



Community Development Conference Room 128
City Hall
903 W. Main Street

DEVELOPMENT ADVISORY COMMISSION
MEETING AGENDA

Wednesday, March 16, 2022- 3:00 p.m.

Board Members please call 816-228-0211 if unable to attend

**The Board Members may participate via telephone conference by calling
(816) 743-4875 – Conference ID: 457 133 375#
as provided in Section 610.020 RSMo.**

- 1 CALL TO ORDER**
 - A. Minutes – February 9, 2022
- 2 REVIEW OF PROJECT APPLICATIONS**
 - A. UDC Text Amendments (UDCT-03-22-8174) – Boards and Commissions
- 3 OTHER BUSINESS**
- 4 ADJOURN**

If special accommodations are required for citizen participation in this meeting,
PLEASE CALL 816-228-0207 (VOICE) OR 816-228-0250 (TDD)

Agenda posted at the following locations:
City Hall, 903 W. Main Street
City's website
<http://www.bluespringsgov.com/AgendaCenter>
March 15, 2022

A quorum of the City Council may be in attendance however no City Council votes will be taken.
Community Development



**City of Blue Springs
903 Main Street
Blue Springs, Missouri 64015**

**Development Advisory Commission
MINUTES
Wednesday, February 9, 2022**

A meeting of the Development Advisory Commission of the City of Blue Springs was held in City Hall Development Room 128 located at 903 W. Main Street on Wednesday, February 9, 2022, with the following members and guests in attendance.

**MEMBERS
PRESENT**

Travis Hagewood
Travis Graham, Chair
Bob Frost
Orion Berridge, Vice Chair

**MEMBERS
ABSENT**

STAFF / OTHERS

Mike Mallon, Director, Community Development
Matt Wright, Assistant Director, Community Development
Chris Sandie, Director, Public Works
Jerry Kaylor, Councilmember Dist. 1, Liaison
Aliyah Kincade, Recording Secretary
Jackie Sommer, City Attorney

CALL TO ORDER

Chairperson Travis Graham called the meeting to order at 9:10 a.m.

**APPROVAL OF
MINUTES**

Chairperson Graham requested action on the Consent Agenda. Commissioner Bob Frost moved to approve the June 15, 2021, meeting minutes. Seconded by Commissioner Travis Hagewood.

**AGENDA ITEM 2A
/ UNIFIED
DEVELOPMENT
CODE TEXT
AMENDMENT /
A. UDCT-01-22-8120
/ "Solar Energy
Systems"**

Matt Wright, Assistant Director, Community Development, presented to change section "F" in the Solar Energy Systems section and remove "roof mounted panels shall not be allowed on the primary street facing roof plane".

Mr. Wright stated City Council in December of 2021 stated they wanted this part of the code re-reviewed. Since the amendment took place in 2019 twelve applications have been denied due to the prohibition and many more withdrawn or revised. Community Development has received many calls and concerns regarding the prohibition and the prohibition does diminish the availability for solar panels, especially houses facing west and south.

IV

City Council did raise concern on how the amendment will affect HOA's and Mr. Wright did notate the building permit application has a statement that the application is in accordance with the HOA covenants. The City does not regulate the HOA covenants but the wording is in place for homeowners and contractors awareness. HOA's may have more restrictive solar panel requirements than the City, but they cannot be less restrictive than the City.

QUESTIONS

Chairperson Graham questions if we are the only City with the solar panel prohibition.

Mike Mallon, Director, Community Development, answers when we did research about two years ago there was one city in the St. Louis area and he believes Mission Hills, Kansas.

Councilmember, Jerry Kaylor, Dist. 1, states he is one of the Councilmembers bringing the reconsideration forward and did vote for the prohibition previously. Councilmember Kaylor raises his concern with the amendment in reference to the HOA's and possibly asking for an approval from the HOA's.

Mr. Mallon states other Councilmembers have asked for the HOA approval letters, but due to not having any jurisdiction over HOA's, we have not done an approval letter. Mr. Mallon recommends we do not add the HOA approval in the Code as it could lead to unwanted reactions in the future.

Commissioner Travis Hagewood reiterates that any building permit within a HOA district needs to receive approval and in most cases the HOA is aware, but there are those few scenarios where it does not happen.

Mr. Mallon states from a staff perspective, the HOA approval letter has not been required so that the City does not appear as if they are enforcing HOA restrictions and would like to continue that ideology moving forward.

Mr. Wright states we would internally need to flag all parcels within HOA district and further confirm if the HOA is active.

Councilmember Kaylor questions if we can add a checkbox indicated the HOA approval and if the application was found to be false, it would void the permit entirely.

Mr. Mallon states the building permit application has no indication if the applicant is part of an HOA or that the HOA has approved said permit application.

Commissioner Hagewood questions if a HOA approval suggestion could be added to the building permit application.

Aliyah Kincade, Recording Secretary, states previously she assisted with building permits and that it is advised to check with the HOA and the building permit application iterates the same detail.

Mr. Mallon states we can add by policy a phrase to the approval letter connecting HOA approval or awareness.

Mr. Wright agrees with Mr. Mallon and adds we could use an automate stamp.

Councilmember Kaylor is pleased with such suggestions.

Mr. Mallon applauds the suggestions as this would be the safest for the homeowners, HOA's and City. This would relinquish the ideology that the City is trying to enforce HOA policy.

