



**PLANNING & ZONING COMMISSION
REGULAR MEETING AGENDA**

August 10, 2022, at 6:30 P.M.

OPEN TO THE PUBLIC

*Located in Grain Valley City Hall – Council Chambers
711 Main Street – Grain Valley, Missouri*

ITEM I: CALL TO ORDER

ITEM II: ROLL CALL

ITEM III: PLEDGE OF ALLEGIANCE

ITEM IV: APPROVAL OF MINUTES

- June 8, 2022 Regular Meeting

ITEM V: CITIZEN PARTICIPATION

- Citizens are asked to please limit their comments to two (2) minutes.

ITEM VI: PUBLIC HEARINGS

- None

ITEM VII: ACTION ITEMS

1. **Final Plat Approval – Eagle Ridge Estates 6th Plat** – Requesting final plat approval for 40 single family residential lots on approximately 8.93 acres. The plat is located south of Woodbury and east of NW Hilltop Lane and NW Highview Drive.

ITEM VIII: PREVIOUS BUSINESS

1. **Planning and Zoning Commission Rules** – The Commission will consider approving Resolution 2022-04 adopting rules for the transaction of business. *Tabled from June 8th meeting.*



ITEM IX: NEW BUSINESS

1. The following items are for Discussion:
 - a. Review Parking Requirements for Multi-family Residences
 - b. Allow only six-foot privacy fence along Collector and Arterial Streets in Side and Rear Yards.
 - c. Allow Parking in Front of New Buildings South of Harris Street in Downtown Overlay Zone or Transition Overlay Zone.

ITEM X: ADJOURNMENT

PLEASE NOTE

The next scheduled meeting, if needed, of the City of Grain Valley Planning & Zoning Commission will take place on September 14, 2022, at 6:30 pm.

PERSONS REQUIRING AN ACCOMMODATION TO ATTEND AND PARTICIPATE IN THE MEETING SHOULD CONTACT THE CITY CLERK AT 816-847-6210 AT LEAST 48 HOURS BEFORE THE MEETING. UPON REQUEST, THE MINUTES FROM THIS MEETING CAN BE MADE AVAILABLE BY CALLING 816-847-6210.



City of Grain Valley

Planning & Zoning Commission

Meeting Minutes

Regular Meeting

6/8/2022
Page 1 of 6

ITEM I: CALL TO ORDER

- The Planning & Zoning Commission of the City of Grain Valley, Missouri, met in Regular Session on June 8, 2022 in the Council Chambers at City Hall.
- The meeting was called to order at 6:30 PM by Chairman Craig Shelton.

ITEM II: ROLL CALL

- *Present: Jim Hofstetter*
- *Present: Justin Tyson*
- *Present: Craig Shelton*
- *Present: Debbie Saffell*
- *Absent: Elijah Greene*
- *Absent: Kevin Browning*
- *Absent: Scott Shafer*
- *Present: Rick Knox (BOA Liaison)*
- *There was a quorum.*

ITEM III: PLEDGE OF ALLEGIANCE

ITEM IV: APPROVAL OF MINUTES

- Commissioner Tyson motioned to approve the minutes from the April 13, 2022 regular meeting. Commissioner Hofstetter second the motion. The Commission approved the minutes by a vote of 4 to 0.

ITEM V: PUBLIC HEARINGS

1. **The Lofts at Creekside Landing-** Blue Springs Safety Storage South II LLC is requesting a change of zoning on approximately 7.53 acres from District R-3 PUD (Multi-Family Residential District-Planned Unit Development) to District R-3p (Multi-Family Residential District-Planned Overlay District). The proposed development will consist of four (4) apartment buildings containing twenty-four units in each building; three (3) four-plex buildings and one duplex. The total number of units on the property is 110. The

Commissioners Present

Craig Shelton
Debbie Saffell
Justin Tyson
Jim Hofstetter

Commissioners Absent

Kevin Browning
Scott Shafer
Elijah Greene
Rick Knox BOA Liaison

Staff Officials Present

Mark Trosen – CD Director
Dick Tuttle – City Engineer
Rich Wood – City Attorney



City of Grain Valley
Planning & Zoning Commission
Meeting Minutes
Regular Meeting

6/8/2022
Page 2 of 6

development site is located at the dead end of NW Sni-A-Bar Blvd. east of NW Sni-A-Bar Parkway being part of the southwest quarter of Section 34, Township 49, Range 30, Jackson County, Missouri.

- Director Trosen presented the Staff Report. In addition, Trosen presented a chart that illustrated owner-occupied housing unit rate for Grain Valley at 67.5%, compared to the State of Missouri, Jackson County, and surrounding communities. This information was from the U.S. Census Bureau. Also, the Finance Director provided as of June 2022 using utility billing records, the owner-occupied rate is 70.4% and the rental rate is 29.6%. After the preliminary development plan and plat is revised to reflect the comments in item 6 (need to show the type of six-foot privacy wall or fence and ornamental screening along the north and west property lines) and item 8 (four revisions needed to plat) in the staff report, Staff would then recommend approval.
- Commissioner Hofstetter asked generally where this development was in relation to the school district bus barn.
- Commissioner Hofstetter asked why we are comparing ourselves to other communities regarding owner occupied. Director Trosen responded that there have been comments that the city has too much multi-family residential development. He said it is hard to pick a perfect number that is right for your community, so you look at other cities and determine what are their owner-occupied and rental rates to determine if there is a good balance.
- Commissioner Tyson asked is the only access to development from Sni-A-Bar Blvd.? City Engineer Tuttle said yes.
- Frances Royer asked about the fencing and screening around the development. He said that he still owns the property to the east which is a cemetery, and he is concerned that people will cut-through. He sold the property to the developer. He would like to see a barrier, or the privacy fence continued along the east property line. There was discussion regarding the burial sites and future development of the cemetery.
- Bryan Rahn stated that he is the representative for Blue Springs Safety Storage South II LLC. He said that they are still working on the name of the development since there are so many Lofts and Creekside developments. He said regarding the property to the west where the clubhouse, pool, and other amenities, he would ask that the Commission not require the fence along the north property line from Lot 44 of the duplexes and along the west property line. He said because of the terrain and existing vegetation, it does not make sense

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Debbie Saffell
Justin Tyson
Jim Hofstetter

Commissioners Absent

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Dick Tuttle – City Engineer
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City of Grain Valley

Planning & Zoning Commission

Meeting Minutes

Regular Meeting

6/8/2022
Page 3 of 6

to have a fence in this area. Rahn stated that he does not have a problem with installing a fence along the east property line and screening from the cemetery. There was discussion regarding the type of fence.

