

**NOTICE OF OPEN REGULAR MEETING  
Cameron Planning and Zoning Commission**

**Monday, January 13, 2014  
6:00 p.m.**

**AGENDA**

1. Call to Order. Michael O'Donnell, presiding
2. Approval of Minutes; December 9, 2013
3. Public Participation
  - a. Citizens Input / Ideas – No letters or emails at this time, forwarded by the City Manager.
4. Unfinished Business
  - a. Comprehensive Plan workshop
    - i. Maps and future zoning districts
  - b. Subdivision Code
    - i. Discussion on notification requirements for proposed projects.
    - ii. Discussion on notification requirements for "Variances" requested by developers.
  - c. Conflicting language in code - discussion.
    - i. Professional Office definition Article 4
5. New Business - none
6. Future - none
7. Miscellaneous / Updates
8. Next scheduled meeting, Monday February 10, 2014
9. Adjourn

MINUTES  
Regular Meeting  
Cameron Missouri Planning & Zoning Commission  
December 9, 2013

**Item 1: Call to Order**

Chairman O'Donnell called the meeting to order at 6:00pm.

**Commissioners Present:**

Chairman Michael O'Donnell  
Mark Garges  
Tom Hamlet

Edward Schmidt  
George Pratt  
Delvin Jackson – 6:02pm

**Commissioners Absent:**

Stan Hendrix

**Others Present:**

Clyde Han

Chris Johnson – Cameron Newspaper

**Item 2: Approval of Minutes**

**November 12, 2013 Minutes**

*Chairman O'Donnell entertained a motion to approve the minutes of the November 12, 2013 meeting. Motion made by Mr. Garges to approve the minutes of the November 12, 2013 meeting; seconded by Mr. Hamlet. On voice vote the motion carries as follows: ayes – 5, nays – 0, abstentions – 0, absent – 2.*

**Item 3: Public Participation**

**Citizen Input**

Mr. Han reported that no letters or emails were received during the month of October.

**Item 4: Unfinished Business**

**A: Comprehensive Plan Workshop**

Chairman O'Donnell commented on the November 12, 2013 meeting where Michael Rinehart with MODot presented ideas for improvement on I-35/Bob F. Griffin Road and Hwy 36. Chairman O'Donnell felt that it was a very positive meeting with the business/property owners and City employees. The business and property owners seemed very receptive to the improvement ideas and are willing to work with the City and MODot to make things better.

The Chung's expressed interest in developing a transportation district together for the area located at I-35 and Bob F. Griffin Road. If the Chung's would like to put a transportation district together, the City is able to help them with the paperwork and legal aspects. If a transportation district is put together, businesses and property owners in the area can work with the City to make the area safer and easier for travelers:

During the November meeting, Michael Rinehart stated that MODot is planning major improvements at the I-35 – Bob F. Griffin area in 2017. Currently, it has the only stoplight between Hannibal and St. Joseph, MO. With help from the City, MODot will develop a new intersection area that is safer and workable for Cameron. Currently, they are looking at permanent stop lights, widening and lengthening

I-35 on and off ramps and re-decking the bridges. There is also a proposal for adding turn lanes into McDonalds and the other businesses located on Bob F. Griffin Road.

Chairman O'Donnell proposed that the Board work with the proposed ideas from Michael Rinehart; crossover of lanes to reduce and better traffic flow, emergency signaling and a fly over.

It was discussed that a round-about may not work well in the area.

The property owners will need to be included in more discussions to see what their opinions are on the proposed improvements.

Chairman O'Donnell stated that Mr. Rinehart's idea for the west entrance, connecting Route A to Reservoir Road, is a good proposal and would like to add it to the comprehensive plan.

Mr. Garges stated that he would like to see Griffin Road paved to aid in development and emergency issues.

Mr. Pratt stated that all proposed improvements need to be explained to the property owners along with the benefits of the improvements.

Chairman O'Donnell stated that the ideas need to be brought to the owners so they can help develop the plans so everyone is happy with the end result. This way the improvements will be beneficial to everyone.

Mr. Pratt asked if priority levels need to be placed in the comprehensive plan; long term vs. short term.

Chairman O'Donnell stated that it would be a good idea to prioritize the projects. A cross-over will probably not be feasible until a future date.

Mr. Han stated that he has been in contact with McDonalds about their concern from the proposed improvements. He will email them Mr. Rinehart's presentation and photos so they can review what was presented and proposed.

Chairman O'Donnell advised the Board to think about the improvement options. He will put together all the ideas into steps of actions for review.

Chairman O'Donnell would like to have another meeting with the property owners in February to discuss the proposals and issues further.

Mr. Pratt would like to ask Mr. Rinehart about the cost for the proposed projects and determine what projects are feasible.

Chairman O'Donnell will contact Mr. Rinehart about the ideas and also ask for approximate costs. He will also email Mr. Rinehart the proposed steps and have him make comments on the plan.

### **Zoning Districts**

The Board has been discussing adding additional zoning districts both inside and outside the City limits to prepare for growth and development in Cameron. The Board will not be changing current zoning areas but may add some to the Comprehensive if they feel it is necessary. Zoning districts of discussion include; airport, parks, heavy industrial, short term emergency housing and RV parks to name a few.

Mr. Han stated that currently, the prisons are zoned R-2, two family residential, and the area may need to be rezoned as R-3, Multi-family residential.

It has also been a point of discussion that the reservoir is currently not zoned but is City owned. At this time, the City has no say to development upstream and around the reservoir which limits the City's abilities in keeping the public water supply completely safe.

The airport has its own comprehensive plan. The Board is only able to suggest the zoning classification for areas around the airport. Mr. Han suggested that a zoning district be recommended for at least 2 miles from the airport so larger aircraft will not disturb housing developments or businesses if they would ever be developed in the area.

Chairman O'Donnell has spoken to the Park Board about putting together a plan for the future of the parks. It has been suggested that a designated district be set up for parks. This way, an area will be set aside for parks and residents and the City can plan for a park area in the future. This would only apply to future annexation.

After discussion, the Board determined that it is important to designate zoning areas around the detention facility and the reservoir.

There will also be a plan put in place for emergency housing. This way, if there is ever a disaster in the City, temporary housing will be allowed for a specific amount of time to allow for regrowth.