Mr. Wright states agrees with Mr. Mallon, and it would also dissolve any disputes that could occur in the future.

Chairperson Graham questions if the previous suggestions should be an amendment to the proposed amendment or just an internal note.

Jackie Sommer, City Attorney states the suggestion should be left out of the Code.

Mr. Wright and Mr. Mallon express the verbiage can be adjusted on the building permit application.

Ms. Sommer advises to add the suggestion to the City Council presentation as a DAC recommendation.

Chairperson Graham asks if the buildings can handle the solar array weight, does that play apart in the permit process.

Mr. Wright states the applications are usually above and beyond capability and the application comes with an engineer sign off to show the building is capable of the additional weight.

Commissioner Bob Frost wants clarification on the amendment and if the HOA denies the solar array, it would be denied. If the HOA denies the application for the solar array the application would need to appeal the HOA covenants or revise such plan, the City has no jurisdiction.

Mr. Wright explains this amendment goes back to the solar restrictions prior to 2019 which had no prohibition on street-facing panels.

Commissioner Frost explains the amendment bothers him due to the aesthetics of solar panels on the front of buildings. Commissioner Frost can accept the amendment if the HOA has jurisdiction on approval of the solar arrays.

Chairperson Graham states if the restrictions do no override HOA and developers restrictions he too is in acceptance of the amendment.

Councilmember Kaylor addresses Commissioner Frost displeasure with the solar panel aesthetics and explains new technology for solar panels is coming to revert such dislike.

Mr. Mallon states the HOA's will still be protected and have more jurisdiction than the City in conjunction with structures built without an approval or permit.

MOTION

A. UDCT-01-22-8120
/ "Solar Energy
Systems"

Commissioner Bob Frost moved to recommend approval of UDC Text Amendment / A. UDCT-01-22-8120 with suggestions to be added to the building permit approval letter or application.

SECOND

Commissioner Travis Hagewood.

VOTE

Bob Frost- Aye
Orion Berridge – Aye
Travis Hagewood – Aye

(APPROVED 3-Aye, 0-No)

ADJOURN

With no further items to come before the Commission, a motion was made by Commissioner Bob Frost, and seconded by Commissioner Travis Hagewood, to adjourn at 9:31 a.m. Motion carried unanimously.

Respectfully Submitted by,
Aliyah Kincade, Recording Secretary

Travis Graham, Chairperson

Date

DRAFT

MEMORANDUM

DATE: March 14, 2022

TO: Development Advisory Commission

FROM: Matt Wright, Asst. Director, Community Development

SUBJECT: Amendments to the Unified Development Code (UDC) to:

UDCT-03-22-8175: An Ordinance amending various Sections and Subsections of Title IV, Chapter 401-411, Unified Development Code, of the Code of Ordinances of the City of Blue Springs to amend and adopt regulations related to Review and Decision-Making Bodies and associated processes and procedures

The proposed UDC Text Amendments are scheduled to be presented to the following for recommendation and/or approval:

- Development Advisory Commission – Wednesday, March 16, 2022
- Planning Commission – Monday, March 28, 2022 (public hearing)
- City Council – Monday, April 4, 2022 (public hearing)

Background Information

Since December 2021, a Boards and Commissions task force consisting of staff liaisons and three (3) Councilmembers have been working together on the review of all current regulations, processes, and procedures related to boards and commissions. The task force's goal is to amend regulations, processes, and procedures to create consistency and clarity across all boards and commissions. This consistency and clarity is intended to ensure that all boards and commissions are generally (except where otherwise directed by State statutes) following the same processes and procedures in regards to appointments/reappointments of members and chairs/vice chairs, attendance records, and scheduling and conduct of meetings and public hearings.

Chapter 402 in the Unified Development Code (UDC) includes six (6) review and decision-making bodies, including: Planning Commission, Board of Adjustment, Appearance Review Committee, Historic Preservation Commission, Downtown Review Board, and Development Advisory Commission (also referenced in Chapter 120 of the Municipal Code as the Commission may address codes outside of the UDC).

All six (6) review and decision-making bodies are proposed to be amended. **The proposed UDC text amendments below are for review and recommendation by the Development Advisory Commission are drafts. Further modifications may be needed based on final reviews by the task force or based on changes in other chapters within the Municipal Code that may not be in the UDC. Reformatting and updates to section letters and numbers will also be needed. Although**

some language may be modified, the general intent of the code amendments is not anticipated to change.

This is the first set of code amendments which standardizes the processes and procedures for all boards and commissions. A second set of code amendments is anticipated later in the spring which will address other items that have been discussed by the task force. These items include implementing and requiring neighborhood meetings for certain planning applications which require public hearings, amendments to the duties and powers of the Historic Preservation Commission and Downtown Review Board to address overlapping and conflicting processes and procedures, and an update to the Procedures summary table (Table 403.010-1) related to the aforementioned amendments.

Proposed UDC Text Amendment

Language to be added to the UDC is UNDERLINED.

Language to be deleted from the UDC is shown as ~~STRICKEN~~.

Section 402.020 Planning Commission – Summary of Changes

Since the establishment of the Planning Commission and much of its powers and duties are subject to State statute, all proposed amendments are generally related to the appointment of Commissioners and Chair/Secretary (Vice Chair) roles. Additionally, State statute requires that there be a minimum of seven (7) commissioners with up to a maximum of fifteen (15) commissioners. There has been discussion on reducing the number of commissioners from eleven (11) to nine (9), which could help with quorums for meetings. Requirements for the establishment of sub-committees has been added.

