

MINUTES  
Regular Meeting  
Cameron Missouri Planning & Zoning Commission  
June 10, 2013

**Item 1: Call to Order**

Chairman O'Donnell called the meeting to order at 6:05pm.

**Commissioners Present:**

|                            |                |
|----------------------------|----------------|
| Chairman Michael O'Donnell | George Pratt   |
| Mark Garges                | Stan Hendrix   |
| Tom Hamlet                 | Edward Schmidt |

**Commissioners Absent:**

Delvin Jackson

**Others Present:**

|                |                                   |
|----------------|-----------------------------------|
| Clyde Han      | John Zimmerman – TranSystems      |
| Drew Bontrager | Chris Johnson – Cameron Newspaper |

**Item 2: Approval of Minutes**

**Corrected Minutes – April 8, 2013**

*Chairman O'Donnell entertained a motion to approve the corrected minutes of the April 8, 2013 meeting. Motion made by Mr. Garges to approve the corrected minutes of the April 8, 2013 meeting; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

**May 13, 2013 Minutes**

*Chairman O'Donnell entertained a motion to approve the minutes of the May 13, 2013 meeting. Motion made by Mr. Pratt to approve the minutes of the May 13, 2013 meeting; seconded by Mr. Schmidt. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

**Item 3: Public Participation**

**Citizen Input**

In the Cameron Citizen Observer, the City asked for citizen input for ideas to promote Cameron in economic development and tourism. Citizens have responded to the request and Mr. Han relayed the information on to the Board. The received information will also be provided to the Park Board, City Council and members working on the Comprehensive Plan. Mr. Han inquired as to where the item should be placed on the agenda for future meetings.

Mr. Hendrix suggested that the input be placed under public participation in the future since the input is submitted by the public. If in the future it needs to be moved to another agenda item it can be done at that time.

**Cameron Air Show**

Mr. Hendrix stated that he was happy to be a part of the public safety team for the 2013 Cameron Air Show. He believes everything went smoothly and everyone involved with the show worked well together.

Mr. Hendrix stated that there were no major problems and issues that surfaced were corrected quickly and efficiently.

Mr. Hendrix is proud to serve on the communications team and to be involved with the police department.

*Chairman O'Donnell entertained a motion to revise the posted agenda to accommodate attendees present at the meeting. Mr. Hendrix made a motion to revise the posted agenda; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

Agenda was revised as follows:

1. Public Hearing – Conditional Use Permit for Multiple Dogs
2. Public Hearing – Storm Drainage Code
3. Commercial Site Plan Review – 407 W. Second
4. Public Hearing continued –Property Maintenance Code
5. Comprehensive Plan

#### **Item 4: Revised Agenda**

##### **A: Public Hearing – Conditional Use Permit for Multiple Dogs (Article 31,4 (U)) in R-2**

*Chairman O'Donnell entertained a motion to enter Public Hearing. Motion made by Mr. Hendrix to enter Public Hearing; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

Avery Williamson has filed a petition for a Conditional Use Permit (CUP) for multiple dogs located at 720 W. 5<sup>th</sup> Street, Cameron. Mr. Williamson would like to keep his three current dogs since his move from Hamilton to Cameron.

Mr. Williamson is employed by the Cameron School District and the dogs will be inside the resident during the workday and outside before and after school with supervision. Mr. Williamson has had the three dogs for years and stated that he has never had any issue with the neighbors.

The following stipulations were outlined for the proposed Conditional Use Permit:

1. Only the three current dogs at the time of issuance of the "Permit" are permitted (two Labs and one part Bull Mastiff)
2. Every year all three dogs will be properly licensed with the City of Cameron
3. The fence remains in good repair
4. Animals outside only when the owner is home and under supervision during the permitted hours

Mr. Han stated that the fence is a 42" chain link fence that is maintained and in good repair.

Mr. Han stated that he has received one phone call on June 10, 2013 with a concern that there were five dogs at the residence over the weekend.

Mr. Williamson stated that one of the dogs was visiting and the other dog was a foster dog. Mr. Williamson has already found a home for the dog and will be moved on June 12, 2013.

Mr. Hendrix asked if Mr. Williamson takes in foster dogs on a regular basis.

Mr. Williamson stated that he found the dog and did not want to leave it alone. He stated that this is a onetime occurrence and will not happen on a frequent basis.

Mr. Williamson stated that the dogs are in the house for the majority of the day. He lets the out briefly in the morning and in the evening so they can play and run around.

Chairman O'Donnell stated that the Board usually puts a time frame in the CUP that the dogs will be outside.

Mr. Williamson stated that he would like the dogs to have supervised outside time from approximately 5:30am in the morning till 9:00pm in the evening.

Mr. Hendrix asked if this was the routine being used so far.