### **Item 5: New Business**

#### **A: Subdivision Code**

During a previous meeting, there was some questions as to if neighbors near a proposed subdivision should be notified when brought to Planning and Zoning for discussion. Currently, there is no mention of a notification in the ordinance. In the amendments of Article 32, it mentions notifying neighbors of a zoning change and includes rules for posting and letter requirements.

Mr. Han stated that the developer might not want the project broadcasted before the project is definitely going to happen; however, it would not be a problem to post a sign on the proposed site notifying the residents of the proposed project even though it is not a mandatory requirement.

Mr. Pratt stated that with the last proposed subdivision, the neighbors would not have been happy about the project even the notification issue.

Mr. Han stated that the Board's job is to review the project and address any hardship that may be brought to their attention. The Board is allowed to make variances as need with discretion.

Chairman O'Donnell stated that he feels the Board did a good job following the code and resolving the issues brought forward. The Board also did a good job determining what the developer was and was not responsible for.

Mr. Hamlet stated that he would like to do something to prevent issues from happening and causing unrest with the neighbors.

Mr. Han stated that the Board's agenda is posted and he is willing to put up a sign on the proposed premises if the Board requests it. However, if the non-required sign is not posted for some reason, it could case an issue with the public/City even though it is not a written code.

Mr. Han also stated that the last issue was the only issue himself or Chairman O'Donnell have encountered in many years.

Mr. Han suggested that the Board think about the issue and he will add it to the January agenda.

**Item 6: Future**

**A: Field Crops**

It has recently been discovered that field crops are listed as a permitted use as well as a conditional use under Article 14 R-2 Two Family Residential District. When the zoning ordinance was modified in May 2011, field crops were mistakenly left in as a permitted use.

It was the consensus of the Board that this was an oversight. Field crops will be left as a conditional use and removed as a permitted use.

**B: Professional Office Definition**

It has also been discovered that there is a missing definition for *professional office* in Article 4 of the zoning ordinance.

There is a question of a State Licensed Massage Therapist and if it is a professional office or medical clinic. Article 31 Conditional Uses, under Section 8-D; Massage Shops definition, would place a Massage Therapist as a Permitted Use in an R-2 district as "Medical Clinic."

The code does not distinguish between full or part time. A massage therapist may have multiple patients a day.

Mr. Han questioned if there should be an ordinance for a state licensed massage therapist.

Mr. Han asked the Board to think about the issue to revisit at a later date.

**Item 7: Miscellaneous/Updates**

**Board of Adjustments**

There has been a resignation on the Board of Adjustments Board. If anyone has suggestions of an individual to fill the position, they are to contact Mr. Han.

**Item 8: Adjourn**

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

Meeting adjourned at 8:06 pm.

Next scheduled meeting of the Cameron Planning and Zoning is January 13, 2014.

Minutes submitted by:

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

Minutes of the December 9, 2013 Cameron Planning and Zoning Commission approved on \_\_\_\_\_, 2014

\_\_\_\_\_  
Chairman Michael O'Donnell

# AGENDA ITEM

## Unfinished Business 4a

To: Cameron Planning and Zoning  
Fr: Clyde Han  
Dt: Monday, January 06, 2014  
Re: Comprehensive Plan Workshop

1. Chairman O'Donnell is asking the commissioners look at each area, how it connects to the city (rural roads, State Highway, Interstate Highway) what is in each area inside and outside the City Limits (reservoirs', airport, residential, commercial, recreation, institutions and so on)
  - a. I have included the 1999/2000 "Future Land Use Plan" from the original Comprehensive Plan for reference.

2. Our 10 current Zoning Districts.

R-1 = Single Family Residential,

R-2 = Two Family Residential,

R-3 = Multi Family Residential,

R-4 = Mobile Home Residential,

A-1 = Agricultural District,

C-1 = Central Commercial,

C-2 = General Commercial,

C-N = Neighborhood Commercial,

M-1 = Light Manufacturing,

CM-P = Commercial and Manufacturing Planned.

New zoning districts suggested in addition to our existing districts;

1. Airport (Article 34. Airport Height and Hazards; adopted by Ordinance March 2010 as part of the Airport Layout Plan (ALP)).

Approach Zone: the approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

Transition Zone: The transitional zones are the areas beneath the transitional surfaces.

Horizontal Zone: The horizontal zone is established by swinging arcs of 5,000 feet radii for all runway designated utility or visual and 10,000 feet for all others from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

Conical zone: The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward there from a horizontal distance of 4,000 feet.