Section 402.020 Planning Commission

A. Established. Under the provisions of the Charter of the City of Blue Springs and Section 89.300, RSMo., and following, as the same are from time-to-time amended, there is herewith authorized, appointed and established a Planning Commission for the City of Blue Springs.

B. Membership And Appointment. The Planning Commission shall consist of nine (9)~~eleven (11)~~ members for four (4) year terms. The Mayor, with the consent and approval of a majority of the City Council, shall appoint all members of the Planning Commission. All members shall be residents of Blue Springs. Best efforts will be made to have representation from each Council District. Appointment of a successor or reappointment of a member shall be effective on or about May 1 following expiration of the member’s term. Members shall continue to hold office until reappointed or their successor is appointed. The Mayor, with the consent and approval of a majority of the City Council, shall appoint a person to fill the unexpired term of that member.

Any member of the Planning Commission may be removed from office for misconduct, neglect of duty, or lack of qualifications upon written charges and after a public hearing by executive order of the Mayor after receiving the consent of a majority of the entire City Council, or by a five-sevenths (5/7) vote of the City Council on its own initiative.

The members of the Planning Commission shall elect a Chair and Vice Chair annually on or about May 1 for a term of one year. No member shall serve more than two consecutive terms as Chair or Vice Chair.

Any sub-committee of the Planning Commission shall require approval of the City Attorney and City Council. Any approved sub-committees shall abide by all Sunshine Laws

The commission shall elect its chairman and secretary from among the citizen members. The term of chairman and secretary shall be for one year with eligibility for reelection.

~~C. Powers And Duties. The powers, duties and terms of office of the members of the Planning Commission shall be as designated by Section 89.300 et seq., RSMo., as the same may be from time-to-time amended. Rules of Procedure shall be adopted and amended from time to time by Resolution by the City Council. The Commission shall have the power to make whatever rules and guidelines necessary for the execution of its duties as set forth in the UDC consistent with State law. All rules shall be approved by the City Council by resolution before becoming effective. The citizen members who have been previously appointed and are serving at the time that this Section was first enacted shall continue for the remaining periods of their appointments. Thereafter, when a position on the Planning Commission becomes vacant, the person filling that vacancy shall be appointed for a four (4) year term and said terms shall be such that they expire on April 15 each year.~~

~~B. The Mayor, with the consent and approval of a majority of the City Council, may remove from office any member of a Board, Commission, or Committee for misconduct, neglect of duty, or lack of qualifications, except as otherwise specified in this Code of Ordinances.~~

D. Comprehensive Plan. There is herewith adopted and authorized a Comprehensive Plan, to be prepared by the Blue Springs Planning Commission, which plan shall be promulgated by the Commission under the rules, regulations and conditions authorized and provided for by Section 89.300 et seq., RSMo., as the same are from time-to-time amended.

E. Zoning Commission. The Blue Springs Planning Commission is hereby appointed as the Zoning Commission of Blue Springs.

The Planning Commission shall submit, on or before April 1 of each year, a written report to the City Council containing activities and updates of the board.

Section 402.030 Board of Adjustment – Summary of Changes

Similar to the Planning Commission, the establishment of the Board of Adjustment and much of its powers and duties are subject to State statute. Proposed amendments are related to the appoint of Commissioners and revising language to match State statutes. Requirements for the establishment of sub-committees has been added.

A. Establishment. A Board of Adjustment is hereby established in accordance with Chapter 89, RSMo.

B. Membership. The Board of Adjustment shall consist of five (5) members. Three (3) alternate members may be appointed to serve in the absence of or the disqualification of the regular members. Members shall be appointed for terms of five (5) years each. The Mayor, with the consent and approval of a majority of the City Council, shall appoint all members of the Board of Adjustment. All members shall be residents of Blue Springs. Best efforts will be made to have representation from each Council District. Appointment of a successor or reappointment of a member shall be effective on or about May 1 following expiration of the member's term. Members shall continue to hold office until reappointed or their successor is appointed. The Mayor, with the consent and approval of a majority of the City Council, shall appoint a person to fill the unexpired term of that member. , who are residents of the City. The citizens who have been previously appointed and serving at the time that this Section or UDC is readopted shall continue for the remaining periods of their appointments. Thereafter members shall be appointed for

~~terms of five (5) years each. Three (3) alternate members may be appointed to serve in the absence of or the disqualification of the regular members. Any member of the Board of Adjustment may be removed from office for misconduct, neglect of duty, or lack of qualifications upon written charges and after a public hearing by executive order of the Mayor after receiving the consent of a majority of the entire City Council, or by a five-sevenths (5/7) vote of the City Council on its own initiative. All members and alternates shall be removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose term becomes vacant.~~

A.

B. The Board of Adjustment shall elect its own Chairperson who shall serve for one (1) year. No member shall serve more than two consecutive terms as Chair.

C. Any sub-committee of the Board of Adjustment shall require approval of the City Attorney and City Council. Any approved sub-committees shall abide by all Sunshine Laws.