Mr. Williamson stated that he has lived in Cameron since June 1, 2013 and this has been the routine for the dogs.

Mr. Hendrix asked if the fence has been successful in keeping the dogs in the yard.

Mr. Williamson stated that the fence has been successful and he has not experienced any problems so far.

Mr. Garges wanted to make sure Mr. Williamson knew that if he moves to another location he will need to reapply for another CUP.

Mr. Williamson stated that he was aware of the rule.

Mr. Williamson's neighbor Betty Blair, 712 W 5<sup>th</sup> Street – Cameron, was present and stated that she has not heard the dogs and does not have a problem with Mr. Williamson having three dogs at his residence.

Mr. Williamson stated that he is willing to take calls from neighbors if they have any concerns or questions.

The Board stated that they would like to add the times of 5:30am to 9:00pm to the allowed times for the dogs to be outside under supervision and that the fence should remain in good repair.

*Chairman O'Donnell entertained a motion to leave Public Hearing. Motion made by Mr. Hendrix to leave Public Hearing; seconded by Mr. Schmidt. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

*Mr. Hendrix made a motion to recommend to City Council to approve the conditional use permit for multiple dogs located at 720 W. 5<sup>th</sup> Street – Cameron; seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

The recommended motion will be presented to City Council for final approval.

#### **B: Public Hearing – Storm Drainage Code – TranSystems**

*Chairman O'Donnell entertained a motion to enter Public Hearing. Motion made by Mr. Hamlet to enter Public Hearing; seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

Over the last six months, Drew Bontrager, Public Works Director, has been working with TranSystems to rewrite our "Storm Water Code." The final revision is ready for Planning and Zoning review.

At the May 13, 2013, John Zimmerman and Erich Schmitz made a presentation about the changes and updates.

John Zimmerman, P.E was present at the meeting to answer any questions the Board or Public had about the Storm Water Code.

Chairman O'Donnell stated that the Storm Water review has been ongoing for many months and has been updated to benefit the City and developers. The updated code is now more consistent with other communities and the State.

Mr. Zimmerman stated that the current storm water code was adopted in 1996 and was found to be needed cleaned up and updated to standard code. Standard detail specifications were added to the code and compliance and standardization to the American Public Works Association (APWA) was followed. Section 5100 – Erosion & Sediment Control and Section 5600 – Storm Drainage Systems & Facilities were updated.

The next big update to the Storm Water Code will happen when the City exceeds a population of 10,000. Additional requirements were placed in the code for quick implementation when the 10,000 threshold is reached.

Requirements included are public education, public involvement (public storm water training) and operation and maintenance program for municipal operations (employee training and controls).

Specific updates to the code clarified requirements of storm water detention, storm water design and storm water management plan submittal requirements.

Out of date references and City practices were also removed.

A new fee structure was also incorporated to the code for submittal review to cover the costs of engineering reviews. Additional fees will be charged for specialty items and multiple reviews. In the outdated code, the fee detail was not very defined. Now builders and contractors will know the storm water costs up front.

Chairman O'Donnell stated that the Storm Water Code is now more standardized so developers can transition to the Cameron code easier.

Mr. Bontrager stated that the KC APWA and Iowa code were adopted into the Cameron code and tailored to Cameron's standards.

Mr. Garges asked if there would be a posting of the new code so contractors know there is a change in Storm Water.

Mr. Bontrager stated that when a permit is requested they would be notified of the change at that time.

Mr. Han stated that when a developer comes to the City to build, he gives them a checklist of all the requirements. The first item on the checklist is storm water so everyone should be notified up front of the rules.

Mr. Han stated that Dig Rite also contacts the City when they are contacted for marking a property and he contacts the builder to discuss permits and guidelines.

Mr. Pratt asked what would happen if the City annexes an area and if the City would have a responsibility to review the area and update the storm water to standards.

Mr. Zimmerman stated that annexing does not require the City to put things up to code but as things are fixed and replaced, the code is to be followed.

Chairman O'Donnell stated that he was comfortable with the revised Storm Water Code.

Mr. Garges stated that he is also comfortable with the revised code as long as City Staff that works with the code are in agreement.

Mr. Garges made a motion to leave Public Hearing; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.

Mr. Garges made a motion to recommend to City Council to approve the revised Storm Drainage Code as presented; seconded by Mr. Pratt. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.

The revised Storm Drainage Code will be presented to City Council for final approval

### **C: Commercial Site Plan Review – 407 W. Second**

Roger Wood, General Manager for Cameron COOP, submitted an application to erect two new grain bins at COOP's 2<sup>nd</sup> and Harris Street location near the bean dump. Each bin will be 81 ft. 3 inches to the peak. When allowing for the auger, supports and catwalk, the total height should be around 94 feet. The new bins will be located west of the existing bins.