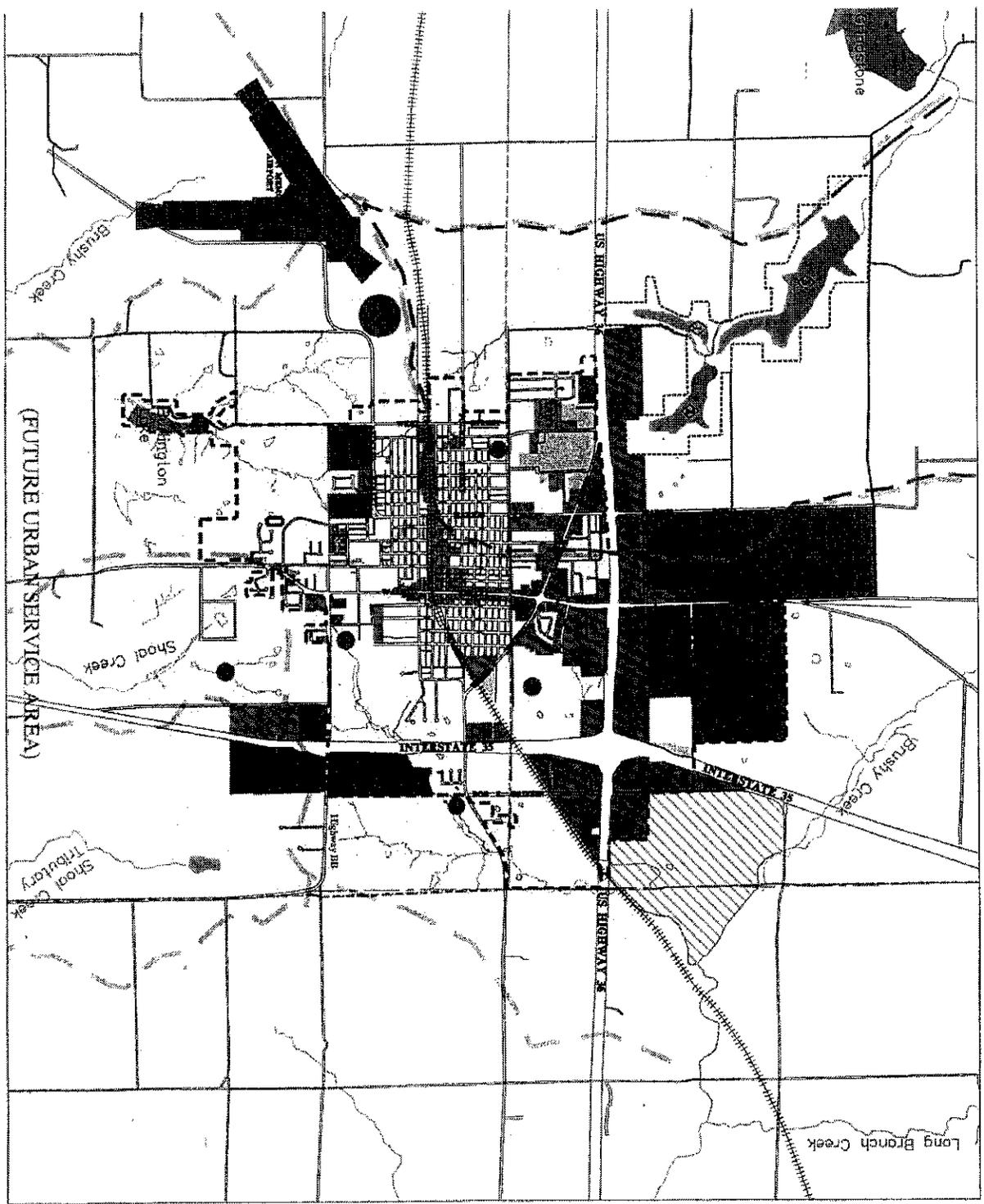
2. Parks – see original "Future Land Use Plan" (Dec 1999)
3. Reservoirs
4. Floodplain, Flood Drainage, Flood Fringe, Floodway Overlay
5. Detention Institutions – see original "Future Land Use Plan" (Dec 1999)
6. RV Parks, campgrounds
7. Emergency Housing; A provision to allow "Short term" (2 yr) housing, will be added to all (may want to exclude the reservoirs) zoning districts. This could be used in cases of natural or manmade disasters to allow housing structures (mobile homes, RV's, campers, tents) that may not conform to the current zoning standards.

3. Consideration of additional zoning districts to allow future growth.
  - a. Transportation / Heavy Industrial – high traffic, noise, lighting, odors, 24/7 operations, high water and sewer usage.
  - b. Institutions
    - i. Schools
    - ii. Medical
  - c. Planned Office District
  - d. Intermediate Business District
  - e. Office Park District
  - f. General Industrial District

1999/2000

# City of Cameron, Missouri

## Future Land Use Plan



### LEGEND

- Lakes and Ponds
- Roads
- City Boundary
- Low-Density Residential
- Higher-Density Residential
- Central Cameron
- Retail Commercial
- Planned Commercial/Institutional
- Planned Commercial/Manufacture
- Light Manufacture
- Passive Recreational/Low Impact Residential
- Ridge Lines
- Long-Term Development
- City of Cameron Reservoir Property
- Future Parks (Conceptual)



**BWR** BUCHER, WILLIS & RATLIFF CORPORATION

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 BWR 98449  
 City File # 94  
 Revised December 1999

**AGENDA ITEM**  
Unfinished Business 4b

To: Cameron Planning and Zoning  
Fr: Clyde Han  
Dt: Monday, January 06, 2014  
Re: Subdivision Code

Carried over from December; the Commissioners expressed the desire to discuss the requirements in our Subdivision Code.

- Notification requirements:
  - a. What type of action requires notification?
    - i. Any proposed subdivision.
    - ii. Any proposed request for "Variance"
  - b. When notification may be required?
  - c. Notification period prior to meeting?
  - d. Where / How (newspaper, radio, sign, letters, web, ...)
  - e. Distance from proposed action for notification?
  - f. Fees/Costs of notification?

For your review I have attached;

- Chapter 10; Subdivision Ordinance (sections 10-7 and 10-9 cover variances and modifications).
- Zoning Article 32 Amendments; fees and notification requirements.
- Article 28. Board of Adjustments; Section 5. Appeals to Board, addresses fees and notification requirements for variances.

## Chapter 10 - SUBDIVISIONS

### Sec. 10-1. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

*Block* (Platted block): A piece of land composed of a specified number of lots as set forth in a platted and recorded subdivision, usually specified by an assigned number or letter. Blocks are usually divided into numbered lots.

*Commission*: Cameron Planning and Zoning Commission.

*Lot* (Platted lot): An individual piece of land as shown on the recorded plat of a subdivision, usually specified by an assigned number or letter, several of which may make up a block on said plat.

*Lot split*: Division of a platted lot into not more than two (2) lots, each of which continues to meet minimum frontage and area standards.

*Minor subdivision*: Subdivision of land into no more than five (5) contiguous lots in which no substandard-sized lots nor new streets are created.

*Owner*: Any person or persons, firm or firms, corporation or corporations, or any other legal entity having title to the land.

*Parcel or tract*: All of the contiguous land under single ownership whether single or multiple lots, or a single legal description, or several combined legal descriptions.

*Plat*: A map indicating the subdivision or re-subdivision of land. A plat sets forth the division of land by indicating the size and area of each lot and/or block shown on the plat including streets, easements, setback lines, and other features relevant to the subdivision. A plat is intended to be filed for record or has been filed for record and is usually prepared by a licensed surveyor or engineer.

*Replat* (Amended plat): Any change to a previously-approved and recorded subdivision plat.

*Resubdivision*: A further division of a lot or lots previously included in a recorded plat or subdivision. May include a replat.

*Right-of-way*: A strip of land occupied or intended to be occupied by a street, crosswalk, railroad, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, shade trees or other special use.

*Street*: Any public way.

*Subdivider*: Any person dividing or proposing to divide land so as to constitute a subdivision including any agent of the subdivider.

*Subdivision* (Platted subdivision): The division or redivision of land into two (2) or more lots or other divisions which is set forth on a plat and has been filed for record. The term may also refer to the process of subdividing or to the land or territory subdivided.

(Code 1976, § 20-1; Ord. No. 4818, § 1, 12-18-00)

### Sec. 10-1.1. - Provisions.

(a) *Jurisdiction*: These regulations shall apply to all land located in the corporate limits of Cameron, Missouri.

