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

**DEVELOPMENT ADVISORY COMMISSION**  
**MEETING AGENDA**

**Friday, October 14, 2022- 10:00 a.m.**

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

**1 CALL TO ORDER**

A. Minutes – March 16, 2022

**2 REVIEW OF PROJECT APPLICATIONS**

A. UDC Text Amendments (UDCT-09-22-8849)

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 Home Occupations, Building or construction contractor land uses in the General Business (GB) Zoning District, Landscape and buffer standards and residential parking in the Downtown Zoning District.

**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>

October 13, 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, March 16, 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, March 16, 2022 and virtually through Microsoft Teams, with the following members and guests in attendance.

**MEMBERS  
PRESENT**

Travis Hagewood (virtual)  
Travis Graham, Chair (virtual)  
Chase Rosher

**MEMBERS  
ABSENT**

Orion Berridge, Vice Chair  
Bob Frost

**STAFF / OTHERS**

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

**CALL TO ORDER**

Chairperson Travis Graham called the meeting to order at 3:09 p.m.

**APPROVAL OF  
MINUTES**

Chairperson Graham requested action on the Consent Agenda. Commissioner Travis Hagewood moved to approve the February 9, 2022, meeting minutes. Seconded by Commissioner Chase Rosher.

**AGENDA ITEM 1A  
/ UNIFIED  
DEVELOPMENT  
CODE TEXT  
AMENDMENT /  
A. UDCT-03-22-8174  
/ "Boards and  
Commissions"**

Matt Wright, Assistant Director, Community Development, presented the UDC text amendments to amend and adopt regulations related to all the decision-making bodies.

Mr. Wright stated since December 2021 a task force with three Councilmembers and staff have been working on these amendments. Additional minor changes, including language and code section numbers and letter may be update, but the general intent of the amendments will stay the same. We will go through each board and explain the amendments being proposed.

### **Planning Commission**

Mr. Wright states the top portion shows the general summary of what is proposed to be amended. One change being proposed is changing the number of Commissioners from eleven to nine. State statute requires seven and a max of fifteen. Previously there were nine Commissioner until the mid-2000's, when we increased it up to eleven. The amendment to nine Commissioners is to assist with making quorums easier to achieve. Additionally, some language is being updated to coincide with State statutes and regulations. Everything that is underlined is proposed to be added and everything that is stricken through is proposed to be removed.

## **QUESTIONS**

Commissioner Travis Hagewood questions the intent to reduce the number of Commissioners for Planning Commission.

Mr. Wright states the amendment allows for quorums to be obtained easier. The higher number of Commissioners the higher the number is necessary to reach a quorum.

Councilmember Jerry Kaylor ask that Mr. Wright state how many members are currently present and how many seats are available on the Planning Commission.

Mr. Wright states we currently have ten members and one vacancy. There are three to four Commissioners up for reappointment in April 2022 and one Commissioner has requested to not be reappointed. If the proposed amendment passes, we will not need to ask for a commissioner to be removed, as the proposed amendment of nine Commissioners would be met.

Councilmember Kaylor states this would then be a great time to make the change with the proposed amendment.

Mr. Wright states with the current vacancy and one commissioner asking to not be reappointed, it would be the ideal time to initiate the proposed amendments.

Chairperson Travis Graham questions there are ten commissioners presently, correct? What will happen to the tenth Commissioner if the proposed amendments are approved?

Mr. Wright explains there is one vacancy on the Planning Commission presently and one commissioner has asked not to be reappointed in April 2022, which would make up the proposed amendment, reducing the commissioners to nine.

Commissioner Chase Rosher questions what the effect of reducing the number of Commissioners is to a quorum.

Mr. Wright explains a quorum is a majority vote, so if you have eleven members you would need six members and if reduced to nine, then five would be needed.

Chairperson Graham asked if it is going to be just as difficult to get five out of nine members to be present as it is to have six out of eleven to be present.