- Chair Shelton discussed the overall development and the location of the structures and was there consideration to flip the development and put the development amenities adjacent to the cemetery and the four-plexes on the west side of property. There was discussion regarding the creek and the barrier it creates with constructing driveways. Rahn said that regarding the stand alone duplex, the architectural style matches the clubhouse, and the duplex is adjacent to existing duplex development along Sni-A-Bar Parkway.
- Commissioner Tyson asked Rahn if they are in favor of installing a fence and landscape screening along the east property line as requested by Mr., Royer. Rahn said they would install a privacy fence according to city ordinance.
- Commissioner Tyson asked if the buildings would be like the Lofts at Old Towne Market Place. Rahn said similar but instead of a flat roof these buildings will have gable roofs.
- Commissioner Saffell made a motion to close the public hearing. Commissioner Tyson second the motion. The Commission voted 4 to 0 to approve the motion.

2. **City Code Chapter 400 Zoning Regulation Amendment** – A Resolution (2022-03) recommending to the Board of Aldermen that Title IV (Land Use) of the Code of Ordinances be amended in Section 400.230 (Accessory Uses) pertaining garages and accessory buildings by prohibiting a wheeled trailer, portable trailer, or roll-off trash container as an accessory building and in Section 400. 290 (Off-Street Parking and Loading Regulations) to not allow the parking of automobiles, trucks, boats, trailers, recreational vehicles, or any other motorized vehicles in the rear yard on an unimproved surface unless enclosed by a 6-foot privacy fence.
 - Director Trosen presented the Staff Report. He said that Staff is asking the Commission to approve Resolution 2022-03 which recommends to the Board of Aldermen changes to Chapter 400 pertaining to accessory buildings and off-street parking regulations. Trosen presented photographs that illustrated examples of the proposed amendments to the regulations.
 - Commissioner Tyson asked that if they have a six-foot privacy fence then they can still park their cars in the backyards on the grass. Director Trosen said yes. Commissioner

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Commissioners Absent

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City of Grain Valley

Planning & Zoning Commission

Meeting Minutes

Regular Meeting

6/8/2022
Page 4 of 6

Tyson said that this needs to go one step further. He said that if we have all ranch style homes then this is not an issue. However, if we have two-story homes, like many of us do, you will see the cars parked in the grass if you are able to look over the fence from a deck or through a second story window. He also said this might be an environmental issue of car leaking in grass. He asked can we change it? Trosen said that you can change the resolution and make whatever recommendation to the Board of Aldermen.

- Commissioner Hofstetter asked if any of this would be grandfathered in. Trosen said that the existing roll-off containers would be grandfathered but since the vehicles can be driven, once they leave and come back, they can be issued a letter of warning under the new regulations. Hofstetter said that he has problem with changing the rules and now the property owner must comply with the new rules.
- City Attorney Wood said these are two different things. The roll-offs would be grandfathered since they are more permanent structures, but the vehicles come and go. City Attorney Wood said that one property owner can sue one property owner if vehicles are creating a nuisance.
- Commissioner Hofstetter is overly concerned that we are opening a “can of worms” if start telling property owners that they cannot park in their yards.
- Commissioner Saffell said that several people use these containers for swimming pools. Saffell asked if we should amend that section to prohibit these types of structures as pools. Trosen said to his knowledge this has not been a problem.
- Commissioner Tyson made a motion to close the public hearing. Commissioner Saffell second the motion. The Commission voted 4 to 0 to approve the motion.

ITEM VI: ACTION ITEMS

1. **The Lofts at Creekside Landing-** Blue Springs Safety Storage South II LLC is requesting a change of zoning on approximately 7.53 acres from District R-3 PUD (Multi-Family Residential District-Planned Unit Development) to District R-3p (Multi-Family Residential District-Planned Overlay District). The proposed development will consist of four (4) apartment buildings containing twenty-four units in each building; three (3) four-plex buildings and one duplex. The total number of units on the property is 110. The

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City of Grain Valley

Planning & Zoning Commission

Meeting Minutes

Regular Meeting

6/8/2022
Page 5 of 6

development site is located at the dead end of NW Sni-A-Bar Blvd. east of NW Sni-A-Bar Parkway being part of the southwest quarter of Section 34, Township 49, Range 30, Jackson County, Missouri.

- Commissioner Tyson made a motion to approve the Lofts of Creekside Landing with the Staff Recommendations and with the condition to continue the same privacy fence along the east property line adjacent to the Royer property. Commissioner Hofstetter second the motion. Commissioner members Tyson, Hofstetter and Saffell voted yes, and Shelton voted no. The motion passed by a vote of 3 to 1.
2. **City Code Chapter 400 Zoning Regulation Amendment** – A Resolution (2022-03) recommending to the Board of Aldermen that Title IV (Land Use) of the Code of Ordinances be amended in Section 400.230 (Accessory Uses) pertaining garages and accessory buildings by prohibiting a wheeled trailer, portable trailer, or roll-off trash container as an accessory building and in Section 400. 290 (Off-Street Parking and Loading Regulations) to not allow the parking of automobiles, trucks, boats, trailers, recreational vehicles, or any other motorized vehicles in the rear yard on an unimproved surface unless enclosed by a 6-foot privacy fence.
- There were motions made with no seconds. The Commission decided to separate the two sections.
 - Regarding Section 1 in Resolution 2022-03, Commissioner Tyson made a motion to approve. Commissioner Saffell second the motion. The Commission approved the motion by a vote of 4 to 0.
 - Regarding Section 2, in Resolution 2022-03, Commissioner Tyson made a motion to amend item f. as written by City Attorney, to add after front, the word “rear”, delete the period after property and delete the sentence “The rear of the property must be enclosed by a 6-foot privacy fence to allow parking on unimproved surfaces.” Commissioner Saffell second the motion. Commissioners Tyson, Saffell and Shelton voted yes, and Hofstetter voted no. The Commission passed the motion by a vote of 3 to 1.
3. **FY2023-2027 Capital Improvement Plan** – Capital improvements planning is the multi-year scheduling of large-scale capital improvements and major purchases. The CIP is a public information document to advise residents and property owners of how the city plans

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Commissioners Absent

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City of Grain Valley

Planning & Zoning Commission

Meeting Minutes

Regular Meeting

6/8/2022
Page 6 of 6

to address significant capital needs over the next five years. The CIP is a flexible, planning tool and not a financial, static, budget.