□

C. Meetings And Voting. Rules of Procedure shall be adopted and amended from time to time by Resolution by the City Council~~The Board of Adjustment may adopt rules and bylaws in accordance with the provisions of this Chapter. shall adopt rules and bylaws in accordance with the provisions of this Chapter adopted pursuant to RSMO sections Sections 89.010 to 89.140 RSMo.~~ Meetings of the Board of Adjustment shall be held at the call of the Chairperson and at such other times as the Board of Adjustment may determine. The Chairperson may continue any hearing at the request of the applicant to a date certain if in their discretion they deem it advisable, provided that the costs of continuance and notice of the next hearing date to interested parties shall be at the cost of the applicant or party requesting the continuance. The Chairperson 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 public record. All testimony, objections thereto, and rulings thereon shall be taken down by a reporter employed by the Board of Adjustment for that purpose.

D. Powers And Duties. The Board of Adjustment shall have the following powers and duties:

1. Appeals. To hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by an administrative official of the City in the enforcement of this Development Code. In passing upon appeals, where there are practical difficulties or unnecessary hardship in the way of carrying out the strict letter of such ordinance, to vary or modify the application of any of the regulations or provisions of such ordinance relating to the construction or alteration of buildings or structures or the use of land so that the spirit of the ordinance shall be observed, public safety and welfare secured and substantial justice done.

2. Variances. To authorize in specific cases a variance from the specific terms of this Development Code which will not be contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of this Development Code will, in an individual case, result in unnecessary hardship or practical difficulties, provided that the spirit of this Development Code shall be observed, public safety and welfare secured, and substantial justice done. [Ord. No. 4795, 2-19-2019]

3. Other Matters. To hear and decide all matters referred to it or upon which it is required to pass under this Development Code.

E. Vote Required For Action. A concurring vote of four (4) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision, or determination of any administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this Development Code, or to approve any variance under this Development Code.

F. Appeal Of Board Of Adjustment's Decision.

1. Any person or persons, jointly or severally aggrieved by any decision of the Board of Adjustment, or any officer, department or board of the municipality, may present to the Circuit Court of the County a petition, duly verified setting forth that such decision is illegal, in whole or in part, specifying the grounds of the illegality. 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.
2. Upon the presentation of such petition, the Court may allow a writ of certiorari directed to the Board of Adjustment to review such decision of the Board of Adjustment and shall prescribe therein the time within which a return thereto must be made and served upon the relator's attorney, which shall not be less than ten (10) days and may be extended by the Court. The allowance of the writ shall not stay proceedings upon the decision appealed from, but the Court may, on application, on notice to the Board of Adjustment and on due cause shown, grant a restraining order.
3. The Board of Adjustment shall not be required to return the original papers acted upon by it, but it shall be sufficient to return certified or sworn copies thereof or of such portions thereof as may be called for by such writ. The return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision appealed from and shall be verified.
4. If, upon the hearing, it shall appear to the Court that testimony is necessary for the proper disposition of the matter, it may take additional evidence or appoint a referee to take such evidence as it may direct and report the same to the Court with the findings of fact and conclusions of law, which shall constitute a part of the proceedings upon which the determination of the Court shall be made. The Court may reverse or affirm, wholly or partly, or may modify the decision brought up for review.
5. 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.
6. All issues in any proceeding under this Section shall have preference over all other civil actions and proceedings.

Section 402.040 Appearance Review Committee – Summary of Changes

The Appearance Review Committee is tasked with reviewing certain development applications within the Adams Dairy Parkway Overlay zoning district. Proposed amendments are related to the appointment of members, selection of Chair/Vice Chair roles, specifying which applications require review, and when a meeting may be called. General Rules of Procedure are recommended to be adopted separately by City Council that would apply to all boards and commissions, unless otherwise stated. Requirements for the establishment of sub-committees has been added.

A. Establishment And Administration.

1. Establishment. There is hereby established a committee in and for the City of Blue Springs which shall be known as the Appearance Review Committee.
2. Composition. The Appearance Review Committee shall consist of three (3) members.
3. Qualifications Of Members. Individuals familiar with or experienced in matters of aesthetic judgment and who are residents of the City, shall be eligible as members of the Appearance Review Committee.
4. Appointment Of Members. The Mayor, with the consent and approval of a majority of the City Council, shall appoint all members of the Appearance Review Committee. All members shall be residents of Blue Springs. Best efforts will be made to have representation from each Council District. Appointment of a successor or reappointment of a member shall be effective on or about May 1 following expiration of the member's term. Members shall continue to hold office until reappointed or their successor is appointed. The Mayor, with the consent and approval of a majority of the City Council, shall appoint a person to fill the unexpired term of that member. Each member of the Appearance Review Committee shall be appointed by the Mayor, with the approval of the City Council.

5. ~~Terms Of Members. Each member shall be appointed for a term of two (2) years, provided that the terms of the first three (3) members appointed shall be for one (1), two (2) and three (3) years, respectively.~~

6. ~~Removal Of Members. Any member of the Appearance Review Committee may be removed from office for misconduct, neglect of duty, or lack of qualifications by executive order of the Mayor after receiving the consent of a majority of the entire City Council, or by a five-sevenths (5/7) vote of the City Council on its own initiative. Members of the Appearance Review Committee may be removed without cause at the will of the Mayor with the consent of the City Council.~~

7. ~~Designation Of Chairperson~~Chair and Vice Chair. The members of the Appearance Review Committee shall elect a Chair and Vice Chair annually on or about May 1 for a term of one year. No member shall serve more than two consecutive terms as Chair or Vice Chair. The Committee shall elect its Chairperson and Vice Chairperson annually on or about May 1. The Chairperson shall be limited to two consecutive terms.