Mike Mallon states a survey was done with local cities with larger and smaller populations in relation to the number of commissioners and it was found that eleven members was high in comparison to others.

The idea to reduce the number of members is to bring attention to other members who may be absent frequently and that there would be less of a buffer to be absent and encourage attendance.

### **Board of Adjustment**

Mr. Wright states that most of the amendments are to bring the code into compliance with State statutes and regulations. The Planning Commission liaison has been removed because Variance applications never go before the Planning Commission.

Mr. Rosher questions what the Board of Adjustment is, as he is new to this Commission.

## **QUESTIONS**

Mr. Wright states the Board of Adjustment reviews Variance application and is a quasi-judicial board and appeals have to be appealed in circuit court.

### **Appearance Review Committee**

Mr. Wright states this committee reviews site plan design review applications in the Adams Dairy Parkway overlay zoning district.

Mr. Wright states that most of the amendments are to bring in compliance with State statutes/regulations and update appointments and removal of members.

In the proposed amendment the term limits are requested to be extended from two years to three to be consistent with other City Boards and Commissions.

The additional item to be updated is the committee reviews building permits, which was never the case, and substitute that with site plan design review applications. The committee has always functioned to review the site plan design review applications and never building permit applications.

None.

## **QUESTIONS**

### **Historic Preservation Commission**

Mr. Wright states this Commission probably has the most updates in relation to the other board and commissions.

The first item is the Commission currently has nine total members with two being from the City Council and Planning Commission. The task force wanted all City Councilmembers and other Commissioners to be removed from boards they do not represent and not be voting members. The update would remove the City Councilmember and Planning Commissioner member and have seven resident members as voting members. The City Councilmember and Planning Commission will be liaisons.

The next item is updated language for the Composition and Terms of Office to be in compliance with the State Historic Preservation office. The language updates for members to have a professional background in historic preservation, architecture, planning, etc. and interest related to historic preservation.

Additional items to be removed are requirements for the Commission members because of the difficulty to find members with the specific qualifications.

Most of the other updates are clean up language and removing the statement that the Chair could call a meeting, since that is not how this Commission operates.

None.

## QUESTIONS

### **Downtown Review Board**

Mr. Wright states like the Historic Preservation Commission there are several updates for this Board. This Board currently has two Councilmembers, two Staff members and three Planning Commissioners, the update would be to remove all these members. Also, to reduce the number of members from nine to five.

Another item to change is the requirement to live in Blue Springs, but to make every effort for a member to live, work or own property in the Downtown zoning district. Another member will be from Downtown Alive! and then from the Chamber of Commerce.

Lastly for DRB and HPC there are sometimes confusion where the body is an approval or recommending body, so in the future we will work to clear up that confusion with additional code amendments. Currently, we are focusing on appointments and reappointments.

None.

## QUESTIONS

### **Development Advisory Commission**

Mr. Wright states this update consists of clarification to the building industry. Not all members in this Commission have to be residents of Blue Springs but do need to have active business within the City to be appointed.

The rest of the language is clear up language like the other Committees, Commissions and Boards.

None.

**QUESTIONS**

Mr. Wright explains the timeline for approval would be Planning Commission March 28, 2022, and then City Council April 4, 2022.

**MOTION  
UNIFIED  
DEVELOPMENT  
CODE TEXT  
AMENDMENT /  
A. UDCT-03-22-8174  
/ “Boards and  
Commissions”**

Commissioner Travis Hagewood moved to recommend approval of UDC Text Amendment / A. UDCT-03-22-8174 / “Boards and Commissions”.

**SECOND**

Commissioner Chase Rosher

**VOTE**

Chase Rosher- Aye  
Travis Hagewood – Aye  
Travis Graham, Chairperson – Aye

**(APPROVED 3-Aye, 0-No)**

**OTHER BUSINESS**

Mr. Wright states we do not have a next meeting set up but do expect a meeting later in the spring for additional updates.