- City Engineer Tuttle presented the FY2023-2027 Capital Improvement Plan and highlighted certain projects.
 - Commissioner Hofstetter made a motion to recommend that the Board of Aldermen approve the Capital Improvement Plan. Commissioner Tyson second the motion. The Commission approved the motion by a vote of 4 to 0.
4. **Planning and Zoning Commission Rules** – The Commission will consider approving Resolution 2022-04 adopting rules for the transaction of business.
- City Attorney Wood reviewed Resolution 2022-04 and each exhibit as it related to either state law or Board of Aldermen rules. He said state laws allows the Commission to adopt rules to conduct business. He reviewed the proposed attendance policy. He said this is a Resolution that the Commission adopts and does not need to go to the Board for review.
 - Commissioner Tyson said since we have a bare bone number Commissioners present tonight, he would like to wait and talk about this at a later meeting.
 - Chair Shelton said that the Commission had talked in the past about the Rosenberg's rules and decided not to adopt them but use them only as a policy.
 - Commissioner Hofstetter made a motion to postpone discussion on these rules until the next meeting. Commissioner Tyson second the motion. The Commission approved the motion by a vote of 4 to 0.

ITEM VII: PREVIOUS BUSINESS

- None

ITEM VIII: NEW BUSINESS

- None

ITEM IX: ADJOURNMENT

- Commissioner Hofstetter made a motion to adjourn the meeting. Commissioner Saffell second the motion. The Commission approved the motion by a vote of 4 to 0.

-The Regular Meeting Adjourned at 8:15 PM-

Commissioners Present

Craig Shelton
Debbie Saffell
Justin Tyson
Jim Hofstetter

Commissioners Absent

Kevin Browning
Scott Shafer
Elijah Greene
Rick Knox BOA Liaison

Staff Officials Present

Mark Trosen – CD Director
Dick Tuttle – City Engineer
Rich Wood – City Attorney



Staff Report

Eagle Ridge Estates – 6th Plat

August 10, 2022

PURPOSE: The purpose of this request is to gain final plat approval for Eagle Ridge Estates – 6th Plat consisting of lots 143-166 and 182-197.

BACKGROUND: This property is approximately 8.93 acres in size. The property is located south of Woodbury Drive and east of NW Hilltop Lane and east of NW High View Drive. The land is zoned District R-1 (Single Family Residential). There are 40 lots in this plat.

The preliminary plat for the Eagle Ridge Estates subdivision that includes these lots was previously approved by the Planning and Zoning Commission on November 18, 2020. Also, at the November 18th meeting, the Planning and Zoning Commission meeting held a public hearing and recommended that this area be rezoned from District M-1 (Light Industrial) to District R-1 (Single Family Residential). The Board of Aldermen passed Ordinance 2536 on January 11, 2021, approving the change of zoning.

ANALYSIS: This final plat is an extension of the existing Eagle Ridge subdivision. The structures will be single family residences and will be remarkably similar in style/size as the existing homes on NW Hilltop Lane and NW High View Drive. This final plat is in conformance with City standards and engineering civil plans have been approved by City Engineer.

STAFF RECOMMENDATION: Staff recommends approval.



711 Main Street
Grain Valley, MO 64029
816.847.6220
816.847.6206 fax
www.cityofgrainvalley.org

PLANNING & ZONING APPLICATION

PROJECT INFORMATION

Location: PART OF THE W 1/2 OF THE SOUTHEAST 1/4, SECTION 27-T49N-R30W

Subdivision: EAGLE RIDGE ESTATES Lot #: 40 Zoning District: R-1

Description of Request: FINAL PLAT OF EAGLE RIDGE ESTATES-6TH PLAT
LOTS 143-166, AND 182-197

APPLICANT INFORMATION

Name: TONY WARD

Company: WARD DEVELOPMENT

Address: 1120 EAGLE RIDGE BLVD. GRAIN VALLEY, MO. 64029

Telephone: 816-229-5012 Fax: E-mail: tony@safetyministorage.com

Property Owner: BLUE SPRINGS SAFETY STORAGE SOUTH, LLC

Additional Contact(s): NICHOLAS MILLER, PLS-LAND SURVEYOR-816-373-4800
nmiller@powellcwm.com

Type of Application: Check Type & Submit Corresponding Requirements	Submittal Requirement List:
☐ Rezoning 1 • 2 • 5 • 10 • 11 • 14	1 X Legal description of subject property
☐ Ordinance Amendment 10	2 Map depicting general location of site
☐ Special/Conditional Use Permit 1 • 2 • 10 • 11 • 14	3 Summary Site Analysis depicting current character of site
☐ Temporary Use Permit 2 • 10 • 14	4 Preliminary Plat (3 full size copies)
☐ Preliminary Plat 1 • 3 • 4 • 14	5 Preliminary Development/ Site Plan (6 copies)
X Final Plat/ Lot Split 1 • 6 • 12 • 13 • 14 • 15	6 X Final Plat (6 copies)
☐ Preliminary Development/Site Plan 1 • 3 • 5 • 8 • 9 • 14	7 Final Development/ Site Plan (6 copies)
☐ Final Development/Site plan 1 • 7 • 8 • 9 • 14 • 15	8 Landscaping Plan (6 copies)
☐ Site Plan 1 • 7 • 8 • 9 • 12 • 14 • 15	9 Building Elevations (6 copies)
☐ Vacation of Right-of-way or Easement 1 • 14 • 16 • 17	10 Written description of the proposal
☐ Future Land Use Map (Refer to page 9)	11 List of property owners within 185 feet
Note: Include at least one 8 1/2 x 11 copy of all drawings and plans with all applications.	12 X Construction plans for all public works improvements (6 copies)
	13 X Copies of tax certificates from City and County
	14 X Proof of ownership or control of property (deed, contract, lease) or permission from property owner
	15 X Off-site easements if necessary
	16 Survey of vacation area
	17 Utility Comment Form - City will provide form

[Note: Applications must be completed in their entirety and all submittal requirements must be submitted at the time the application is submitted. Additional submittals may be requested as provided for in the Grain Valley City Code.]