~~The Chairperson of the Appearance Review Committee shall be designated by the Mayor.~~Committee.

8. Rules of Procedure. Rules of Procedure shall be adopted and amended from time to time by Resolution by the City Council.

9. Sub-Committees: Any sub-committee of the Appearance Review Committee shall require approval of the City Attorney and City Council. Any approved sub-committees shall abide by all Sunshine Laws.

10. Area Of Effect. The Appearance Review Committee shall be responsible for review of applications for building permits, site plan design review applications within the Adams Dairy Parkway Overlay (ADP-O) Zoning District or any other area or district of the City as authorized or directed by the City Council. Committee review shall not be required for single-family detached and duplex residential structures or for alterations and repairs not affecting the outward appearance of a building or site.

B. ~~Meetings. Meetings of the Appearance Review Committee shall be held at the call of the Chairperson.~~staff shall meet on a periodic basis based on complete submittal and review of applications, and at such other times as the Appearance Review Committee may determine. Two (2) members shall constitute a quorum, and in the absence of the Chairperson, the member next in seniority shall be the Acting Chairperson. Meetings of the Appearance Review Committee may be called by the Mayor. No official action of the Appearance Review Committee shall be taken except at a meeting open to the public. The Director of Community Development shall be designated as Secretary to the Appearance Review Committee and shall be responsible to keep minutes of its proceedings showing the vote of each member upon each question, or if absent or if failing to vote, indicating such fact. A majority of the Appearance Review Committee may adopt rules and regulations to govern the procedure before the Appearance Review Committee.

Section 402.050 Historic Preservation Commission – Summary of Changes

The Historic Preservation Commission is responsible for reviewing and making recommendations on certain development applications and building permits within a designated historic district or landmark or conservation area. Currently, the Commission has 9 members which includes a Councilmember and Planning Commissioner as voting members. The recommendation is to reduce the Commission to 7 members by removing the Councilmember and Planning Commissioner, as the Commission may make recommendations to Planning Commission and City Council. Other proposed amendments are related to the appointment of members (including revisions to qualifications of members to meet State Historic Preservation Office guidelines), selection of Chair/Vice Chair roles, and when meetings may be called. General Rules of Procedure are recommended to be adopted separately by City Council that would apply

to all boards and commissions, unless otherwise stated. Requirements for the establishment of sub-committees has been added.

Staff recommends additional amendments may be made to both the Historic Preservation Commission and Downtown Review Board in the future to clarify duties and powers of each and sequence of review for development applications that require review by both boards.

A. There is hereby created a Blue Springs Historic Preservation Commission.

1. Number Of Members. The Historic Preservation Commission is ~~to be~~ composed of ~~nine (9)~~ seven (7) members and ~~A~~ a non-voting liaison member from the City Council and Planning Commission will be appointed by the Mayor, with the consent and approval of a majority of the City Council.

2. Appointment, Composition And Terms of Office.

a. The Mayor, with the consent and approval of a majority of the City Council, shall appoint all members of the Historic Preservation Commission. All members should demonstrate an interest and knowledge of history, architecture or preservation. In addition, every effort should be made to appoint members with a professional background in architecture, history, archaeology, planning, urban design, geography, anthropology, folklore, curation, conservation, landscape architecture, or any other related disciplines or fields related to historic preservation.

All members shall be residents of Blue Springs, with the exception of appointments from community partner agencies, which shall be current employees or members of the organization. Best efforts will be made to have representation from each Council District. Appointment of a successor or reappointment of a member shall be effective on or about May 1 following expiration of the member's term. Members shall continue to hold office until reappointed or their successor is appointed. The Mayor, with the consent and approval of a majority of the City Council, shall appoint a person to fill the unexpired term of that member. Members appointed by other entities shall serve until the entity to be represented appoints a replacement.

b. Any member of the Historic Preservation Commission may be removed from office for misconduct, neglect of duty, or lack of qualifications by executive order of the Mayor after receiving the consent of a majority of the entire City Council, or by a five-sevenths (5/7) vote of the City Council on its own initiative.

c.

d. Citizen appointments shall be for terms of three (3) years. Members may serve consecutive terms.

e. ~~Members shall be residents of Blue Springs.~~

g. The members of the Historic Preservation Commission shall elect a Chair and Vice Chair annually on or about May 1 for a term of one year. No member shall serve more than two consecutive terms as Chair or Vice Chair. The Commission shall elect its Chairperson and Vice Chairperson annually on or about May 1. The Chairperson shall be limited to two consecutive terms.

f. Any sub-committee of the Historic Preservation Commission shall require approval of the City Attorney and City Council. Any approved sub-committees shall abide by all Sunshine Laws.

g.

a. ~~The Commission shall appoint a Chair and Vice Chair annually after appointments have been made.~~

~~The Mayor, with the consent and approval of the majority of the members of the City Council, shall have the power to appoint all members. One (1) member shall be a representative from the Planning Commission and one (1) shall be a City Councilmember representative. [Ord. No. 4813, 4-15-2019]~~

~~3. Terms of office. Citizen appointments shall be for terms of three (3) years. The Planning Commission and Councilmember representatives shall be appointed annually. Members may serve consecutive terms. [Ord. No. 4813, 4-15-2019]~~