**ADJOURN**

With no further items to come before the Commission, a motion was made by Commissioner Travis Hagewood, and seconded by Commissioner Chase Rosher, to adjourn at 3:39 p.m. Motion carried unanimously.

\_\_\_\_\_  
Respectfully Submitted by,  
Aliyah Kincade, Recording Secretary

\_\_\_\_\_  
Travis Graham, Chairperson

\_\_\_\_\_  
Date

# MEMORANDUM

**DATE:** October 14, 2022

**TO:** Development Advisory Commission

**FROM:** Mike Mallon, Director, Community Development

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

1. Fall 2022 UDC Amendments – Building and Construction Contractors in the General Business (GB) Zoning District, Home Occupations, Downtown Parking for Residential Land Uses and Fencing along Arterial Streets

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

- Development Advisory Commission – Friday, October 14, 2022
- Planning Commission – Monday, October 24, 2022 (public hearing)
- City Council – Monday, November 7, 2022 (public hearing)

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## **Background Information**

The proposed UDC Text Amendments are being proposed to address concerns that have been raised by the City Council and businesses in the City, as well as, development projects and newly enacted State laws.

The first UDC Amendment is to allow Building or Construction Contractor (With Machinery, Equipment, Or Storage) land uses to be located within the GB zoning district with approval of a Conditional Use Permit (CUP). These types of land uses including plumbing, HVAC, and other similar contractors. The proposed CUP would allow these land uses in the GB zoning districts, which are typically located along the primary corridors of arterial streets throughout the City including 40 Highway, 7 Highway, Woods Chapel Road, and Adams Dairy Parkway. The CUP would address aspects of these types of land uses that should be mitigated to reduce the potential visual impacts including storage of equipment and alterations to the building.

The second UDC Amendment is in response to newly enacted State law that significantly eliminates the ability of the City to regulate Home Occupations, as defined in the UDC.

The third UDC Amendment is to modify the Downtown Development Code to increase the required parking for residential land uses from one parking space per unit to 1.5 parking spaces per unit. This amendment is in response to concerns raised from proposed residential developments downtown and after reviewing other similar cities codes, staff is proposing to increase the required parking.

The final amendment is to provide clear direction for new fencing and buffering requirements for residential development projects located along major corridors throughout the City. This amendment is in response to numerous development projects within the last year that have proposed single-family homes directly adjacent to 7 Highway. As part of those projects, City staff and City Council required the developer to install masonry fencing along 7 Highway to help buffer sound and noise from the adjacent roadway to the proposed housing, but also to create a visual separation between the two.

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**I. Building or Construction Contractor Land Uses**

Adopted by Ord. No. 4625, 11-21-2016

Land Use Table (405.030-1)

Table 405.030-1: Use Table																
Key: ■ = Permitted use / general standards ▣ = Limited use / specific standards or planned districts □ = Conditional use / discretionary review	Residential Zoning Districts								Non-Residential Zoning Districts							
	RE	SF-12	SF-7	TF	MF-10	MF-14	MF-18	N-L	N-O	NB	SO	GB	RC	LI	HI	PLOS
<i>Uses</i>																
<b>Industrial</b>																
<i>Building or Construction Contractor – with machinery, equipment, or storage</i>											□	■	■	■		

22. Building Or Construction Contractor (With Machinery, Equipment, Or Storage). Building or Construction Contractor (with machinery, equipment, or storage) shall be subject to the following standards and requirements:
- a. All storage of machinery and equipment shall be placed in the rear or non-street corner sides of the building and screened from street view and, if adjacent to less-intensive zoning districts, with an opaque fence between six (6) feet and eight (8) feet tall to screen the storage area. Screening shall be coordinated with the building to maintain a unified appearance.
  - b. Storage areas located further than three hundred (300) feet from the street or adjacent properties and not readily visible from the street or adjacent properties need not provide screening.
  - c. When located in the General Business – GB Zoning District, a Conditional Use Permit is required, and shall be considered based upon the following additional standards:
    - (1) Unless approved as part of the Conditional Use Permit Process, the front building façade is located more than 300 feet away from the street and/or is not facing a collector or arterial street, the front building façade may be modified to include overhead doors. No front or street-facing building façade facing an arterial or collector street shall be modified to include overhead. Overhead doors may only be located on side or rear facades of a building
    - (2) All storage of trailers, company vehicles or other similar equipment

may not be located within the required front or street side setback in the GB Zoning District.