The applicant hereby agrees that all information is provided as required with this application and the City

Code:

Applicant's Signature

Date

Applicant's Signature

Date

EAGLE RIDGE ESTATES 6TH PLAT

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 27, TOWNSHIP 49 NORTH, RANGE 30 WEST, CITY OF GRAIN VALLEY, JACKSON COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTER OF SAID SECTION 27; THENCE ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SAID SECTION 27, SOUTH 88°06'39" EAST, 618.18 FEET, TO THE POINT OF BEGINNING:

THENCE FROM THE POINT OF BEGINNING, ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER, SOUTH 88°06'39" EAST, 653.84 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF WOODBURY DRIVE, AS ESTABLISHED BY THE CONVEYANCE OF RIGHT-OF-WAY RECORDED UNDER DOCUMENT NUMBER 2018E0096650 OF THE JACKSON COUNTY RECORDS; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, SOUTH 43°30'13" EAST, 59.85 FEET TO A POINT ON THE EAST LINE OF SAID NORTHWEST QUARTER; THENCE ALONG SAID EAST LINE, SOUTH 01°33'24" WEST, 520.26 FEET TO THE NORTHEAST CORNER OF EAGLES RIDGE MULTI-FAMILY - 3RD PLAT AS RECORDED AT THE JACKSON COUNTRY, MISSOURI RECORDER OF DEEDS OFFICE; THENCE ALONG THE NORTH LINE OF SAID EAGLE RIDGE MULTI-FAMILY – 3RD PLAT, NORTH 88°12'23" WEST, 165.42 FEET; THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 01°47'37" EAST, 15.00 FEET; THENCE CONTINUING ALONG SAID NORTH LINE, NORTH 88°12'23" WEST, 547.75 FEET TO THE SOUTHEAST CORNER OF EAGLE RIDGE ESTATES 5TH PLAT AS RECORDED AT THE JACKSON COUNTY, MISSOURI RECORDER OF DEEDS OFFICE; THENCE ALONG THE EAST LINE OF SAID EAGLE RIDGE 5TH PLAT, NORTH 01°47'37" EAST 380.00 FEET; THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 88°12'23" EAST, 14.63 FEET; THENCE CONTINUING ALONG SAID EAST LINE, NORTH 01°47'37" EAST, 168.45 FEET, TO THE POINT OF BEGINNING AND CONTAINS 8.93 ACRES MORE OR LESS.

NICHOLAS R. MILLER, PLS
LS 2016000167

POWELL CWM, INC.
MISSOURI CERTIFICATE OF AUTHORITY NO: LS 123
KANSAS CERTIFICATE OF AUTHORITY NO: LS 36

RESOLUTION NO: 2022-04

A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF GRAIN VALLEY, MISSOURI, ADOPTING RULES FOR THE TRANSACTION OF BUSINESS.

WHEREAS, municipalities in the State of Missouri are granted the authority pursuant to Sections 89.070 and 89.310, RSMo, to appoint a planning and zoning commission with the powers and duties provided by State statutes; and

WHEREAS, the City of Grain Valley created its Planning and Zoning Commission by Ordinance No. 2479, adopted on October 28, 2019 (hereinafter sometimes referred to as the “Commission”); and

WHEREAS, pursuant to Section 89.330, RSMo, the Commission is authorized to adopt rules for the transaction of business; and

WHEREAS, the Commission hereby desires to adopt the following rules for the transaction of business.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING AND ZONING COMMISSION OF THE CITY OF GRAIN VALLEY, MISSOURI, AS FOLLOWS, TO WIT:

SECTION 1. That the Planning and Zoning Commission of the City of Grain Valley, Missouri, hereby adopts the following rules for the transaction of business:

- (a) The Commission and its Commissioners shall comply with the **Sunshine Law Policy** attached hereto as Exhibit A and incorporated herein by reference.
- (b) The Commission and its Commissioners shall comply with the **Social Media Policy** attached hereto as Exhibit B and incorporated herein by reference.
- (c) The Commission and its Commissioners shall comply with the **Procedures to Disclose Potential Conflicts of Interest and Substantial Interests** attached hereto as Exhibit C and incorporated herein by reference.
- (d) The Commission hereby adopts **Rosenberg’s Rules of Order** which shall govern the conduct of business by the Commission.
- (e) The Commission and its Commissioners will comply with the following **Rules of Conduct** set forth in Exhibit D

- (f) The Commission hereby establishes the policy that any Commissioner shall not be absent from more than three regularly scheduled meetings of the Commission in any twelve month period or such Commissioner shall be subject to discipline as set forth in Section 2 below. In the event that a Commissioner has been absent from more than three regularly scheduled meetings of the Commission in any twelve month period, the Chair of the Commission shall communicate in writing with the Mayor regarding such absences and request that the Mayor institute proceedings to remove the member in accordance with Section 89.320, RSMo, and Section 400.470 of the Code of Ordinances of the City of Grain Valley, for cause stated in writing and after a public hearing.

SECTION 2. Although the Commission should seldom have occasion to discipline its members, the Commission has the right to make and enforce its own rules as set forth in this Resolution and to require that Commissioners, City staff, and the public refrain from conduct injurious to the accomplishment of Commission business.

Members of the Commission who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Board. Serious infractions of the rules of the Commission as set forth in this Resolution could lead to other sanctions as deemed appropriate by the Commission and the City, including removal from office in accordance with Section 89.320, RSMo, and Section 400.470 of the Code of Ordinances of the City of Grain Valley, for cause stated in writing and after a public hearing.

SECTION 3. That this Resolution shall be in full force and effect immediately upon its execution by the Planning and Zoning Commission of the City of Grain Valley, Missouri.

**PASSED AND APPROVED BY THE PLANNING AND ZONING COMMISSION
OF THE CITY OF GRAIN VALLEY, MISSOURI, THIS _____ DAY OF
_____, 2022.**

Chairman

ATTEST:

City Clerk

EXHIBIT A

SUNSHINE LAW POLICY

I. Purpose

A. Purpose of the Sunshine Law, Sections 610.010 to 610.225, RSMo, as amended.

To establish and further the public policy of Missouri that meetings, records, votes, actions, and deliberations of public governmental bodies be open to the public unless otherwise provided by law. The Sunshine Law is liberally construed, and its exceptions are strictly construed to promote this public policy.

Except as otherwise provided by other laws, the Sunshine Law requires all public meetings of public governmental bodies to be open to the public, all public records of public governmental bodies to be open to the public for inspection and copying and all public votes of governmental bodies to be recorded.

B. Purpose of the Commission's Sunshine Law Policy

The City of Grain Valley, Missouri Planning and Zoning Commission (the "Commission") is a public governmental body subject to the Sunshine Law. This policy is designed to ensure that the Commission, through the actions of its officers and employees, complies with the Sunshine Law.

This policy is required by the Sunshine Law and is designed to complement the Sunshine Law. In the event that either the Sunshine Law or this policy is stricter than the other regarding a particular requirement, the stricter provision shall apply.