~~4. Qualifications. Members shall be residents of Blue Springs. All members should demonstrate an interest and knowledge of history, architecture or preservation. In addition, every effort should be made to appoint members with the following additional qualifications: [Ord. No. 4813, 4-15-2019]~~

~~a. An architect who has professional experience in restoration or historic preservation. required?~~

~~b. A member of the Blue Springs Historical Society.~~

~~c. A property owner in an existing or proposed Historic District or Conservation District.~~

~~d. A merchant in an existing or proposed Historic District or Conservation District.~~

~~53. Organization And Authority.~~

~~a. Chairperson. Neither the City Councilmember representative nor Planning Commission representative shall be appointed as Chairperson or Vice Chairperson. [Ord. No. 4813, 4-15-2019] Board appoints own Chair.~~

~~ba. Rules.~~

~~Rules of Procedure shall be adopted and amended from time to time by Resolution by the City Council.~~

~~General Rules of Procedure have been reviewed and adopted by City Council and may be amended from time to time. The Historic Preservation Commission shall have power to make whatever rules and guidelines necessary for the execution of its duties as set forth in this Chapter. All such rules shall be approved by the City Council by resolution before becoming effective.~~

~~be. Meetings. The Historic Preservation Commission shall meet on a periodic basis as determined by the Commission from time to time, and may hold any other special meetings as called by the Chairperson or a majority of its members. The Historic Preservation Commission shall meet on a periodic basis based on complete submittal and review of applications or to review other agenda items or topics pertinent to the duties and powers of the Commission.~~

~~d. Records. The Historic Preservation Commission shall keep minutes and records of all meetings and proceedings including voting records, attendance, resolutions, findings, determination and decisions. All such material shall be public record.~~

~~46. Duties And Powers. The Historic Preservation Commission shall act in an advisory capacity to the City Council, Planning Commission, and Director of Community Development in carrying out activities required by City ordinances relating to the administration of this Development Code regarding Historic Landmarks, Historic Districts, and Conservation Districts and of the Sign Code regarding Historic Signs and shall have the following powers and duties: [Ord. No. 4885, 2-3-2020]~~

~~a. To review amendments, modifications or revisions of this Development Code regarding Historic Landmarks, Historic Districts, and Conservation Districts and make recommendations to the City Council.~~

~~b. To initiate and recommend property and/or properties for proposed designation as a Historic Landmark and/or Historic District.~~

~~c. To review applications for building permits for Historic Landmarks or within a Historic District, or within a Conservation District, and to make recommendations concerning such applications to the Director of Community Development.~~

~~d. To review proposed changes to buildings, structures, street furniture, City parks, civic areas, public facilities or environmental features of a Historic Landmark or within a Historic District, or within a Conservation District, reporting its recommendations to the City staff.~~

~~e. To review applications for demolition permits to demolish buildings or structures within a Historic District or Conservation District, and to make recommendations concerning such applications to the Director of Community Development.~~

- f. To review applications for conditional use permits for a Historic Landmark or within a Historic District, or within a Conservation District, and to make recommendations concerning such requests to the Planning Commission.
- g. To initiate from time-to-time a comprehensive review of the provisions of this Development Code regarding Historic Landmarks, Historic Districts, or Conservation Districts.
- h. To disseminate to owners or occupants of Historic Landmarks or within Historic or Conservation Districts, or to the general public, information concerning the preservation of Historic Landmarks, Conservation Districts, or Historic Districts.
- i. To support the nomination to the National Register of Historic Places, of local Historic Landmarks and Districts, of Conservation Districts, or any property which the Commission members believe meet the standards herein set forth and have contributed to the history, architecture and culture of Blue Springs.
- j. To establish and maintain a survey and inventory of historic properties in accordance with standards and guidelines established by the Division of Parks, Recreation, and Historic Preservation within the Department of Natural Resources of the State of Missouri. In establishing the foregoing information, the Commission shall place particular emphasis upon evaluating and incorporating the findings and studies and surveys already completed.
- k. To review applications for Master Sign Plans for Historic Signs anywhere within the incorporated limits of the City of Blue Springs and to make recommendations concerning such requests to the Planning Commission.

Section 402.060 Downtown Review Board – Summary of Changes

The Downtown Review Board is responsible for reviewing and making recommendations on certain development applications and making final decisions on certain building permits within the Downtown Zoning District. Currently, the Board has 9 members, including 2 Councilmembers, 2 staff (Community Development Director and Public Works Director), and 3 Planning Commissioners (1 serves as alternate). Staff is recommending removing all of the aforementioned members and have a 5-person Board that does not include Councilmembers, Planning Commissioners, or staff. Other proposed amendments are related to the appointment of members (including revisions to qualifications of members), selection of Chair/Vice Chair roles, and when meetings may be called. General Rules of Procedure are recommended to be adopted separately by City Council that would apply to all boards and commissions, unless otherwise stated. Requirements for the establishment of sub-committees has been added.

Staff recommends additional amendments may be made to both the Historic Preservation Commission and Downtown Review Board in the future to clarify duties and powers of each and sequence of review for development applications that require review by both boards.