## **II. Home Occupations**

### Section 405.060. Accessory Uses.

- A. Permitted uses and approved conditional uses shall be deemed to include accessory uses and activities that are necessarily and customarily associated with, and appropriate, incidental, and subordinate to the principal uses allowed in zoning districts. Accessory uses and activities shall be subject to the same regulations as apply to principal uses in each district, unless otherwise stated in this Development Code. Exceptions to these standards may only be considered for approval through the conditional use permit process under Section 403.060, if the City, at its' sole discretion, determines that sufficient evidence exists demonstrating that the exceptions to the standards are warranted due to unique physical or operational aspects of the use, and that strict application of these special use standards is inappropriate or impractical for a certain use in a specific situation and would create unforeseen practical difficulties for the property owner, and there will be no ill effects detrimental to the public health, safety, welfare, or public interest.
  1. Residential Accessory Uses. Residential uses shall include, but not be limited to, the following accessory uses, activities and structures:
    - a. Home occupations, subject to Section 405.060(A)(4);
  4. Home Occupations. Home occupations shall be allowed as an accessory use ~~in any MF-18 or less intensive zoning district, subject to the standards of this Section~~ in residential dwellings or accessory structures in any district subject to the following provisions.
    - ~~a. Permit. No home occupation shall be conducted until an application for a home occupation permit is reviewed and approved by the Director of Community Development. A home occupation permit shall be issued only to a resident of the dwelling unit in which the home occupation is to be conducted. Home occupation permits shall not be transferable and shall not run with the land; they shall expire upon sale or transfer of the property to a new owner.~~
    - ~~b. Location And Size. Home occupations shall be operated entirely within the principal residential building and shall not occupy more than twenty-~~

~~five percent (25%) of the total floor area of the principal residential building.~~

- ~~e. Outdoor Storage And Exterior Appearance. There shall be no visible exterior evidence of the conduct of a home occupation, including signage. Specifically, no outdoor storage of materials or equipment shall be permitted in conjunction with a home occupation.~~
- ~~d. Employees. No person shall be engaged in such home occupation other than a person occupying such dwelling unit as their residence, provided that in the case of a limited day care facility, one (1) assistant not residing in the home shall be allowed as a substitute for the day care provider during necessary absences of the day care provider.~~
- ~~e. Operational Standards. No equipment shall be used that creates a nuisance due to noise or electrical interference. Home occupations shall be subject to the operational performance standards of Section 407.050.~~
- ~~f. Parking. Parking to serve a home occupation shall be provided off-street, and no such parking shall be permitted within a required setback, other than in a driveway. In no event shall required setbacks be used for off-street parking to serve a home occupation.~~
- ~~g. On-Site Product Sales. No products shall be sold directly to customers from the premises.~~
- ~~h. Prohibited Home Occupations. In no event shall any of the following uses or activities be conducted as a home occupation. This list of prohibited activities is listed for emphasis only and does not constitute an exhaustive list of prohibited activities:
  - ~~(1) Funeral services;~~
  - ~~(2) Retail sales and service that involves direct product sales or service to customers from the premises;~~
  - ~~(3) Hotel/motel;~~
  - ~~(4) Bed and breakfast inn, except in the H-O District;~~
  - ~~(5) Vehicle or equipment sales, rental or repair; or~~
  - ~~(6) Medical offices.~~~~
- a. Purpose and intent. It is the purpose and intent of these requirements to:
  - (1) Maintain neighborhood integrity and preserve the residential character of neighborhoods by encouraging compatible land uses;
  - (2) Provide residents of the City with an option to utilize their residences as places to enhance or fulfill personal economic goals as long as the choice

of home occupations does not infringe on the residential rights of neighbors;