II. Definitions.

A. Closed Meeting, Closed Record, Closed Vote. Any meeting, record or vote that is closed to the public.

B. City. The City of Grain Valley, Missouri.

C. Principal Office. The principal office of the Commission shall be City of Grain Valley City Hall, 711 Main Street, Grain Valley, Missouri 64029.

D. Public Business. All matters which relate in any way to the performance of the Commission's functions or the conduct of its business.

E. Public Governmental Body. Any legislative, administrative, or governmental entity created by the constitution or statutes of Missouri, by order or ordinance of any political subdivision, commission or committee, judicial entities when

operating in an administrative capacity, or by executive order. The Commission is a governmental entity created under state statute and by ordinance of the City.

This includes any department or division of the Commission and any committee appointed by or at the direction of the Commission and which is authorized to report to the Commission. The Sunshine Law also applies to advisory committees appointed by or at the direction of the Commission for the specific purpose of recommending, directly to the Commission, policy, or policy revisions.

Groups of less than a quorum do not qualify as public governmental bodies under the Act.

- F. Public Meeting.** Any meeting at which any public business is discussed, decided, or public policy formulated, whether corporeal or by means of communication equipment; however, "Public Meeting" does not include informal gatherings of members of the Commission for social or ministerial purposes, but does include a public vote of all or a majority of the members of the Commission by electronic communication or other means, conducted in lieu of holding a Public Meeting with the members of the public body gathered at one location in order to conduct public business.
- G. Public Record.** Any record, whether written or electronically stored, retained by or of the Commission, including any report, survey, memorandum or other document or study prepared and presented to the Commission by a consultant or other professional service provider paid for in whole or in part by public funds; provided, however that "public record" does not include any internal memorandum or letter received or prepared by or on behalf of a member of the Commission consisting of advice, opinions, and recommendations in connection with the deliberative decision making process of the Commission, unless such records are retained by the public body or presented at a public meeting.
- H. Public Vote.** Any vote, whether conducted in person, by telephone or by another electronic means, cast at any public meeting of the public body.
- I. Record.** "Record" is not defined under the Sunshine Law;¹ however, "record" is defined in the State and Local Records Law, Sections 109.200 through 109.310, RSMo. Pursuant to Section 109.210(5) of the State and Local Records Law, a "record" is any "document, book, paper, photograph, map, sound recording, or other material, regardless of physical form or characteristics, made or received pursuant to law or in connection with a transaction of official business." While this definition is not controlling for Sunshine Law purposes, it does provide useful statutory guidance.

¹ "Public Record" is a defined term under the Sunshine Law, but that definition does not shed light on the meaning of "record."

- J. Written Policy.** A reasonable written policy regarding the release of information under the Sunshine Law that, if complied with, renders an employee of the Commission not guilty of violating the Sunshine Law nor subject to civil liability for any act arising out of its adherence to the written policy.

III. Notice Requirements

A. Notice of Public Meetings

1. *Generally*

Except as provided in subsection B of this Section, the Commission shall give notice of the time, date, place of meeting, a tentative agenda for all open Public Meetings and whether the meeting will be open or closed at least twenty-four (24) hours in advance of any Public Meeting. The notice shall be given by posting written notice on a bulletin board or in another prominent place located in a public area in the principal office of the Commission. In the event that the meeting will not be held in the Commission's principal office, notice shall also be posted at the building in which the meeting will be held.

The twenty-four (24) hour notice period shall not include weekends and holidays where the Commission's offices are closed.

Copies of the meeting notice shall be made available at the same time notice is given to the members of the public body to all members of the media who have submitted such a request to the public body.

2. *Telephone or electronic meetings*

If the Public Meeting will be conducted in whole or in part by telephone or other electronic means, then the notice of the Public Meeting must identify the mode by which the meeting will be conducted and must designate a location where the public may observe and attend the meeting. If the Public Meeting will be conducted by internet chat, internet message board or other computer link, notice shall be posted also on the Commission's web site and the notice must inform the public about how to access the meeting.

B. Notice of Closed Meetings

If it is anticipated that all or a portion of a Public Meeting of the Commission is to be closed, the notice for the meeting shall set forth the reason for its closure by reference to the specific exception allowed pursuant to the provisions of Section 610.021, RSMo and Section V.A. of this Policy.

A Closed Meeting, the closed portion of a Public Meeting, or a Closed Vote may be held with less than the required notice if there is good cause to render such notice impossible or impractical, in which case the Commission will give as much notice as is reasonably possible prior to closing the meeting or vote.

The nature of the cause justifying the departure from the normal requirements shall be stated and included in the minutes of the Public Meeting.

C. Notice of Emergency Meetings

A Public Meeting may be held with less than twenty-four (24) hours' notice if there is good cause to render such notice impossible or impractical. If such good cause exists, as much notice as is reasonably possible shall be given. Following the opening of the Public Meeting, the nature of the cause justifying the departure from the normal requirements shall be stated in the minutes.

IV. Public Meetings

A. Location of Public Meetings

Public Meetings should be held at the Principal Office of the Commission or otherwise stated meeting place, unless otherwise specified in the notice. Each meeting shall be held at a place reasonably accessible to the public and of sufficient size to accommodate attendance by members of the public. Where it is necessary to hold a Public Meeting in a location that is not reasonably accessible to the public, the reason for the selection of the meeting location shall be stated in the minutes at the opening of the meeting. At any Public Meeting conducted by telephone or other electronic means, the meeting notice shall designate a location at which the public may meet and observe and/or attend the meeting.

B. Minutes of Public Meetings

The minutes of all Public Meetings should be taken and maintained. The minutes shall include, at a minimum, the date, time, place, Commission members present, Commission members absent, and a record of any votes taken. If a roll call vote is taken, the minutes shall indicate the vote of each public body member as yea, nay, or abstain, if not voting.

C. Recording of Proceedings at Public Meetings

Public Meetings may be recorded electronically or otherwise by members of the public at that individual's or group's expense. Audio recordings of the Public Meetings are not required, but if the Commission makes an audio recording of a Public Meeting, the Commission shall make copies of its audio recordings available upon written request to the City Clerk at a price established by the Board of Aldermen.

The Board of Directors, at its full discretion, may establish guidelines regarding the manner in which a meeting may be recorded. In no event shall a Closed Meeting be recorded.

V. Closed Meetings

- A. The Commission's meetings should be presumed open unless they clearly fit within one of the express exemptions enumerated in the Sunshine Law.