The north side of the new bins will align with the existing bins and meet the required minimum setback of 25 feet.

The new bins will be erected on an already impervious location and City staff feels that a storm water review is not necessary due to the location and gravel surface.

There are no issues with any zoning ordinance. The use of the grain bins is proper for C-2 zoning, the setback requirements of 50 feet are met and there are no issues with the Airport Height and Hazards located in zoning article 34.

Board of Adjustments will conduct a Public Hearing for a height variance for the bins on Wednesday, June 12, 2013. Planning & Zoning's decision will be contingent upon Board of Adjustment's decision.

Mr. Hendrix made a motion to approve the commercial site plan review, contingent upon Board of Adjustment's decision, for Cameron COOP to erect two grain bins at 407 W. Second Street; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.

### **D: Public Hearing Continued – Property Maintenance Code: Section 302.3(d) Sidewalks and Driveways**

Chairman O'Donnell entertained a motion to continue Public Hearing. Motion made by Mr. Hamlet to continue Public Hearing; seconded by Mr. Hendrix. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.

#### **~Public Hearing~**

The City Attorney has requested/suggested clarification of section (d) of the Property Maintenance Code regarding all weather surface parking. Section (d) is below:

*“(d) No person shall park any vehicle outdoors on any portion of any zoning district whether public or private, except on an all-weather surface composed of concrete, asphalt, gravel, crushed stone or similar aggregate. The surface shall be a clearly visible layer of all-weather material, not less than four (4) inches in depth, and to exceed the length and width of the vehicle parked thereon by twenty four (24) inches.”*

The intent and purpose of the 2009 regulation is storm water and aesthetics. Parking on the grass causes mud and tracks and is then transferred as debris onto the streets which is then washed into the storm drainage system.

The City has tried to resolve the issue by defining the parking surface as: *“The surface shall be a clearly visible layer of all-weather material, not less than four (4) inches in depth, and to exceed the length and width of the vehicle parked thereon by twenty four (24) inches.”*

The term *clearly visible* was not clarified and several cases have been dismissed in Municipal Court.

It has been proposed to revise the section to address the issue of rutting of parking and driveway areas thereby reducing and eliminating the debris in streets and storm drainage systems and approving the aesthetics of the City.

During the May 2013 meeting, the Board had a concern that the ordinance would be enforced solely on the rutting of parking and driveway areas. After talking to the City attorney, it was determined that *rutting* is an additional tool for code enforcement to use as evidence in court. Code Enforcement will still issue notices based on the visible layer of all-weather surface and tracks in the grass from repeated vehicle traffic off hard surfaces.

The current article located in Chapter 3: Buildings, Article IX: Property Maintenance Code, Section 302.3 Sidewalks and driveways, subsection (d) will be rescinded and replaced with the proposed code below:

*Section 302.3(d) No person shall park any vehicle outdoors on any portion of any zoning district whether public or private, except on an all-weather surface composed of concrete, asphalt, gravel, crushed stone or similar aggregate. The surface shall be a clearly visible layer of all-weather material, not less than four (4) inches in depth, and shall exceed the length and width of the vehicle parked thereon by twenty four (24) inches. Enforcement of and prosecution for violation of this section shall be based upon evidence of surface rutting (two (2) inches or more in depth) or upon evidence that debris has been tracked upon an alley or street from the property where parking occurs. Proof by the property owner of a hard surface parking area, as described above, shall constitute a defense to a charge under this section.*

*Chairman O'Donnell entertained a motion to leave Public Hearing. Motion made by Mr. Pratt to leave Public Hearing; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

*Mr. Pratt made a motion to recommend to City Council to resend the current article in Chapter 3: Buildings, Article IX: Property Maintenance Code, Section 302.2 Sidewalks and Driveways, subsection (d) and adopt the new changes to the code; seconded by Mr. Garges. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

## **E: Comprehensive Plan**

Chairman O'Donnell asked the Board during the May meeting to review the ten current zoning districts and see if the current districts need to be rezoned or if additional districts should be added.

Mr. Han provided a list to the Board of suggestions that have been made for additional zoning districts to allow for future growth. Zoning districts that have been suggested are below:

1. **Airport:** Outside of the Airport Layout Plan (ALP) that is the comprehensive plan for the airport and Article 34, Airport Height & Hazard, there are not restrictions regarding development around the airport. Issues around the airport include flight path, noise, lighting and access for emergency vehicles. It has been suggested that zoning be extended three to four miles off the end of the runway as commercial due to the noise created by low flying aircraft.
2. **Flood Plan/Storm Water Detention Areas:** Spot zoning may be required for commercial and residential areas.
3. **Parks:** Outdoor recreation areas, swimming, sport complexes, outdoor concerts, noise, lighting, trails and other activities.