- (3) Establish criteria for operating home occupations in dwelling units; and
  - (4) Ensure that public and private services such as streets, sewers, water or utility systems are not burdened by home occupations to the extent that usage significantly exceeds that which is normally associated with a residence.
- b. General provisions. Home occupations shall be permitted as accessory uses within principal residential dwellings or residential accessory structures in any district provided they meet the following conditions and all requirements of the district in which located:
- (1) The home occupation must be clearly incidental and secondary to the primary residential use of the dwelling;
  - (2) The home occupation must not change the outside appearance of the dwelling;
  - (3) Exterior signage for a home occupation is prohibited;
  - (4) The home occupation must not generate traffic, parking, sewerage or water use in excess of what is normal or customary in a residential neighborhood;
  - (5) The home occupation shall not create a hazard to person or property, result in electrical interference, or become a nuisance in the neighborhood;
  - (6) Business-related activity, including storage or use of equipment, may occur inside the dwelling unit, inside the accessory structure, or in the yard of the residential dwelling unit, but shall not be visible from the street;
  - (7) The total number of employees and clients on-site at one time shall not exceed the occupancy limit for the residential dwelling or accessory structure;
  - (8) Deliveries of materials to and from the premises in conjunction with the home occupation shall not require the use of vehicles other than parcel post or similar parcel service vehicles;
  - (9) Noise, vibration, smoke, odors, heat or glare as a result of a home occupation, which would exceed that normally produced by a single residence, shall not be permitted;
  - (10) The home occupation shall not utilize more than one private commercial vehicle limited to one ton capacity. The vehicle shall be capable of being parked or stored inside the garage and shall be required to be kept in said garage when not in use for the home occupation;
  - (11) The primary use of the building in which the home occupation is situated shall clearly be the dwelling used by the person as his/her private

residence;

- (12) Home occupations shall maintain required licenses mandated by applicable state and/or federal laws. Home occupations shall not be required to obtain a business license from the City of Blue Springs;
- (13) Persons intending to operate a home occupation should notify the HOA, Home Owners Association, of their intent prior to beginning operations. Said notification is to provide the HOA with notice of intent only.

**HOME OFFICE**

A business operated out of the primary dwelling unit of the business owner and subject to specific home occupation restrictions.

**Use Table**

Uses	Residential Zoning Districts										Non-Residential Zoning Districts						
	RE	SF-12	SF-7	TF	MF-10	FM-14	MF-18	N-L	N-O	NB	SO	GB	RC	LI	HI	PLOS	
Office																	
<del>Office - home occupation</del>																	
Office - small										■	■	■	■	■	■		
Office - general											■	■	■	■	■		
Office - large												■	■	■	■		

**III. Downtown Residential Parking**

Section 404.240. DDC, Downtown Development Code

**H. T-Zone Parking Standards**

(b) Zone T4. ~~One (1)~~ One and a half (1.5) off-street parking space shall be provided for each dwelling unit. One (1) off-street parking space shall be provided for each lodging bedroom. Two (2) parking spaces per one thousand (1,000) square feet of office space shall be required. Two (2) spaces per one thousand (1,000) square feet of retail space shall be required.

(c) Zone T5. ~~One (1)~~ One and a half (1.5) off-street parking space shall be provided for each dwelling unit. One (1) off-street parking space shall be provided for each lodging bedroom. Two (2) parking spaces per one thousand (1,000) square feet of office space shall be required. Two (2) spaces per one thousand (1,000) square feet of retail space shall be required.