B. Public Presence at Closed Meetings

Members of the public shall be allowed to remain at a designated area on-site but outside of the room in which a Closed Meeting, closed portion of a Public Meeting, or Closed Vote is conducted, to allow members of the public to attend any subsequent portion of the Public Meeting that is not closed.

C. Conducting Closed Meetings and Votes

A Public Meeting or a vote may be closed to the public for any of the reasons enumerated in Section V.A., or otherwise in accordance with Missouri law. A Closed Meeting, closed portion of a Public Meeting or Closed Vote may be held if proper notice is given, pursuant to Section III.B. In addition to the general notice requirements, the notice shall set forth the reason for closing the meeting, portion of the meeting or vote, with references to the specific section and subsection of the Sunshine Law allowing such action.

Prior to closing a Public Meeting, a portion of a Public Meeting or a vote, the Commission Chairman shall state forth and include in the minutes of the Public Meeting, the specific section and subsection of the Sunshine Law upon which the decision to close the meeting, portion of the meeting or vote is based.

Any votes taken during a Closed Meeting shall be taken by roll call. Upon a roll call vote, a majority of the quorum present must vote in favor of a motion to close the Public Meeting or vote, before such a meeting or vote is closed. The vote of each member of the public body on the question of closing a Public Meeting or vote and the specific reason for closing that Public Meeting or vote by reference to a specific section and subsection of the Sunshine Law shall be announced publicly at the Public Meeting and entered into the minutes of the Public Meeting.

Public Meetings shall be closed only to the extent necessary for the specific reason announced to justify the Closed Meeting, closed portion of a Public Meeting, or Closed Vote. During the Closed Meeting or Closed Vote, the members of the Commission shall not discuss business unrelated to the reason announced to justify closing the meeting, portion of a meeting, or vote.

Upon a motion to close a Public Meeting, Public Record or vote, any other member who believes that such motion, if passed, would cause a violation of the Sunshine Law may state his or her objection prior to the time a vote is taken on the motion. Such objection must be stated in the minutes. A member objecting to a Closed Meeting shall be allowed to fully participate in any meeting, Record or vote closed over the member's objection.

D. Minutes of Closed Meetings

1. The minutes of all Closed Meetings, closed portions of Public Meetings, and Closed Votes shall be taken and maintained by the custodian of the Commission, or a person designated by the custodian.
2. The minutes shall include the date, time, place, members present, members absent, and a record of any votes taken. Any Closed Votes shall be taken by roll call and the minutes shall indicate the vote of each member of the public body as yea, nay or abstaining if not voting.

VI. Public Records

A. Generally

The City Clerk shall be the custodian of the Commission's Records. Unless otherwise provided by law, the Commission's Records are to be open and available to the public for inspection and copying.

If a member of the Commission transmits an email relating to public business to at least two (2) other members of the Commission so that when, counting the sender, a majority of the members are copied, a copy of the email shall also be sent to the City Clerk or the member's public office computer.

B. Requests for Public Records

The City Clerk or his or her designee is responsible for maintenance of the Commission's Records. Requests for access to the Public Records shall be made to the City Clerk. Requests may be made verbally (in person or by telephone) or in writing (by mail or electronically). If, for reasonable cause, by the end of the third (3rd) business day following the day of the City Clerk's receipt of the request for access to those Public Records (*i.e.* day of receipt plus 3 days), access is not made available, the City Clerk shall provide a written explanation of the cause of the delay and the place, time, and date that the Public Records will be available for inspection.

The City Clerk shall charge the City's established rate for standard copies. Payment of such copying fees may be requested prior to the making of copies. Records may be furnished without charge or for a reduced charge when the Commission determines that waiver or reduction of the fee is in the public interest because it is likely to contribute significantly to public understanding of the operation or activities of the Commission and is not primarily in the commercial interest of the requestor. Fees collected for copying shall be submitted by the Commission to the Director of Revenue of the State of Missouri for deposit into the general fund of the state.

If a request for access to any Public Record of the public body is denied, the person seeking access may request a written statement of the grounds for denial.

The written statement should cite to the specific provisions of the Sunshine Law under which the access has been denied.

C. Classification of Records

The Commission declares that all records of the Commission which may qualify as Closed Records in accordance with those items related to the list in Section 610.021, RSMo, are hereby closed.

EXHIBIT B

SOCIAL MEDIA POLICY

The intended purpose of the City of Grain Valley's use of social media platforms is to disseminate information from the City or about the City to the public in a civil and unbiased manner. The City typically uses social media in order to highlight upcoming events, warn residents of potentially hazardous weather conditions, road closures, water service disruptions and other important information. The Chair is the designated representative of the Grain Valley, Missouri Planning and Zoning Commission ("Commission") to present and speak on the Commission's official position.

In expressing their personal opinions or information via a personal social media account, members of the Commission should adhere to the following guidelines:

- Do not disclose confidential information regarding the City of Grain Valley or its operations.
- Do not slander the City of Grain Valley, its citizens, employees, or elected officials.
- Do not use any City photos or logos for personal social media posts or otherwise, unless granted permission to do so.
- Do not use personal social media accounts to speak on the City's behalf.
- Avoid all posts that may be viewed as malicious, obscene, or intimidating.
- Avoid all posts that may include discriminatory remarks, harassment, threats of violence or similarly inappropriate or unlawful content.
- Exercise responsibility and good judgment when posting or publishing information on social media sites for personal or professional purposes while serving as a representative for the City of Grain Valley.

City administration encourages members of the Commission to refrain from commenting on community social media pages or groups, (i.e.: Residents of Grain Valley on Facebook). In lieu of engaging on such community pages, it is preferential that elected and appointed officials communicate via their own "official social media account" – identifiable by their title and/or ward in which they represent, to be utilized solely for City business, issues, announcements and/or announcements of City events. The Commissioners are not required to use social media as a method in which to communicate with their constituents, however, if they do choose to have an official social media account, they should identify that account to the City's Public Information Officer. When possible and practical,

members of the Commission should ask the Public Information Officer to review content before posting.

Members of the Commission should refrain from commenting on each other's official social media accounts so as not to create a meeting subject to the Missouri Sunshine Law.

EXHIBIT C

PROCEDURE TO DISCLOSE POTENTIAL CONFLICTS OF INTEREST AND SUBSTANTIAL INTERESTS

Section 1 – Declaration of Policy

The proper operation of government requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals, there is hereby established a procedure for disclosure by certain officials and employees of private financial or other interests in matters affecting the Planning and Zoning Commission of the City of Grain Valley, Missouri ("Commission").

