



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

DEVELOPMENT ADVISORY COMMISSION
MEETING AGENDA

Wednesday, February 9, 2022- 9:00 a.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: 624 685 36#
as provided in Section 610.020 RSMo.**

- 1 CALL TO ORDER**
 - A. Minutes – June 15, 2021
- 2 REVIEW OF PROJECT APPLICATIONS**
 - A. UDC Text Amendments (UDCT-01-22-8120) – Solar Energy Systems
- 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>
February 4, 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
Tuesday, June 15, 2021**

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 Tuesday, June 15, 2021 with the following members and guests in attendance.

**MEMBERS
PRESENT**

| | |
|----------------------------|----------------|
| Travis Hagewood | Bob Frost |
| Orion Berridge, Vice Chair | Bruce Reynolds |
| Travis Graham, Chair | |

STAFF / OTHERS

Mike Mallon, Director, Community Development
Matt Wright, Assistant Director, Community Development
Norman Gurney, Codes Administrator
Jake Farrell, Plans Examiner
Chris Sandie, Director, Public Works
Jackie Sommer, City Attorney
Adair Bright, Associate Planner
Shana Kelly, Associate Planner
Jamaica Whitehead, Planning Intern
Jerry Kaylor, Councilmember Dist. 1, Liaison
Karen Findora, DAC Liaison

CALL TO ORDER /

Chairperson Travis Graham called the meeting to order at 2:00 p.m.

**APPROVAL OF
MINUTES**

Chairperson Graham requested action on the Consent Agenda. Commissioner Bob Frost moved to approve the December 2, 2020 meeting minutes. Seconded by Commissioner Bruce Reynolds.

**AGENDA ITEM 2A
/ UNIFIED
DEVELOPMENT
CODE TEXT
AMENDMENT /**

Mike Mallon, Director, Community Development, presented a list of proposed changes to the UDC. The current UDC was adopted by the City Council in August of 2015 and became effective in October of 2015. There have been numerous modifications and the last multi-section amendment was approved in December 2020.

A. UDCT-06-21-7809
/ “Amend Various Sections and Subsections of Title IV, Chapters 410-411”

The City Council requested that staff bring forward amendments to the development processes that impact rezoning and planned developments. The proposed amendments address concerns related to expiration dates of planned developments, as well as addresses how PR-Os (Planned Residential Overlays) and R-Os (Restricted Overlays) should be treated moving forward. These amendments ensure that approved Concept Plans do not expire after two (2) years, though Final Plans may expire, but revert back to the approved Concept Plan. Clarification is also added to what items are minor amendments that can be reviewed by staff.

B. UDCT-06-21-7811
/ “Amend Various Sections and Subsections of Title IV, Chapters 410-411 related to residential driveways”

- Amend – Chapter 403. Development Review Procedures. Remove all of existing Section 403.040 and replace with new 403.040
- New Text – Section 403.040. Planned Development (PD) Districts
- Amend – Section 404.108. R-O, Restricted Overlay District
- Amend – Section 404.220. PR-O, Planned Residential Overlay District
- Add New – Section 404.260 PD, Planned Development (PD) District
- Amend – Section 403.045. General Development Plan

C. UDCT-06-21-7810
/ “Amend Various Sections and Subsections of Title IV, Chapters 410-411 related outdoor dining”

D. “Amendments to Chapter 500, Building Code, for the adoption of 2018 International Building Codes

Mr. Mallon stated that currently the UDC states that an approved General Development Plan shall lapse and be of no further force and effect if a Site Plan/Design Review or Preliminary Plat application has not been applied for within two (2) years of the date of approval of the General Development Plan. Mr. Mallon asked the DAC if they would like to consider extending that timeline.

MOTION

Commissioner Bob Frost moved to recommend approval of UDC Text Amendment / UDCT-06-21-7809 and to extend the timeline to five (5) years instead of two (2).

A. UDCT-06-21-7809
/ “Amend Various Sections and Subsections of Title IV, Chapters 410-411”

SECOND

Commissioner Travis Hagewood.

VOTE

Bob Frost – Aye
Bruce Reynolds – Aye
Travis Graham, Chairperson – Aye
(APPROVED 5-Aye, 0-No)

Orion Berridge – Aye
Travis Hagewood – Aye

D. “Amendments to Chapter 500, Building Code, for the adoption of 2018 International Building Codes

Norman Gurney, Codes Administrator informed the Commission that the City is currently under the 2012 I Code, and the 2011 NEC. The City is currently being audited by the ISO group. The ISO group looks at what current code the city is on. Being on the 2012 Code will cause the city to be penalized for not being current. Most of the other cities have already gone to the 2018 Code and the City of Blue Springs needs to follow suite.

CJC recommended a few additional requirements that they would like to see added to the 2018 Fire Code. Those recommendations would affect Commercial development and not residential.

Staff is carrying everything over from the 2012 Code, except for the energy code being deleted out as a required code. It will only be as a reference code. It's not a requirement.

