

**Minutes of Meeting
Code Enforcement Advisory Committee
City Hall Annex, 520 Main Street
May 25, 2023**

CALL TO ORDER

Matt Wright called the meeting to order at 6:00 P.M.

ATTENDANCE

Committee: Councilmember Rob Powell, Dennis Hull, Dawn Thomas, Wanda Thompson, Rosemary Howard, Keith Richardson, Robert Miller, and Kerry White

Absent: Steve Hackett

Staff: Matt Wright, Planning and Building Director; Madison Rust, Development Technician; Demetrius Ramirez, Chief Building Official; and Carol Lee, Code Enforcement Secretary

DISCUSSION ITEMS

A. Review of landscaping maintenance for drainage and detention areas.

Mr. Wright, Planning & Building Director gave a summary on the history of the issue and showed examples of a couple areas around the City. A detailed memo was provided in the agenda packet.

There has been inconsistent maintenance of detention and drainage areas throughout the city. In some neighborhoods, detention areas are difficult to mow due to access and water retention. In other areas, property owners are responsible for maintaining drainage areas/easements on their properties, which may include steep slopes and other landscape features that are challenging and potentially hazardous to maintain.

The current code makes no exceptions for the maintenance of detention and drainage areas. Staff reviewed exceptions in other communities in the metro and found very few have exceptions, but did find the following:

- Olathe – makes exceptions for “waterways,” any areas protected by local, state, or federal regulations, natural or xeri-scaped areas approved by the Community Development Director or City Engineer, or their designee, provided those areas are kept free of all noxious weeds and best management practices are followed.
- Overland Park – makes exceptions for public parks, public golf courses, public natural preservation areas, public open space, public wildlife preservation areas, designated stream corridor areas, inaccessible public creek areas, and stormwater treatment facilities utilizing native vegetation; provided, however, where the City determines that any excessive growth of vegetation in such areas creates or enhances an identifiable health or safety problem. The Community Development Director, or their designee, may determine if a tract of land meets the above exceptions.

Staff would like input from the Committee on if they believe any changes should be made to the current code.

The Committee members expressed a lot of concerns over the safety of maintaining these areas due to the slopes. Some additional items that were discussed are:

- How to ensure erosion does not occur.
- Proposing to add more native or natural landscaping.
- Letting the areas be natural.
- Adding a buffer to the top of the basin.

Staff will take the feedback and recommendations expressed tonight and craft a proposed solution.

B. Review of residential accessory vehicle parking.

The current code requires any accessory vehicle in a residential area to be parked either on a driveway, inside a completely enclosed structure, or behind the front of the residence in the side or rear yard but it must be parked upon a paved or impervious surface. Staff has received concerns about inconsistent enforcement with the paving requirement.

Staff reviewed paving requirements in other communities in the metro and found that while several communities have the same regulations, some make exceptions for paving in the side and/or rear yard, including the following:

- Raymore – paving required in side yard, but no paving required if located in rear yard.
- Independence – no paving required in side or rear yards.
- Overland Park and Olathe – no paving required side or rear yard, but must be screened from view with privacy fence or wall, setback 3' from property lines, and vehicles can be driven to and from on a dust-free and rut-free surface – which may include grass, groundcover, pavers, cement, or asphalt.
- Grandview – no parking in front yard or driveway unless rear yard is inaccessible; vehicles may be parked in rear yard if screened with 6' privacy fence and must be on gravel, crushed stone/rock, masonry blocks, or impervious surface.
- Blue Springs, Parkville, and Kansas City, MO have the same requirements as Belton currently.
- Lee's Summit goes one step further and requires that the paved surface must be connected to the driveway and has additional restrictions on the number of RVs, boats, trailers that can be stored outside.

Staff would like input from the Committee on if they believe any changes should be made to the current code.

Below is a summary of the feedback expressed by the Committee members:

- The cost of having to pave areas.
- Allowing the accessory vehicles to be parked where they aren't seen vs. being in the driveway, visible to passerby's.
- Not requiring pavement in the rear yard as long as the area is being kept clean.
- Only requiring it to be on a paved surface if it's in the front or side yard.
- Requiring a setback.
- Adding a limit of 2 accessory vehicles.

Staff will take the feedback and recommendations expressed tonight and determine how to proceed.

C. Rental Inspection Program update.

Mr. Wright, Planning & Building Director provided an update on the Rental Inspection Program. The Rental Inspection Program was taken to the Planning Commission for recommendation on March 21. The Commission recommended approval of the Program as proposed by staff, along with the amendments that were proposed by the Code Enforcement Advisory Committee. The proposed Program then went on to the City Council for a work session discussion on March 28. The City Council was also in agreement with everything that the Code Enforcement Advisory Committee and Planning Commission had recommended, but there was concerns expressed about the requirement of 1 inspection every 5 years for long term tenants and asked for that to be removed from the proposal. Staff is still working through the registration and fee processes before bringing the final Program to the City Council for approval. A date has not been set for when the Program will go to the City Council for a vote, but staff is expecting that to occur sometime in June or July. If approved, staff is proposing to have the Program go into effect on July 1, 2024.

NEXT MEETING DATE: To Be Determined

ADJOURNMENT

Matt Wright adjourned the meeting at 7:13 P.M.