- A. There is hereby created a Downtown Review Board (DRB).
 - 1. Number Of Members. The DRB is to be composed of ~~nine (9)~~ five (5) members, ~~and one (1) alternate member.~~
 - 2. Appointment, ~~Composition And~~ Composition And Terms Of Office.
 - a. ~~a. The Mayor, with the consent and approval of the majority of the City Council, shall appoint two (2) members of the City Council to serve on the DRB.~~
 - b. ~~The Mayor, with the consent and approval of the majority of the City Council, shall appoint two (2) members of the City Planning Commission to serve on the DRB.~~
 - c. ~~The Community Development Director shall serve on the DRB.~~
 - d. ~~The Director of Public Works shall serve on the DRB.~~

~~e. The Mayor, with the consent and approval of the majority of the City Council, shall appoint one (1) member of the City Planning Commission to serve on the DRB as an alternate member. If one (1) of the DRB members appointed from the Planning Commission is unable to serve on the DRB for a specific application due to absence or conflict of interest, this alternate member shall serve as a member of the DRB for the application.~~

The Mayor, with the consent and approval of a majority of the City Council, shall appoint all members of the Downtown Review Board. Three (3) members shall be residents; every effort shall be made to appoint members who live, work, or own property in T-Zones as shown on the Downtown Zoning Map. One (1) member shall be on the Board of Downtown Blue Springs Main Street, Inc. d/b/a Blue Springs Downtown Alive! and one (1) member from the Chamber of Commerce. All members shall be residents of Blue Springs, with the exception of appointments from community partner agencies, which shall be current employees or members of the organization. Best efforts will be made to have representation from each Council District.

Appointment of a successor or reappointment of a member shall be effective on or about May 1 following expiration of the member's term. Members shall continue to hold office until reappointed or their successor is appointed. The Mayor, with the consent and approval of a majority of the City Council, shall appoint a person to fill the unexpired term of that member. Members appointed by other entities shall serve until the entity to be represented appoints a replacement.

b. Any member of the Downtown Review Board may be removed from office for misconduct, neglect of duty, or lack of qualifications by executive order of the Mayor after receiving the consent of a majority of the entire City Council, or by a five-sevenths (5/7) vote of the City Council on its own initiative.

a. The members of the Downtown Review Board shall elect a Chair and Vice Chair annually on or about May 1 for a term of one year. No member shall serve more than two consecutive terms as Chair or Vice Chair.

h. Any sub-committee of the Downtown Review Board shall require approval of the City Attorney and City Council. Any approved sub-committees shall abide by all Sunshine Laws. f.-

i.

~~The Mayor, with the consent and approval of the majority of the City Council, shall also appoint threoeone (31) residents, who may be Every effort shall be made to appoint members who lives, work, or own property owns or works a property owner who lives in T-Zones as shown on the Downtown Zoning Map. [Ord. No. 4813, 4-15-2019]~~

~~g. The Mayor, with the consent and approval of the majority of the City Council, shall appoint two (2) members; one (1) member who each shall be on the Board of Downtown Blue Springs Main Street, Inc. d/b/a Blue Springs Downtown Alive! and one (1) member from their Chamber of Commerce. Blue Springs Downtown Alive! and Chamber of Commerce members shall continue to hold office until reappointed, or their successor is appointed. [Ord. No. 4813, 4-15-2019]~~

~~b. h. All appointed resident members of the DRB shall serve a term of threoeone (31) years. Appointed members of the DRB may serve more than one (1) term.~~

c. All resident members of the DRB shall serve a term of three (3) years. Blue Springs Downtown Alive! and Chamber of Commerce members shall continue to hold office until reappointed, or their successor is appointed.

~~[Ord. No. 4813, 4-15-2019]~~

~~n. The Board shall appoint a Chair and Vice Chair annually after appointments have been made.~~

3. Authority. [Ord. No. 4813, 4-15-2019]
 - a. Rules. Rules of Procedure shall be adopted and amended from time to time by Resolution of the City Council
~~The DRB shall have power to make whatever rules and guidelines necessary for the execution of its duties as set forth in this Chapter. All rules shall be approved by the City Council by resolution before becoming effective. If no rules are adopted, Robert's Rules (RR) shall apply.~~
 - b. Meetings. ~~The DRB shall meet on an as-needed basis, based upon the complete submission of applications. make consistent with other boards~~The Downtown Review Board shall meet on an as-needed basis based on complete submittal and review of applications or to review other agenda items or topics pertinent to the duties and powers of the Board.
 - c. Records. ~~The DRB shall keep minutes and records of all meetings and proceedings, including voting records, attendance, resolutions, determinations and decisions. All such material shall be public record.~~
4. Duties And Powers. The DRB will act as the Governing Body for the Downtown Development Code (DDC) and Sign Code within the Downtown Zoning District. Only alterations and additions to the principle structure will be reviewed in the T3 (Sub-Urban) Zoning District. Accessory structures in the T3 (Sub-Urban) Zoning District will be reviewed administratively. Temporary signage will be reviewed administratively in the Downtown Zoning District. [Ord. No. 4585 § 1, 2-1-2016; Ord. No. 4625 § 1, 11-21-2016]~~make advisory~~

Section 402.070 / Section 120.270 Development Advisory Commission – Summary of Changes

Amendments to the Development Advisory Commission are generally limited to the appointment of members (including revisions to qualifications of members), selection of Chair/Vice Chair roles, and when meetings may be called. Requirements for the establishment of sub-committees has been added.

Section 120.270 Established.

[R.O. 1996 § 120.270; CC 1968 § 2-120; Ord. No. 2077 § 1, 6-17-1991]

There is hereby established an Advisory Board to be known as the "Development Advisory Commission." The purpose of this Commission shall be to foster pro-active communication between the City and the building community on proposed development regulation changes and to provide a vehicle for the resolution of issues affecting new legislation whether proposed by the City or the building community.