(b) *Applicability*: The owner of land within this jurisdiction subdividing land into two (2) or more lots, and blocks or tracts or parcels, for the purpose of laying out any subdivision, building lots, tracts or parcels or any owner of any land establishing any street, alley, park or other property intended for public use or for the use of purchasers or owners of lots, tracts or parcels of land fronting thereon or adjacent thereto, shall cause a plat to be made in accordance with these regulations, unless otherwise exempted. Any lawfully existing plats recorded prior to the effective date of these regulations shall remain valid, and any replats or resubdivisions shall conform to these regulations.

(c) *Exemptions*:

(1) A change in the boundary between adjoining lands which does not create an additional or substandard lot.

(2) Land used for street right-of-way, a drainage easement or other public utilities subject to local, state or federal regulation, where no new street or easement of access is involved.

(Ord. No. 4818, § 2, 12-18-00)

**Sec. 10-2. - Plat approval—Required prior to recording.**

(a) No plat of a subdivision of land lying within the city shall be filed or recorded until it has been submitted to and a report and recommendation thereon made by the planning commission to the council and until the council has approved the plat as provided by law.

(b) No county recorder shall receive for filing or recording any subdivision plat required to be approved by the council or planning commission unless the plat has endorsed upon it the approval of the council under the hand of the city clerk and the seal of the city or by the secretary of the commission.

*(Code 1970, § 20-2)*

*State law reference— Approval of plats. RSMo 89.420 et seq.*

**Sec. 10-3. - Same—Not to constitute acceptance of dedication to public use.**

The approval of a plat by the planning commission does not constitute or effect an acceptance by the city or public of the dedication to public use of any street or other ground shown upon the plat.

*(Code 1970, § 20-3)*

*State law reference— Similar provisions. RSMo 89.430.*

**Sec. 10-4. - Acceptance of streets; laying utilities in streets.**

(a) Upon adoption of a major street plan and subdivision regulations, the city shall not accept, lay out, open, improve, grade, pave or light any street or lay or authorize the laying of water mains, sewers, connections or other utilities in any street within the city unless the street has received the legal status of a public street prior to the adoption of a city plan or unless the street corresponds in its location and lines with a street shown on a subdivision plat approved by the council or planning commission or on a street plan made by and adopted by the commission. The council may locate and construct or may accept any other street if the ordinance or other measure for the location and construction for the acceptance first submitted to the commission for its approval and approved by the commission or, if disapproved by the commission, is passed by the affirmative vote of not less than two-thirds (2/3) of the entire membership of the council.

(b) The city shall not accept public infrastructure until the developer has submitted, in a form acceptable to the city, as-build drawings which accurately show the location and specifications of such infrastructure. Such drawings must be submitted to the office of the city clerk and clearly stamped "AS-BUILT".

*(Code 1970, § 20-4 Ord. No. 4718 ; 11-10-88)*

**Sec. 10-5. - Access streets to conform to provisions prior to issuance of building permit.**

No building permit shall be issued for and no building shall be erected on any lot within the city unless the street giving access to the lot upon which the building is proposed to be placed conforms to the requirements of section 10-4.

*(Code 1970, § 20-5)*

**Sec. 10-6. - Sale or transfer of land by using subdivision plat prior to its approval prohibited.**

No owner or agent of the owner of any land located within the city, knowingly or with intent to defraud, may transfer, sell, agree to sell or negotiate to sell that land by reference to or by other use of a plat of any purported subdivision of the land before the plat has been approved by the city council or planning commission and recorded in the office of the appropriate county recorder. The description by metes and bounds in the instrument of transfer or other document used in the process of selling or transferring shall not exempt the transaction from this section. The city may enjoin or vacate the transfer or sale or agreement by legal action and may recover the penalty in such action.

*(Code 1970, § 20-6)*

*State law reference— Similar provisions. RSMo 89.450.*

**Sec. 10-7. - Variances generally.**

**Where the planning commission finds that extraordinary hardships may result from strict compliance with this chapter, the commission may vary the regulations in this chapter so that substantial justice may be done and the public interest secured, provided that such variation shall not have the effect of nullifying the intent and purpose of the comprehensive city plan or this chapter.**

*(Code 1970, § 20-7)*

**Sec. 10-8. - Modifications for large developments.**

The standards and requirements of this chapter may be modified by the planning commission in the case of a plan and program for a new town, a complete community or a neighborhood unit which, in the judgment of the commission, provides adequate public spaces and improvements for the circulation, recreation, light, air and service needs of the tract when fully developed and populated and which also provides such covenants or other legal provisions as will ensure conformity to and achievement of the plan.

*(Code 1970, § 20-8)*

**Sec. 10-9. - Conditions for grant of variances or modifications.**

**In granting variances and modifications, the planning commission may require such conditions as will, in its judgment, secure substantially the objectives of the standards or requirements so varied or modified.**

*(Code 1970, § 20-9)*

**Secs. 10-10—10-30. - Reserved.**

## ARTICLE II. - PRELIMINARY PLAT

### Sec. 10-31. - Preparation.

On informally reaching conclusions as recommended in this article regarding his general program and objectives, the subdivider shall cause to be prepared a preliminary plat, together with improvement plans and other supplementary material as specified in this article.

*(Code 1970, § 20-14)*

### Sec. 10-32. - Information, sketch plans and data.

(a) General subdivision information for the preliminary plat required by this article shall describe or outline the existing conditions of the site and the proposed development as necessary to supplement the drawings required in this section. This information may include data on existing covenants, land characteristics and available community facilities and utilities and may also include information describing the subdivision proposal such as the number of residential lots, typical lot width and depth, price range, business areas, playgrounds, park areas and other public areas, proposed protective covenants and proposed utilities and street improvements.

(b) A sketch plan on the topographic survey shall show in simple sketch form the proposed layout of streets, lots and other features in relation to existing conditions. The sketch plan may be a free-hand pencil sketch made directly on a print of the topographic survey. In any event, the sketch plan shall include either the existing topographic data listed in section 10-34 or such data as the planning commission determines is necessary for its consideration of the proposed sketch plan.