Mr. Gurney contacted George Schluter, HBA for his suggestions, which were made a part of the staff report.

Residential changes

- R317.1.1 & R318.1.2 Field Treatment Delete this section. This requires you to field treat any treated wood cut in the field.
- Chapter 11 Energy deleted.
- E3901.9 delete requirement for receptacle in each bay of garage.
- E3902.2 and E39002.5 Garage and Basement receptacles, allow receptacle for refrigerator, freezer, alarm, garage door opener, sump pump, irrigation controls, to be on a non GFCI circuit.
- E3902.10 delete the requirement for DW circuit to be GFCI protected.
- Table R301.2(1) *Climatic and Geographic Design Criteria* add the following items to this table.

| | |
|-----------------------------------|--------|
| Ground Snow Load | 20 |
| Wind Speed (mph) | 115 |
| Seismic Design Category | A |
| Weathering | Severe |
| Frost Line Depth | 36" |
| Termite | M-H |
| Winter Design Temp | 6° F |
| Ice Barrier Underlayment Required | Yes |
| Air Freezing Index | 927 |
| Mean Annual Temp | 55° F |

QUESTIONS

Commissioner Frost suggested that the Commission go ahead and adopt the code but, put it into implantation at the end of the year. Mr. Gurney stated that typically it takes 90 days for adoption. He stated that the City is open to an extension. Mr. Gurney stated that

MOTION

D. "Amendments to Chapter 500, Building Code, for the adoption of 2018

Commissioner Bob Frost moved to recommend approval of the adoption of the 2018 International Building Codes with the implementation being in the month of December .

**International
Building Codes**

SECOND Commissioner Travis Hagewood.

VOTE Bob Frost – Aye Orion Berridge – Aye
Bruce Reynolds – Aye Travis Hagewood – Aye
Travis Graham, Chairperson – Aye
(APPROVED 5-Aye, 0-No)

B. UDCT-06-21-7811 Mike Mallon, Director stated that as it has become increasingly common for most new
/ “Amend Various single-family houses to have three (3) car front-loaded garages, and in some cases, four
Sections and (4) car front-loaded garages, the requests for wider driveways at the right-of-way for
Subsections of Title sufficient ingress/egress between the street and garages has increased. The City’s UDC
IV, Chapters 410-411 maximum driveway width in the right-of-way is more restrictive than several area cities.
related to residential Increasing the maximum width in the right-of-way from 30-ft. to 35-ft. either matches or
driveways” is more similar to other cities, including Overland Park (35-ft. max.), Lee’s Summit (36-
ft. max.), and Olathe (32-ft. max. for 3-car garage). With the 5-ft. increase to 35-ft., staff
is recommending a 5-ft. increase to the cumulative total driveway width for corner lots to
45-ft. Currently, this allows a corner lot to have a 30-ft. driveway on their primary
frontage and a 10-ft. driveway on their secondary frontage (to access a detached garage
in the rear yard, for example). Increasing this by 5-ft. would still allow a 10-ft. driveway
on the secondary street if the primary street is at the 35-ft. max.

MOTION Commissioner Bruce Reynolds moved to recommend approval of UDC Text Amendment
B. UDCT-06-21-7811 / UDCT-06-21-7811 Title IV, Chapters 410-411 related to residential driveways.

/ “Amend Various
Sections and
Subsections of Title
IV, Chapters 410-411
related to residential
driveways”

SECOND Commissioner Travis Hagewood.

VOTE Bob Frost – Aye Orion Berridge – Aye
Bruce Reynolds – Aye Travis Hagewood – Aye
Travis Graham, Chairperson – Aye
(APPROVED 5-Aye, 0-No)

C. UDCT-06-21-7810 Matt Wright, Assistant Director, Community Development, stated that since the start of
/ “Amend Various the COVID-19 pandemic there has been increased interest in adding or expanding outdoor
Sections and dining and seating areas. These areas were originally intended to provide safer seating
Subsections of Title alternatives during the spring and summer months. The City does not have any minimum
IV, Chapters 410-411 standards for outdoor dining and seating areas, including when and where they are
related outdoor dining” appropriate. In an effort to better accommodate outdoor dining and seating areas, staff
has developed language to be revised and added to various sections of the UDC. (see
agenda staff report)

This item will be heard by the Downtown Review Board next week for their recommendation.

MOTION

C. UDCT-06-21-7810
/ “Amend Various Sections and Subsections of Title IV, Chapters 410-411 related outdoor dining”

Commissioner Bob Frost moved to recommend approval of UDC Text Amendment / UDCT-06-21-7810 Title IV, Chapters 410-411 related to outdoor dining.

SECOND

Commissioner Bruce Reynolds.

VOTE

Bob Frost – Aye
Bruce Reynolds – Aye
Travis Graham, Chairperson – Aye
(APPROVED 4Aye, 1-No)

Orion Berridge – Aye
Travis Hagewood – No

OTHER BUSINESS

None.