IV. **Fencing along Arterial Streets**

Table 407.040-5: Buffer Types											
Proposed Development / Zoning	Adjacent Development / Zoning							Adjacent Street **			
	RE, SF-7, SF-12, TF, N-L, N-O*	MF-10, MF-14, MF-18*	PLOS, NB, SO*	GB*	RC*	LI*	HI*	Interstate	Arterial	Major Collector	Minor Collector
RE, SF-7, SF-12, TF, N-L, N-O*	--	A	B	C	C	C	D	D <sup>1</sup>	C <sup>1</sup>	A	--
MF-10, MF-14, MF-18*	A	--	A	B	C	C	D	C <sup>2</sup>	B <sup>2</sup>	A	--
PLOS, NB, SO*	B <sup>3</sup>	A <sup>3</sup>	--	A	B	C	D	B	B	A	A
GB*	C <sup>3</sup>	B <sup>3</sup>	A	--	A	B	D	B	B	B	B
RC*	C <sup>3</sup>	C <sup>3</sup>	B	A	A	B	D	B	B	B	C
LI*	C <sup>3</sup>	C <sup>3</sup>	C	B	B	--	A	B	B	B	C
HI*	D <sup>3</sup>	D <sup>3</sup>	D	D	D	A	--	B	B	C	D

\* Churches, schools, commercial daycare centers and public or private recreation facilities shall be considered under the minimum of NB District for landscape requirements or if currently zoned more intense, that zoning district shall apply.

\*\* Right-of-way buffers shall apply primarily to Standard or Natural Street Types. Development fronting on Neighborhood or Activity Street Types shall use the Frontage Design standards in Section 407.030, and Buffer Standards may be modified to best meet the design intent of the Frontage standards. Street classifications shall be based on the current or future classification designated in the Comprehensive Plan.

In circumstances where a proposed use abuts a County land use, the Community Development Director shall determine which City zoning district the County land use is most similar to, both existing and/or future.

<sup>1</sup> Buffer Fence Type 1 requires a minimum 6-ft tall solid masonry wall in addition to landscaping. See 407.040.D. for additional requirements.

<sup>2</sup> Buffer Fence Type 2 requires a minimum 6-ft. tall wrought iron or aluminum simulating wrought iron with masonry columns a maximum of 50-ft. on center.

<sup>3</sup> Buffer Fence Type 3 requires a minimum 6-ft. tall solid privacy fence (masonry, wood, or vinyl) or an undulating 4-ft. to 6-ft. earth berm with landscaping.

**Table 407.040-1: Landscape & Buffer Requirements**

(Replaces Table 407.040-1; most recently amended by Ord. No. 4585 on 2-16-2016 and Table 407.040-5; most recently amended by Ord. No. 4558 on 8-3-2015)

**General Standards**

Plant Units	Buffer Types	
Shade Trees (Large/Medium): 8 units	Buffer A	7 feet wide: 45 units per 100 feet; 15 feet wide: 30 units per 100 feet
Small Shade/Ornamental Tree: 5 units	Buffer B	15 feet wide: 45 units per 100 feet; 25 feet wide: 40 units per 100 feet
Conifer/Evergreen Tree: 5 units	Buffer C	25 feet wide: 60 units per 100 feet; 35 feet wide: 55 units per 100 feet
Upright Evergreen: 3 units	Buffer D	35 feet wide: 90 units per 100 feet; 45 feet wide: 75 units per 100 feet
Shrubs: 1 unit	Fence 1	<u>6-feet tall solid masonry wall</u>
Perennial/Ornamental Grasses: 1 unit	Fence 2	<u>6-feet tall wrought iron or aluminum simulating wrought iron with masonry columns a maximum of 50-feet on center</u>
	Fence 3	<u>6-feet tall solid privacy fence (masonry, wood, or vinyl) or an undulating 4-feet to 6-feet earth berm with landscaping on top</u>

- a. In all landscaping areas, a minimum of 40% of required plant units shall be from shade and ornamental trees and a maximum of 10% of required plant units may be perennial/ornamental grasses.
- b. Street trees are required adjacent to all street rights-of-way at a spacing of 1 large/medium shade tree per 75 feet of frontage or 1 small shade/ornamental tree per 40 feet of frontage.