*(Code 1970, § 20-11)*

### Sec. 10-33. - Scale and contents generally.

The preliminary plat required by this article shall be at a scale of two hundred (200) feet to one (1) inch or larger. The subdivider shall submit ten (10) copies of said plat at least thirty (30) days prior to consideration by the planning and zoning commission. The preliminary plat shall show all existing conditions required in section 10-34 and shall show all proposals including the following:

- (1) Streets including names, right-of-way and roadway widths, approximate grades and gradients and including similar data for alleys, if any;
- (2) Other rights-of-way or easements including location, width and purpose;
- (3) Location of utilities, if not shown on other exhibits;
- (4) Lot lines, lot numbers and block numbers;
- (5) Sites, if any, to be reserved or dedicated for parks, playgrounds or other public uses;
- (6) Sites, if any, for multifamily dwellings, shopping centers, churches, industry or other nonpublic uses exclusive of single-family dwellings;
- (7) Minimum building setback lines;
- (8) Site data, including number of residential lots, typical lot size, acres in parks, etc.;
- (9) Title, scale, north arrow and date; and
- (10) Sidewalks, as required by this chapter.

*(Code 1970, § 20-15; Ord. No. 4996, § 1, 6-17-03; Ord. No. 5298, § 1, 6-6-05)*

### Sec. 10-34. - Topographic data.

Topographic data required as a basis for the preliminary plat in section 10-33 and in accordance with this article shall include existing conditions as follows, except when otherwise specified by the planning commission:

- (1) Boundary lines including bearings and distances;
- (2) Easements including location, width and purpose;
- (3) Streets on and adjacent to the tract including names, right-of-way widths, locations, the type, width and elevation of surfacing, any legally established centerline elevations, and walks, curbs and gutters;
- (4) Utilities on and adjacent to the tract including location, size and invert elevation of sanitary storm sewers, location and size of water mains, location of gas lines, fire hydrants, electric and telephone poles and street lights and, if water mains and sewers are not on or adjacent to the tract, the direction, distance to, and size of the nearest ones shall be indicated showing invert elevation of sewers;
- (5) Ground elevations on the tract, based on a datum plane approved by the city manager, shall include, for land that slopes less than approximately two (2) percent, spot elevations at all breaks in grade, along all drainage channels or swales and at selected points not more than one hundred

(100) feet apart in all directions shall be shown, and, for land that slopes more than approximately two (2) percent either the contours with an interval of not more than five (5) feet if ground slope is regular and such information is sufficient for planning purposes or the contours with an interval of not more than two (2) feet if necessary because of irregular land or need for more detailed data for preparing plans and construction drawings shall be shown;

(6) Subsurface conditions on the tract, if required by the planning commission shall include the location and results of tests made to ascertain subsurface soil, rock and groundwater conditions, the depth to groundwater unless test pits are dry at a depth of five (5) feet, and the location and results of soil percolation tests in individual sewage disposal systems are proposed;

(7) Other conditions on the tract including watercourses, marshes, rock outcrop, wooded areas, isolated preservable trees one (1) foot or more in diameter, houses, barns, shacks and other significant features;

(8) Other conditions on adjacent land including the approximate direction and gradient of ground slope showing any embankments or retaining walls, the character and location of buildings, railroads, power lines, towers and other nearby nonresidential land uses of adverse influence, the owners of adjacent unplatted land, and, for adjacent platted land, the subdivision plat shall be referred to by name showing the recordation date and number and showing approximate percent built up, typical lot size and dwelling type;

(9) Photographs, if required by the planning commission, with camera locations, directions of views and key numbers;

(10) Zoning on and adjacent to the tract;

(11) Proposed public improvements including highway or other major improvements planned by public authorities for future construction on or near the tract;

(12) Key plan showing location of the tract;

(13) Title and certificates including the present tract designation according to official records of the office of the appropriate recorder, the title under which the proposed subdivision is to be recorded with names and addresses of owners, a notation stating acreage, scale, north arrow datum, bench marks, and certification of the registered civil engineer or surveyor and the date of survey.

*(Code 1970, § 20-12)*

#### **Sec. 10-35. - Reserved.**

*Editor's note--*

Ord. No. 4849, § 1, adopted Apr. 17, 2001, repealed § 10-35, which pertained to a draft of protective covenants being filed with the preliminary plat and derived from Code 1970, § 20-16.

#### **Sec. 10-36. - Reserved.**

*Editor's note--*

Ord. No. 4849, § 2, adopted Apr. 17, 2001, repealed § 10-36, which pertained to submission of a preliminary plat to the planning commission and derived from Code 1970, § 20-17.

#### **Sec. 10-37. - Submission of plans and data prior to application for conditional approval.**

Prior to the filing of an application for conditional approval of the preliminary subdivision plan, the subdivider shall submit to the planning commission such plans and data as are specified in this article.

*(Code 1970, § 20-10)*

#### **Sec. 10-38. - Informing subdivider whether plans and data comply with objectives of this chapter.**

Within thirty (30) days after submission, the planning commission shall inform the subdivider that the plans and data as submitted or as modified do or do not meet the objectives of this chapter. When the commission finds the plans and data to not meet the objectives of this chapter, the commission shall express its reasons therefor.

*(Code 1970, § 20-13, Ord. No. 5298 § 2, 6-6-05)*

**Sec. 10-39. - Action of planning commission generally.**

Following review of the preliminary plat and other material submitted for conformity to this chapter, the planning commission shall, if approved, express its approval as conditional approval and state the conditions of such approval, if any, or, if disapproved, the commission shall express its disapproval and its reasons therefor.

*(Code 1970, § 20-18)*

**Sec. 10-40. - Notation of action taken by planning commission; disposition of copies.**

The action of the planning commission on the preliminary plat required by this article shall be noted on two (2) copies of the plat, referenced and attached to any conditions determined. One (1) copy shall be returned to the subdivider and the other retained by the planning commission.

*(Code 1970, § 20-19)*

**Sec. 10-41. - Effect of approval.**

Conditional approval of a preliminary plat required by this article shall not constitute approval of the final plat. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat which will be submitted for approval of the planning commission and for recording upon fulfillment of the requirements of this chapter and the conditions of the conditional approval, if any.

*(Code 1970, § 20-20)*

**Sec. 10-42. - Term of preliminary plat.**

A preliminary plat shall be valid for a term of two (2) years from the date of approval by the planning and zoning commission during which time the developer must receive approval of the final plat (see Article III, Final Plat).

(1) Following expiration of a preliminary plat, in order to be reconsidered, the preliminary plat and all accompanying documentation, fees, forms and applicatio materials must be submitted anew in its entirety.