Section 2 – Conflicts of Interest

a. All elected and appointed officials as well as employees of a political subdivision must comply with section 105.454 of Missouri Revised Statutes on conflicts of interest as well as any other state law governing official conduct. As appointed officials, members of the Commission must comply with this Section.

b. Any member of the Commission who has a "substantial or private interest" in any measure, bill, order, or ordinance proposed or pending before the Commission must disclose that interest to the Commission Secretary or City Clerk and such disclosure shall be recorded in the appropriate journal of the Commission. Substantial or private interest is defined as ownership by the individual, his spouse, or his dependent children, whether singularly or collectively, directly, or indirectly of:

- (1) 10% or more of any business entity; or
- (2) an interest having a value of \$10,000 or more; or
- (3) the receipt of a salary, gratuity, or compensation or remuneration of \$5,000 or more, per year from any individual, partnership, organization, or association within any calendar year.

EXHIBIT D

RULES OF CONDUCT

Conduct at Public Hearings

Planning and Zoning Commissioners ("Commissioners") will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by the Commissioners are not appropriate until after the close of the public hearing. The Commissioners should refrain from debating with the public during a public hearing and shall always show respect for different points of view. The Commissioners' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

Commissioners Conduct with the Public in Public Meetings

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of the Commissioners toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

- Be fair and equitable in allocating public meeting time to individual speakers.
 - The Chair, or Vice Chair in the Chair's absence, will determine and announce limits on speakers at the start of the public meeting process. The Chair will advise speakers to state their name and address for the record and to address their comments to the Commission. If many speakers are anticipated, the Chair, or Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior.
- Listen attentively.
 - It may be disconcerting to speakers to have Commission Members not look at them when they are speaking. It is fine to look down at documents or to make notes but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger, or boredom.
- Ask for clarification but avoid debate and argument with the public.
 - Only the Chair, or Vice Chair in the Chair's absence – not individual Commissioners – can interrupt a speaker during a presentation. However, a Commissioner can ask the Chair for a point of order or point of information if the speaker is off the topic or exhibiting behavior or language the Commissioner finds disturbing or would like further information from the speaker.
 - If speakers become flustered or defensive by questions from the Commission, it is the responsibility of the Chair to calm and focus the

speaker and to maintain the order and decorum of the meeting. Questions by Commissioners to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker.

- No personal attacks of any kind, under any circumstance.
 - Commissioners should be aware that their body language and tone of voice, as well as the words they use, could appear to be intimidating or aggressive.

Conduct with the Chair and other Commissioners in Public Meetings

The Commission is composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as the Commission may "agree to disagree" on contentious issues.

- Practice civility and decorum in discussions and debate.
 - Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not permit, however, the Chair or Commissioners to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.
- Honor the role of the Chair or Vice Chair in maintaining order.
 - It is the responsibility of the Chair, or the Vice Chair in the Chair's absence, to keep the comments of Commissioners on track during public meetings. Commissioners should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in Rosenberg's Rules of Order for parliamentary procedure.
- Avoid personal comments that could offend other Commissioners.
 - If a Commissioner is personally offended by the remarks of another Commissioner, the offended Commissioner should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Commissioner to justify or apologize for the language used. The Chair will maintain control of this discussion.
- Strive to demonstrate effective problem-solving approaches.
 - Commissioners have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

Conduct in Private Encounters with Other Members of the Commission

- Policy Making
 - No binding policy decisions shall be made outside of a public meeting. The use of official City e-mail is reviewable in a public information request or through a subpoena in a lawsuit. Therefore, a file should be maintained just like any other correspondence. The use of private e-mail does not come under the same scrutiny; however, the Commissioners should refrain from using their private e-mail to discuss City business. The sender should avoid sending to multiple elected officials to eliminate the perception of an electronic meeting. Similarly, telephone calls and in-person conversations about City business with a quorum of the Commission will constitute a meeting under the Missouri Sunshine Law.
- Be aware of the insecurity of written notes, voicemail messages, and e-mail.
 - Technology allows words written or said without much forethought to be distributed wide and far. Written notes, voicemail messages and e-mail should be treated as potentially "public" communication. The Commissioners should be mindful of all recipients. Even though private communication cannot be prohibited from distribution, the use of a disclaimer, verbal or written, can act to protect the sender and should be respected. The litmus test should be: Would you feel comfortable if this voicemail/fax/e-mail message appeared in the newspaper verbatim? How would that reflect on the City?
- Even private conversations can have a public presence.
 - Elected officials are always on display – people around them that they may not know, will monitor their actions, mannerisms, and language. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.
- Guiding principles for collaboration.
 - Collaboration between the Commissioners is acceptable. However, *four members constitutes a quorum*, therefore collaboration by a quorum of the Commission will be deemed a meeting under the Missouri Sunshine Law. It must be understood that no binding decisions can be made; and that the proposal shall come before the whole Commission for consideration in full, open discussion at a public meeting. Commissioners' records on the subject could be subject to a public information request and may possibly be discoverable in litigation.

Chair and Commission Conduct in Unofficial Settings

- Do not make promises on behalf of the Commission.
 - The Commissioners will frequently be asked to explain a Commission action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of City policy and to refer to City staff for further information. It is inappropriate to overtly or implicitly promise Board action, or to promise City staff will do something specific (fix a pothole, change an ordinance, change a policy, etc.).
- Do not make personal comments about other members of the Commission.
 - It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other members of the Commission, their opinions, and actions.
- Do not make announcements relating to City projects, programs, or economic development, etc. until it has been coordinated and announced by the City first.
 - It is important that all official announcements first come through the City, in a coordinated effort with all partners involved in the announced project. Members of the Commission are encouraged to share news once it has been officially released by the City.
- Remember that the residents and businesses look to the Commissioners to set the tone for the City.
 - The community is constantly observing the Commissioners every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the City of Grain Valley. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Commissioners, 24 hours a day, 7 days a week. It is a serious and continuous responsibility.

Chair and Commission Conduct with Other Public Agencies

- Be clear about representing the City or personal interests.
 - If the Chair or any Commissioner appears before another governmental agency or organization to give a statement on an issue, they must clearly state if his or her statement reflects personal opinion or is the official stance of the City.
 - If the Chair or any Commissioner is representing the City before another governmental agency or organization, they must support and advocate the official City position on an issue, not a personal viewpoint.
 - If the Chair or any Commissioner is representing another organization whose position is different from the City, they should abstain from voting on the issue if it significantly impacts or is detrimental to the City's interest. Commissioners should be clear about which organizations they represent and inform the Chair and the Commission of their involvement.