4. **Reservoirs:** Zoning to allow for expansion and to control the types of development that could impact the quality of runoff or types of pollutants in our raw water and water related activities.
5. **Transportation/Heavy Industrial:** Zoning for high traffic, noise, lighting, odors, 24/7 operations, high water and sewer usage.
6. **Institutions:** Schools, medical, detention facilities and others.

Mr. Pratt asked if the current ten zoning districts in Cameron are included as zoning districts in other communities.

Mr. Han stated that zoning districts depends on the City. Each City has different attributes and areas that they focus on. Mr. Han stated that if the Board would like more information on zoning districts he can research the request and report back to the Board.

Chairman O'Donnell asked what zoning district the reservoir is zoned into.

Mr. Han and Mr. Bontrager expressed that they were not sure and would have to look up the district.

### ***Reservoir***

Chairman O'Donnell stated that he was not sure if the reservoir was placed in a designated annexed area.

Chairman O'Donnell believes that the reservoir needs a specified zoning district since it holds the City's water supply.

Chairman O'Donnell recommended that the Board and Park Board look into a specific zoning district for the city parks. He would like to look at what other communities do with their parks in relation to zoning because they need to be managed correctly.

### ***Airport***

Mr. Bontrager stated that it would be a good idea to adopt the layout plan for the airport (ALP) into the Comprehensive Plan so it is documented and referenced.

Mr. Han stated that it would be good to annex the area as commercial so there are no *residential* complaints if individuals start building homes in the area. It is best to let them know up front that the area has noise and high traffic.

Chairman O'Donnell stated that the Board can go ahead and designate a zoning district for an area even though the area is not currently annexed into the City. The City cannot control County decisions before annexation; however, the zoning district can be placed into the Comprehensive Plan for future planning.

Chairman O'Donnell stated that it is important for the City to document future land use plans in the Comprehensive Plan so the County and incoming development knows what the City is looking towards for future annexation.

### ***Parks***

Chairman O'Donnell stated that the Board would like the Park Board to start gathering ideas for the future of the parks system: i.e. acquiring more parks, expanding, upgrading, additional features, green space, etc. The Board wants to make sure and place the Park Board's ideas in the Comprehensive Plan for future reference.

Mr. Bontrager will relay the request to the Park Board and have them begin working on their ideas.

Chairman O'Donnell will attend the June Park Board meeting on behalf of Planning & Zoning to explain the goals of the Board.

The Board asked Mr. Han to provide the Board with a clean map of the City, up to a mile outside of City limits, including current annexed areas. The Board will begin developing ideas for new zoning districts outside of City limits and review current zoning districts to determine if they need tweaked.

Mr. Han stated that the Board can also use the online GIS system as a reference.

Chairman O'Donnell stated that a representative from MODot will be present at the August 12, 2013 meeting to talk about road expansion at the west entrance of Hwy 36, the intersection at I-35 and Hwy 36 and BB Hwy.

The City needs to have a plan in place (road design) for the above areas so when monies become available the City has a say in road development.

Chairman O'Donnell asked Mr. Han to invite City Council and City Staff to the August meeting so they can be present for the presentation.

#### **Item 5: Future**

##### **A: Cameron School District**

The Cameron School District will be submitting a request to remove an old modular classroom and place a new, larger modular classroom in the same area. They will be requesting a new conditional use permit and a variance.

#### **Item 6: Miscellaneous and Updates**

##### **A: Commissioners**

Mr. Han reported that City Council reappointed Mr. Hamlet and Mr. Pratt to another four year term on the Board.

##### **B: CRMC Construction and Casey's Expansion**

Cameron Regional Medical Center's construction project and Casey's expansion have both started construction and are making progress. Mr. Han will have another update at the July meeting.

##### **C: Temporary Commercial Building**

During the May meeting, the Board approved a site plan for a temporary commercial building in Cameron. At the time, there were some questions from the Board if a temporary commercial building is what is wanted in the City.

Chairman O'Donnell asked the Board to think about the issue and decide if they would like to pursue the question at a future date.

#### **Item 7: Adjourn**

*Mr. Hamlet made a motion to adjourn; seconded by Mr. Hendrix. On voice vote the motion carries as follows: ayes – 6, nays – 0, abstentions – 0, absent – 1.*

Meeting adjourned at 7:49 pm.

Next scheduled meeting of the Cameron Planning and Zoning is July 8, 2013.

Minutes submitted by:

*Chris O'Donnell*  
*Secretary Recorder*  
*Cameron, MO 64429*

Minutes of the June 10, 2013 Cameron Planning and Zoning Commission approved on August 12, 2013



Chairman Michael O'Donnell