(2) Prior to the expiration of the preliminary plat and upon written request of the subdivider, the planning and zoning commission may grant an extension. The term of said extension shall be at the discretion of the commission, however it shall not exceed one (1) year. No more than two (2), one-year extensions, for total extensions of two (2) years, may be approved.

*(Ord. No. 5246, § 1, 11-15-05)*

**Sec. 10-43. - Pre-construction meeting.**

Following approval of the preliminary plat by the planning and zoning commission, the developer shall attend a pre-construction meeting with representatives from the city's utility, zoning, public works and administrative departments. The purpose of the pre-construction meeting is to ensure understanding and compliance with the requirements set forth in this chapter and to review documents, drawings, specifications and plans for improvements submitted by the developer.

*(Ord. No. 5244, § 1, 11-15-05)*

**Secs. 10-44—10-60. - Reserved.**

## **ARTICLE 28. BOARD OF ADJUSTMENT**

1. **General:** The Board of Adjustment is primarily a quasi-judicial body rather than an advisory or legislative one. Its role in zoning administration is specifically limited to two types of tasks:

A. The appeal of an administrative decision or interpretation.

B. The granting of variances for cases of hardship.

In the first case, the responsibility of the Board of Adjustment is to rule on the interpretation of the zoning regulations whenever there is an ambiguous provision or an alleged error. Variances are granted for unusual physical constraints, and the role of the Board of Adjustment is to determine if a variance should be granted in a manner which is consistent with the intent of the zoning ordinance and fair to the applicants.

The Board of Adjustment is not involved in administering the subdivision regulations.

### **2. Establishment, Composition and Operation of Board of Adjustment:**

A. A Board of Adjustment is hereby established and is composed of five (5) citizen-members, all of whom shall be appointed by the Mayor and approved by the City Council and shall include a member of the Planning and Zoning Commission and four (4) citizens of the City of Cameron.

B. The term of office for citizen-members of the Board of Adjustment shall be for five (5) years; except that the membership of the first Board of Adjustment appointed shall serve respectively for terms of one (1) for one year, one (1) for two (2) years, one (1) for three (3) years, one for four (4) years, and one (1) for five (5) years. Thereafter, citizen-members shall be appointed for terms of five (5) years each. Three (3) alternate members may be appointed to serve in the absence or disqualification of the regular members. Vacancies shall be filled for the unexpired term only. Members and alternates shall be removed for cause by the Mayor and City Council upon written charges and after public hearing.

### **3. Election and Term of Officer, Promulgation of Rules and Regulations:**

The Board of Adjustment shall elect its own chairman and vice-chairman who shall serve for one (1) year. The Board of Adjustment shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this chapter.

### **4. Meetings and Records:**

Meetings of the Board of Adjustment shall be held at the call of the Chairman and at such other times as the Board may determine. Such Chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings of the Board of Adjustment shall be open to the public. The Board of Adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board of Adjustment and shall be a public record.

### **5. Appeals to Board:**

A. Appeals to the Board of Adjustment on any matter over which the Board is specifically granted jurisdiction in this chapter may be taken by any person aggrieved, or by any officer, department, board or bureau of the City affected by any decision of the Building/Zoning Officer. Such appeal shall be taken within thirty (30) days of such decision by filing with the Building/Zoning Officer and with the Board of Adjustment a notice of appeal specifying the grounds thereof. The Building/Zoning Officer shall forthwith transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from is taken.

B. An appeal stays all proceedings in furtherance of the action appealed from, unless the Building/Zoning Officer certifies to the Board of Adjustment after the notice of appeal shall have been filed with him that by reason of facts stated in the certificate a stay would, in his opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Adjustment, or by a court of record on application or notice to the Building/Zoning Officer and on due cause shown.

C. The Board of Adjustment shall fix a reasonable time for the hearing of the appeal, give not less than ten (10) days notice thereof in a newspaper of general circulation, as well as due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.

D. The Zoning Officer shall place a sign, not less than three (3) square feet per face, upon the front yard, or as close as practicable thereto, of the subject property. Said sign shall contain the message "Zoning Action Pending"; shall show the telephone number of City offices; and shall be placed not less than ten (10) days prior to the public hearing. Unauthorized removal, damage, or vandalism to said sign shall not invalidate the notification provision of this article.

6. **Powers Generally:** The Board of Adjustment shall have the following powers:

**A. Powers Relative to Errors:**

To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Building/Zoning Officer in the enforcement of this chapter.

**B. Powers Relative to Variations:**

When, by reason of exceptional narrowness, shallowness or shape of a specific piece of property on date ordinance is adopted, or by reason of exceptional topographical conditions or other extraordinary or exceptional situation or conditions of a specific piece of property, which condition is not generally prevalent in the neighborhood, the strict application of the area regulations of this chapter would result in peculiar and exceptional practical difficulties or exceptional and undue hardship upon the owner of such property, the Board of Adjustment is hereby empowered to authorize, upon an appeal relating to such property, a variation from such strict application so as to relieve such difficulty or hardships.

**C. Powers Relative to Exceptions:**

Upon appeal, the Board of Adjustment is hereby empowered to permit the following exceptions:

- 1) To permit the extension of a district where the boundary line of a district divides a lot of record in single ownership.
- 2) To permit the reconstruction of a non-conforming building which has been damaged by explosion, fire, act of God or the public enemy, to the assessed value when the Board of Adjustment shall find some compelling public necessity requiring a continuance of the nonconforming use, but in no case shall such a permit be issued if its primary function is to continue a monopoly.
- 3) To permit the erection and use of a building or the use of premises in any location for a public service corporation or for public utilities service.
- 4) To add to the permitted uses in the "C" Commercial and "M" Industrial Districts when the Board of Adjustment has determined that a use is comparable to those already permitted in such district.
- 5) To interpret the provision of this Chapter where the street layout actually on the ground varies from the street layout as shown on the district map.
- 6) To vary parking regulations of this Chapter whenever the character of use of the building is such as to make unnecessary the full provisions of parking facilities or when such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or a convenience.

## **7. Actions Authorized on Appeal:**

In exercising the powers specified in this Article, the Board of Adjustment may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and make such order, requirement, decision or determination as ought to be made and to that end shall have all the powers of the officer from whom the appeal is taken. In considering all appeals to this chapter, the Board of Adjustment shall, before making a finding in a specific case, first determine that the proposed change will not constitute a change in the district map and will not impair an adequate supply of light and air to adjacent property, increase congestion in public streets, increase the danger of fire, materially diminish or impair established property values within the surrounding area or in any other respect impair the public health, safety, comfort, morals and welfare of the City. Every change granted or denied by the Board of Adjustment shall be accompanied by a written finding of fact based on sworn testimony and evidence specifying the reason for granting or denying the variation. The decision of the Board of Adjustment shall be made a part of any building permit in which variation is allowed.