ADJOURN

With no further items to come before the Commission, a motion was made by Commissioner Bob Frost, and seconded by Commissioner Bruce Reynolds, to adjourn at 4:10 p.m. Motion carried unanimously.

Respectfully Submitted by,
Karen Findora, Recording Secretary

Travis Graham, Chairperson

Date

MEMORANDUM

DATE: February 1, 2022

TO: Development Advisory Commission

FROM: Matt Wright, Asst. Director, Community Development

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

1. UDCT-01-22-8120: 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 Planned Development zoning and other development procedures, regulations, and standards related to solar energy systems

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

- Development Advisory Commission – Friday, February 4, 2022
- Planning Commission – Monday, February 14, 2022 (public hearing)
- City Council – Tuesday, February 22, 2022 (public hearing)

Background Information

The City Council adopted Solar Energy Systems on July 1, 2019 (Ordinance No. 4837). Since that time, the City has received 112 permit applications for solar installations. The table below includes details on the applications received.

| | Residential Applications | Commercial Applications |
|-----------------------------|--------------------------|-------------------------|
| Total Applications Received | 103 | 9 |
| Permits Issued | 81 | 9 |
| Applications in Review | 12 | 0 |
| Applications Voided | 10 | 0 |

Applications in review include any application that has been received but has not been approved for permit issuance. Voided applications include applications that were either denied due to not meeting solar energy system requirements or other building code requirements or the project did not proceed at the request of the owner or contractor.

Since adoption of the solar energy system requirements, the provision prohibiting roof-mounted solar panels on the front street-facing roof slope has created challenges for many residential homeowners and contractors.

Of the applications in review or voided, 14 have not been approved due to submitting plans with front-facing solar panels. The plans are either in review awaiting revisions to meet the requirement or the application was voided by the homeowner or contractor as the solar installation was not feasible without front-facing solar panels. Of the 81 permits issued, several required revised plans to meet this requirement, although it may have been a less optimal placement for capturing solar energy.

The above application and permit data only includes applications that were submitted. Based on inquiries to Community Development staff from homeowners and contractors regarding the front-facing solar panel prohibition, it is likely some applications were never submitted.

Furthermore, the existing prohibition on front-facing solar panels does not consider the changing solar technologies with new designs that can resemble roofing shingles and tiles.

At the December 21, 2020 City Council meeting, a contractor for a solar installation company spoke during the visitors section on concerns that he has received from potential customers about the feasibility of solar on their homes due to the prohibition on street-facing panels.

At the December 6, 2021, City Council meeting, the City Council discussed the prohibition on roof-mounted solar panels. The discussion included how aesthetics and HOAs would be impacted by the removal of the prohibition. The Mayor directed the City Attorney to work with the Councilmembers who requested the discussion (Councilmembers Edmondson and Kaylor) on bringing forward a code amendment for the City Council to consider.

In regard to HOAs, the City does not regulate private deed restrictions or architectural reviews by HOAs. The City has the following statement included on the building permit application: *If the property of record resides within a Homeowners Association, please contact the HOA to assure your plans are in accordance with the covenants of the HOA.* HOAs can have more restrictive solar regulations (though not less restrictive) than the City.

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 405.060.A.8. Solar Energy Systems

8. Solar Energy Systems. Solar energy systems shall be allowed as an accessory use in all residential and non-residential zoning districts subject to the following standards.
 - a. Ground-mounted or freestanding solar collectors may not be located in the front yard.
 - b. The area restrictions specified in Section 405.060(A)(3) do not apply to roof-mounted solar collectors.
 - c. No accessory solar energy systems shall be used as a commercial enterprise.

- d. Before any building permit may be issued for a solar collector, evidence of approval from the local utility company shall be submitted where the solar collector is to be interconnected with the local public utility company so that excess power produced by the solar collector can be fed into the utility lines.
- e. Solar energy systems are exempt from all screening standards under 407.090(H). Roof-mounted solar panels should have all wiring and other similar components servicing the panels concealed to the extent possible and all exposed metal and support framing (not including the photovoltaic panel area) should be finished in a color similar to the roof of the structure to which they are attached.
- f. For a roof-mounted system installed on a sloped roof, the highest point of the system shall not exceed the highest point of the roof to which it is attached as allowed by setback requirements, ~~and roof-mounted solar panels shall not be allowed on the primary street-facing roof plane.~~
- g. For a roof-mounted system installed on a flat roof, the highest point of the system shall be permitted to exceed the district's height limit of up to ten (10) feet above the rooftop to which it is attached.
- h. Solar energy systems shall be mounted in a manner not to cause glare to surrounding properties.
- i. The requirements of this Section may be waived by the Director if it can be satisfactorily demonstrated that compliance with these regulations is impractical due to such issues as shading, building orientation, construction constraints or configuration of the parcel.