Section 120.280 Membership — Appointment, Qualifications, Term, Organization.

[R.O. 1996 § 120.280; CC 1968 § 2-121; Ord. No. 2077 § 1, 6-17-1991; Ord. No. 4559 § 1, 8-3-2015; Ord. No. 4682, 8-21-2017; Ord. No. 4813, 4-15-2019]

- A. Members. The Development Advisory Commission shall consist of five (5) members, one (1) of which will be a member of the Planning Commission, two (2) of which may be representatives of the building industry and do not have to be citizens of Blue Springs, but must be actively pursuing their trade within the City of Blue Springs. Any non-building industry members shall be residents of the City of Blue Springs. One (1) City Councilmember, the Public Works Director and the Community Development Director shall each be non-voting liaisons to the Commission.
- B. Appointment and Qualifications. The Mayor, with the consent and approval of a majority of the City Council, shall appoint all members of the Development Advisory Commission. All members shall be residents of Blue Springs, with the exception of appointments from community partner agencies, which shall be current employees or members of the organization. Best efforts will be made to have representation from each Council District. Appointment of a successor or reappointment of a member shall be effective on or about May 1 following expiration of the member's term. Members shall continue to hold office until reappointed or their successor is appointed. The Mayor, with the consent and approval of a majority of the City Council, shall appoint a person to fill the unexpired

term of that member. Members appointed by other entities shall serve until the entity to be represented appoints a replacement.

~~The Mayor, with the consent and approval of a majority of the City Council, shall appoint all members, one (1) of which will be a member of the Planning Commission, two (2) of which may be representatives of the building industry and do not have to be citizens of Blue Springs, but must be actively pursuing their trade within the City of Blue Springs. Any non-building industry members shall be residents of the City of Blue Springs. One (1) City Councilmember, the Public Works Director and the Community Development Director shall each be non-voting liaisons to the Commission.~~

C. Terms. The building industry and general citizen/resident members shall serve terms of three (3) years. The member that is a representative of the Planning Commission and the City Council liaison shall be appointed annually.

D. Removal. Any member of the Development Advisory Commission may be removed from office for misconduct, neglect of duty, or lack of qualifications by executive order of the Mayor after receiving the consent of a majority of the entire City Council, or by a five-sevenths (5/7) vote of the City Council on its own initiative.

E. Chair and Vice Chair. The members of the Development Advisory Commission shall elect a Chair and Vice Chair annually on or about May 1 for a term of one year. No member shall serve more than two consecutive terms as Chair or Vice Chair.

F. Rules of Procedure shall be adopted and amended from time to time by Resolution by the City Council.

G. Any sub-committee of the Development Advisory Commission shall require approval of the City Attorney and City Council. Any approved sub-committees shall abide by all Sunshine Laws.

Section 120.290 Meetings.

[R.O. 1996 § 120.290; CC 1968 § 2-122; Ord. No. 2077 § 1, 6-17-1991]

Meetings shall be held on an "as-needed basis." The Chairman of the Development Advisory Commission or staff shall decide the meeting date and time. The Mayor may also direct the Chairman or staff to call for a meeting of the Commission and set the time and date thereof.

Section 120.300 Duties.

[R.O. 1996 § 120.300; CC 1968 § 2-123; Ord. No. 2077 § 1, 6-17-1991]

A. The duties of the Development Advisory Commission shall include, but not be limited to, the following:

1. Communications. When an ordinance or regulation change is being considered by the City that would affect the building industry, the Development Advisory Commission shall meet and hear what the proposed change is from City Staff. The Commission shall discuss the proposal and make recommendations to the Planning Commission and City Council, as may be appropriate, that the proposed change should be adopted, not be adopted, or be adopted with modifications.

If the Commission deems it necessary, it shall seek more input from outside sources prior to making its recommendations and may, if necessary, meet further to discuss the proposed change. The vote count and the final recommendation shall be reported to the City Council.

2. Issue Resolution By Developing Legislation, Rules, Or Regulations. The Commission may serve as a vehicle for preparing and recommending needed legislation, regulations, or rule changes. In this way the Commission may resolve issues between the City and the building community with either entity bringing the issue to the Commission's attention. Said proposals will then be forwarded to the appropriate governmental body.

Section 120.310 Scope Of Activity.

[R.O. 1996 § 120.310; CC 1968 § 2-124; Ord. No. 2077 § 1, 6-17-1991]

The Development Advisory Commission shall be an advisory body only that provides advice and makes recommendations to others.

Section 120.320 Rules And Procedures.

[R.O. 1996 § 120.320; CC 1968 § 2-125; Ord. No. 2077 § 1, 6-17-1991]

The Development Advisory Commission is empowered to promulgate rules and procedures consistent with this Article to be followed by it for the conduct of its meetings and in order to carry out the duties and responsibilities hereby granted it. The Commission shall prepare and send to the City Council said rules and procedures within ninety (90) days of its formation by appointment. Before any such rules and procedures shall become effective, they shall be first approved by resolution of the City Council.

Section 120.330 Voting.

[R.O. 1996 § 120.330; CC 1968 § 2-126; Ord. No. 2077 § 1, 6-17-1991]

All members of the Board shall be voting members; except as noted above.