## **8. Vote Necessary to Take Actions:**

The concurring vote of four (4) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of the Building/Zoning Officer to decide in favor of the applicant on any matter upon which is it required to pass under this chapter, or to effect any variation in this chapter.

## **9. Appeals from Board of Adjustment Departments, etc.**

A. Any person jointly or severally aggrieved by any decision of the Board of Adjustment or of any officer, department, board or bureau of the City may present to the Circuit Court of the County having jurisdiction a petition, duly verified, stating that such decision is illegal in whole or in part, specifying the grounds of the illegality and asking for relief therefrom. Such petition shall be presented to the court within thirty (30) days after the filing of the decision in the office of the Board of Adjustment.

B. Upon the presentation of such petition, the court may allow a writ of certiorari directed to the Board of Adjustment for review of the data and records acted upon or it may appoint a referee to take additional evidence in the case. The court may reverse or affirm or may modify the decision brought up for review.

C. Costs shall not be allowed against the Board of Adjustment, unless it shall appear to the court that it acted with gross negligence or in bad faith or with malice in making the decision appealed from.

## **ARTICLE 32. AMENDMENTS**

1. The City Council, may by ordinance, by its own motion or on application amend, supplement, change, modify or repeal the boundaries or zoning designation of districts herein established, regulations or restrictions under the procedures herein provided and following referral thereof to the Planning and Zoning Commission in accordance with this Article.

2. Applications for district changes shall be filed in writing with the City Clerk, who shall place the application before the City Council after determining that it is in proper form as provided herein. All applications, except those proposed by the City Council of the City Planning and Zoning Commission, shall be accompanied by a publication fee of seventy-five (75) dollars, to be returned to the applicant only if such publication is not made. A copy of the application shall remain on file with the City Clerk for public inspection until final action thereof.

3. The City Council or the City Planning and Zoning Commission may provide forms for applications and may require applicants to provide plats and other documents or other information it may determine to be of value in acting upon the application. The City Council and the Planning and Zoning commission may request the opinion and recommendations of other City Boards and officers upon applications.

4. Upon receipt of an application in proper form, the City Council shall refer it to the Planning and Zoning Commission. The City Council may by resolution delegate the duty of such receipt and referral to the City Clerk or similar official. The Planning and Zoning Commission shall return the application to the city council with its recommendations relating thereto and showing the number of votes for and against its action, and may include a summary of the reasons expressed for and in opposition thereto. The City Council may set a date by which the recommendation shall be returned, no less than thirty (30) days from the date of such setting, and the City Council may proceed without receipt of such recommendations in the absence of receipt by such date.

5. The City Council may reject an application without referring it to the Planning and Zoning Commission and without publishing a notice of hearing if the application is made within two (2) years of the Council's rejection of a previous application seeking an amendment for the same or a larger or smaller included tract.

6. In the event that a neighborhood group wishes to down zone from and "R-3" or "R-2" District to an "R-1" District, they may do so by obtaining signatures from sixty-six (66) percent of the landowners in the area to be rezoned. (No small than one lineal block will be considered for such down zoning.) Upon the receipt of such petition, the City Council shall, by its own motion, refer the petition to the Planning and Zoning Commission for its review and recommendation in accordance with the other provisions of this Article. Upon a down zoning, property owners within the affected area shall have twelve (12) months to purchase a permit to build a duplex.

7. No amendment, supplement, or change of the regulations, restrictions or boundaries of districts shall become effective until after the Planning and Zoning Commission has held a public hearing in relation thereto, at which time, parties in interest and citizens shall have an opportunity to be heard. At least fifteen (15) days notice of the time and place of such hearing shall be published in a newspaper of general circulation in the City of Cameron. The City Council may provide for the posting of notices of the hearing

on the tract and for other means of notifying the public or interested person of the proceedings.

8. The Planning and Zoning Commission shall have the power to continue public hearings by a majority vote.

9. It shall be the duty of the Zoning Officer to notify, by mail, all property owners within an area determined by lines drawn 185 feet distant from the boundaries of the district proposed to be changed, supplemented, modified or altered at least fourteen (14) days in advance of the public hearing affecting such area.

10. In the case of a protest against any proposed amendment, supplement, change, modification, or repeal duly signed and acknowledged by the owners of ten (10) percent or more, either of the area of the land (exclusive of streets, and alleys) included in such proposed amendment, supplement, change modification or repeal, or within an area determined by lines drawn parallel to and 185 feet distant from the boundaries of the district proposed to be changed, such amendment, supplement, change, modification or repeal shall not become effective except by the favorable vote of three-fourths (3/4) of all the members of the City Council.

11. The Zoning Officer shall place a sign, not less than three (3) square feet per face, upon the front yard, or as close as practicable thereto, of the subject property. Said sign shall contain the message "Zoning Action Pending"; shall show the telephone number of City offices; and shall be placed not less than ten (10) days prior to the public hearing. Unauthorized removal, damage, or vandalism to said sign shall not invalidate the notification provision of this article.

## **AGENDA ITEM**

### Unfinished Business 4c

To: Cameron Planning and Zoning  
Fr: Clyde Han  
Dt: Monday, January 06, 2014  
Re: Zoning Changes; Article 14 and Article 4

A change in either Article will require a Public Hearing.

No decision will be made at this meeting.

1. At the December meeting it was determined that section J Field Crops, Article 14 - 2, should have been removed from "R-2" Two Family Residential District, when the Zoning Ordinance was modified in May 2011.
2. Also in the December meeting it was determined that a State licensed Massage Therapist, meets the criteria as a "Medical Clinic" and is a Permitted use in "R-2" Two Family Residential District, However; You have to read Article 31, Section 8-D; Massage Shops to find the definition of a State licensed Massage Therapist.
3. The final issue carried over from December is the definition, or lack of, for "Professional Office" in Article 4 of our Zoning Ordinance.
  - a. Do we need a definition for "Professional Office"?
    - i. accountant, architects, attorneys, engineers, financial advisors, ...
      1. dentist and doctors are covered under "Medical Clinics"
  - b. If a definition is required for "Professional Office, what should the definition be?

