with the condition that raising livestock on the property will be prohibited.** Mayor Pro Tem Lathrop seconded the motion. When a vote was taken, the following was recorded: Ayes: 7 – Chairman Girgin, Mayor Pro Tem Lathrop, Councilman Davidson, Commissioners McDonough, Fletcher, VonBehren, and Horne. Noes: none. Absent: 2 – Commissioners Davila and Thompson. The motion carried.

PRESENTATION – Unified Development Code

A PowerPoint presentation illustrating the changes and beneficial aspects of the Unified Development Code (UDC) was given by various departments and included planning and zoning, building codes, fire department and engineering. Some of the highlights included:

Planning: Mr. Cooper:

- Will combine the Zoning Ordinance, Subdivision Regulations and land use regulations into one document
- New zoning district R-3A (Apartment Community Residential)
- New zoning district PR (Parks, Recreation and Public Use)
- New zoning district PO (Professional Office)
- Industrial districts to change from I-1, I-2 to Manufacturing M-1, M-2
- UDC includes a section covering wind energy
- A preliminary and final development plan will be required with plat applications

Building: Mr. Polk

- UDC is the foundation for all development
- Plan review is based on building codes
- Building codes are the minimum requirements for life-safety
- Will include the 2006 International Property Maintenance Code (IPMC)
- UDC will result in a well-planned, consistent community

Fire: Mr. Webb

- Fire department is involved in development projects from planning through the entire life of the use.
- UDC will consolidate the review standards into one document.
- UDC is consistently formatted for ease of use by staff and developers
- Fire review items include access, water supply, setbacks, zoning and sprinkler incentives
- Residential sprinklers will be in the 2009 International Residential Code

Engineering: Mr. Leipzig

- UDC will contain regulations on water/sewer, streets/sidewalks, and storm water management
- Many engineering standards are regulated by the American Public Works Association (APWA)

Mr. Webb answered questions regarding the residential sprinkler incentives. He gave examples of a few of the incentives such as roadway width reduction, waterline size, fire flows and cul-de-sac length. He gave an explanation of how the UDC assists City departments while working together during the review process. He presented specific examples relating to residential sprinkler incentives, street width, and parking on one-side of the street to allow for fire truck access.

Chairman Girgin expressed thanks and congratulations to staff for their work on the UDC document. Mr. Leipzig went through an approximate schedule for the UDC adoption. It was decided that the future UDC review would be presented to the Commission in the form of a summary of highlighted changes. He reported the document formatting will be prepared by the Municipal Code Corporation. Mr. Leipzig's stated goal for implementation of the UDC is January of 2011. Mr. Polk explained the City's schedule and adoption process for the International Building Codes, which the 2006 version is the current edition that has been adopted by the City. Mr. Polk answered questions about the 2006 IPMC.

PRESENTATION – Tree Ordinance

Mr. Leipzig introduced Mr. Lange from the Park Department who was present to introduce a tree ordinance for consideration. He pointed out the tree ordinance has a list of preferred tree species and would be included as an appendix in the UDC.

Mr. Lange made it clear he is employed by the Park Department but is not representing the Park Board. Reasons for adopting a tree ordinance are to enhance the quality of life through a diversity of trees, and to provide a mechanism for enforcement. He reported that for the City of Belton to participate in the "Tree City" program, the City must have a tree ordinance. If Belton becomes a "Tree City" grant funding awarded to the park department would increase by 20 percent. Mr. Lange said the proposed tree ordinance is similar to many other ordinances that have been adopted statewide. Various City employees and the City attorney have reviewed the proposed ordinance according to Mr. Lange.

Mr. Lange reported the Missouri Department of Conservation awards the "Tree City USA" designation. He gave an explanation of the terms Community Forest Manager and City Arborist, which are non-salaried positions. Mr. Lange also stated the "Tree Board" is an advisory board and he gave one example of the Board's function. When asked if the Tree City USA designation must be reapplied for yearly, Mr. Lange indicated he will research the Tree City USA information that he has elsewhere to find answers to the Commission's questions.

Mr. Lange was asked if the Tree Board regulates the types of trees that Belton residents can plant on their property. He stated the Board does not tell residents the type of trees to plant in their

yard. He went on to say there will be recommended trees to be used for planting “street trees” in a new subdivision and there will also be a list of undesirable trees.

There was discussion about Section 10 of the proposed Tree Ordinance regarding Public Tree Care. It was suggested the language of this section is confusing and could be reworded for clarity.

The proposed and current regulations about the care of street (public) trees were discussed. Mayor Pro Tem Lathrop explained to Commission members there is already a regulation in place regarding the maintenance of street trees which designates the property owner as being responsible.

The language in Section 12 of the proposed ordinance regarding the replacement of trees that are removed with equivalent trees was talked over. It was concluded this statement is to ensure the replacement of the same number of trees that are removed.

According to Mr. Cooper, trees that are removed during development should be accounted for in the project’s landscape plan, and the trees can be replenished in different locations scattered throughout the property. Mr. Leipzig reported the suggested changes will be noted and the proposed ordinance will be brought back to the Commission with the revisions before going to the City Council for approval. Since the proposed tree ordinance has similar regulations as those addressed by the current city codes, there was a discussion about the necessity of a separate tree ordinance. Mr. Leipzig suggested the language in the current code could be referenced in the proposed tree ordinance.

DIRECTOR’S REPORT

Mr. Leipzig reported the UDC summary memo will be reviewed during the May 3, 2010, meeting.

There have been three applications submitted for new home construction recently.

Affordable Housing Inc. will soon be submitting applications for 36 homes to be built in the Emerson Park Subdivision. Councilman Davidson encouraged Commission members to visit the homes built by the Affordable Housing group in Springfield and Bolivar, Missouri and he praised the quality of those homes.

ADJOURNMENT

Commissioner Horne moved to adjourn the meeting. Mayor Pro Tem Lathrop seconded the motion. All members present voted in favor, and the meeting adjourned at 8:27 p.m.

Ann Keeton
Community Development Secretary