## **ARTICLE 14. "R-2" TWO-FAMILY RESIDENTIAL DISTRICT**

1. **Purpose:** It is the purpose of this district to provide for moderate density residential development, including two-family and higher density single-family dwellings, and to encourage strong, residential neighborhoods.

### **2. Permitted Uses:**

A. Any use permitted in the R-1 single family district.

B. Medical Clinic.

C. Group Home.

D. Religious, educational, or eleemosynary institution of a philanthropic nature, but not a penal or mental institution

E. Hospital or sanitarium, except a criminal, mental, or animal hospital.

F. Duplexes

G. Private club, fraternity, sorority or lodge, except one the chief activity of which is a service customarily carried on as a business.

H. Accessory building or use customarily incidental to any of the above uses, including a storage garage on a lot occupied by a multiple dwelling, boardinghouse, hospital or institution, and conforming to the size limitations set forth in Article 21.

I. Signs: See Article 23.

**J. Certain agricultural uses such as field crops, truck gardening, berry or bush crops and flower gardening including a greenhouse, but not including a salesroom or roadside stand.** (Also note we have no definitions for; "truck gardening")

### **Section "B" removed here to conserve space/paper**

C. **Conditional Uses:** The following uses are permitted in the R-2 District only by obtaining a conditional use permit. See Article 31 Conditional Uses for complete information on the procedure and requirements.

A. Kennels.

B. Radio, television, microwave and mobile telephone towers.

C. Rodeo and fair grounds.

D. Golf driving ranges.

E. Day care centers (See Article 31.4.L for conditions).

F. Taxicabs.

G. Bed and breakfasts.

H. Photo studios.

I. Professional offices (See Article 31.4.U. for space provisions).

J. Multiple dogs, provided that the applicant shall have owned said dogs upon moving to Cameron.

**K. Field Crops.**

***Ord. 5665, May 2, 2011***

## **ARTICLE 31. CONDITIONAL USES**

1. **General:** conditional uses are those types of uses which, due to their nature, are dissimilar to the normal uses permitted within a given zoning district or where product, process, mode of operation, or nature of business may prove detrimental to the health, safety, welfare or property values of the immediate area and its environs.

Within the various zoning districts specific uses may be permitted only after additional requirements are complied with as established within this section.

### **Sections 2 & 3 removed to conserve space / paper**

4. **Established:** The following are established conditional uses which may be located in the districts as indicated on the "Conditional Uses by District" table by obtaining a conditional use permit:

- A. Kennels.
- B. Telecommunication towers.
- C. Riding stables, riding academies and tracks.
- D. Private athletic fields.
- E. Rodeo and fair grounds.
- F. Golf driving ranges.
- G. Taxicabs.
- H. Bed & breakfasts.
- I. Photo studios.
- J. Professional offices.
- K. Billboards.
- L. Adult bookstores (see Article 31.8 Definitions).
- M. Adult entertainment facilities (see Article 31.8 Definitions).
- N. Bathhouses (see Article 31.8 Definitions).
- O. Massage Shops (see Article 31.8 Definitions).
- P. Modeling studios (see Article 31.8 Definitions).
- Q. Outdoor gun clubs, skeet shoots or target ranges.
- R. Small animal confinement systems.
- S. Private corrections institutions.

### **T. Field Crops.**

***Ord. 5665, 05/02/2011***

#### ARTICLE 4. DEFINITIONS

**Field Crops:** Those cultivated agricultural commodities commonly associated with farming operations such as corn, soybeans, wheat, oats, hay, sorghum, cotton, barley, rye, rice, forages and similar plants. Ordinance 5644: Updated February 2011

**Medical Clinic:** Any building designed for use by one or more persons lawfully engaged in the diagnosis, care and treatment of physical or mental diseases or ailments of human beings; including, but not limited to, doctors of medicine, dentists, chiropractors, osteopaths, optometrists, podiatrists, and in which no patients lodged overnight, but which may include apothecary. Ordinance 5644: Updated February 2011

#### ARTICLE 31. CONDITIONAL USES

**D. Massage Shop:** An establishment which has a fixed place of business having a source of income or compensation sixty (60) percent or more of which is derived from the practice of any method of pressure on or friction against or stroking, kneading, rubbing, tapping, pounding, vibrating or stimulation of external parts of the human body with the hands or with the aid of any mechanical electric apparatus or appliances with or without such supplementary aids or rubbing alcohol, liniments, antiseptics, oils, powders, creams, lotion, ointment or other similar preparations commonly used in the practice of massage. Under such circumstances that it is reasonably expected that the person to whom the treatment is provided or some third person on his or her behalf will pay money or give any other consideration or gratuity; **provided that this term shall not include any establishment operated or supervised by a medical or chiropractic practitioner or professional physical therapist licensed by the State of Missouri.** Ord. 5665, 05/02/2011

**AN ORDINANCE FOR CHANGE IN ZONING ORDINANCE ARTICLE 14.  
“R-2” TWO-FAMILY RESIDENTIAL DISTRICT, SECTION 2;  
PERMITTED USES, PARAGRAPH J; CERTAIN AGRICULTURAL USES**

**WHEREAS**, To eliminate conflicting language in Article 14 of the City of Cameron Zoning Ordinance and

**WHEREAS**, a public hearing concerning said matter was held before the Planning and Zoning Commission at City Hall in Cameron, Missouri at 6:00 p.m. on \_\_\_\_\_; and

**WHEREAS**, notice of said hearing was published in the *Cameron Citizen-Observer*, a newspaper of general circulation, on \_\_\_\_\_.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMERON, CLINTON AND DEKALB COUNTIES, MISSOURI, AS FOLLOWS:**

Section 1. R-2 Two-Family Residential District, Section 2 - Permitted Uses; Paragraph J – Certain Agricultural Uses, of Chapter 14, Zoning, of the Cameron City Code is hereby amended by removing “Field Crops”

Section 2. The Mayor is authorized to sign this ordinance, approving it on behalf of the City.

Section 3. The City Clerk is directed to attest to the Mayor’s signature.

Section 4. This Ordinance shall take effect and be in full force from and after its passage and approval.

**Read three times, passed and approved this \_\_\_\_\_ of \_\_\_\_\_.**

\_\_\_\_\_  
Mayor Dennis M. Clark

ATTEST:

\_\_\_\_\_  
City Clerk