- Correspondence should be equally clear about representation.
 - City letterhead is not used for correspondence of the Chair or Commissioners representing a personal point of view, or a dissenting point of view from an official position of the Commission.

Conduct with Other City Boards, Committees, and Commissions

The City has established several boards, committees, and commissions as a means of gathering more community input. Members who serve on these bodies become more involved in government and serve as advisors to the Chair and Commission. They are a valuable resource to the City's leadership and should be treated with appreciation and respect.

- If attending the meeting of another City board, committee, or commission, be careful to only express personal opinions.
 - The Commissioners may attend any meeting of another City board, committee or commission which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by the Chair or Commissioners at the meeting of another City board, committee or commission should be clearly made as individual opinion and not a representation of the feelings of the entire Commission.
 - When a member of the Commission is appointed as a liaison to another City board, committee or commission, the appointed member of the Commission should take the official stance of the entire Commission when discussing issues. If there is no official stance by the Commission, the liaison should note the issue and discuss it with a quorum of the Commission at the next scheduled meeting.
- Limit contact with members of another City board, committee, or commission to questions of clarification.
 - It is inappropriate for the Chair or Commissioners to contact a member of another City board, committee, or commission to lobby on behalf of an individual, business, or developer. It is acceptable for the Chair or Commissioners to contact a member of another City board, committee, or commission to ask questions of clarification on a position taken by said City board, committee, or commission.
- Be respectful of diverse opinions.
 - A primary role of City boards, committees and commissions is to represent the many points of view in the community and to provide the Board of Aldermen with advice based on a full spectrum of concerns and perspectives. The Commissioners may have a closer working relationship with some individuals serving on said City boards, committees, and commissions, but must be fair and respectful of all citizens serving on City boards, committees, and commissions.

- Keep political support away from public forums.
 - Members of City boards, committees and commissions may offer personal political support to a Mayor or member of the Board of Aldermen; however, such support will not be offered in a public forum while conducting official duties. Conversely, members of the Commission may personally support members of City boards, committees and commissions who are running for office; however, such support will not be offered in an official forum or in their capacity as a member of the Commission.
- Inappropriate behavior can lead to removal.
 - Inappropriate behavior by any member of a city board, committee or commission who has been appointed by the Mayor and Board of Aldermen, should be addressed by the chair and/or the members of the body. If a member's conduct continues to be unbecoming, the chair shall notify the Chair, and the Chair should counsel the offending member. If inappropriate behavior continues, the Chair should bring the situation to the attention of the Commission and the individual is subject to removal from the Commission.

Conduct with the Media

The Commissioners are frequently contacted by the media for background and quotes. The best advice for dealing with the media is to never go "off the record". Most members of the media represent the highest levels of journalistic integrity and ethics and can be trusted to keep their word; however, words that are not said cannot be quoted.

- The Chair is the designated representative of the Commission to present and speak on the Commission's official position.
 - If the media contacts an individual Commissioner, the Commissioner should be clear about whether their comments represent the official Commission position or a personal viewpoint. When representing the official Commission position, the Commissioners should coordinate with the Chair and the City's Public Information Officer.
- Choose words carefully and cautiously.
 - Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.



MEMORANDUM

TO: Planning and Zoning Commission
From: Mark Trosen, Community Development Director
Date: August 10, 2022
RE: Parking Requirements for Multi-Family Residences

At the Board of Aldermen meeting on July 25, 2022, Mayor Mike Todd asked Staff to review with the Planning and Zoning Commission the parking requirements for multi-family residences. He stated that with the recent proposed projects that Aldermen have questioned if there was enough parking even though it met the city code because of the number of visitors or residents with vehicles.

I did some research and looked at other city ordinances for the number of parking spaces required for multi-family residences.

Grain Valley requires:	1-2 bedroom – 2 parking spaces per unit 3 or more bedrooms – 3 parking spaces per unit
Lee's Summit:	1-2 bedroom – 1.5 parking spaces 3 or more bedrooms – 2 parking spaces Plus 0.5 parking spaces per unit for visitor parking
Blue Springs:	1 bedroom – 1.5 parking spaces 2 or more bedrooms – 2 spaces
Overland Park:	1 bedroom – 1.5 spaces per unit 2 bedroom – 1.8 spaces per unit More than 2 bedrooms – 2 spaces per unit
Lenexa:	1 bedroom – 1.5 spaces per unit 2 bedroom – 1.75 spaces per unit 3 + bedroom units – 2 spaces Plus 0.25 spaces per unit for visitor parking if parking spaces are located in common parking areas.



Page 2, MEMORANDUM 8/10/2022

Our requirements are remarkably similar to other communities. An amendment to our current regulation is to add a requirement for partial space per unit for visitor parking like Lee's Summit and Lenexa.

Staff would recommend that the Commission approve a motion to schedule a public hearing for the September 14, 2022 to amend Section 400.290 Off-Street Parking and Loading Regulations to add to Schedule of Off-Street Parking:

1) Residential

c) Multi-family residences

Efficiency or studio	1 parking space per dwelling unit
1 – 2 bedroom	2 parking spaces per dwelling unit
3 or more-bedroom	3 parking spaces per dwelling unit

Plus 0.5 parking spaces per unit for visitor parking



MEMORANDUM

TO: Planning and Zoning Commission
From: Mark Trosen, Community Development Director
Date: August 10, 2022
RE: Prohibit Chain Link Fences along Collector and Arterial Street

Commissioner Justin Tyson contacted me and asked to place on the agenda this item to discuss with the Commission. Commissioner Tyson is proposing that chain link fences and fences less than six feet in height be prohibited in the side and rear yards along the designated Collector and Arterial Streets. Chain link fences are already prohibited in the front yards. Commissioner Tyson would like to only see 6-foot-tall privacy fences constructed of wood, plastic, or vinyl.

An amendment to Section 400.230 (Accessory Uses) C.9 would need to be added as follows:

j. A six-foot privacy fence constructed of wood, vinyl, composite, or plastic shall only be constructed on side and rear yards adjacent to designated Collector Streets (Ryan, Minter, Barr, Tyer, Rust, RD Mize, NW Jefferson, NE McQuerry, Seymour, James D. Rollo, Dillingham, EE. Kirby and Sni-A-Bar Blvd.) and Arterial Streets (US 40 Highway, Buckner Tarsney Highway, Main, SW Eagles Parkway and Duncan) in the City's Comprehensive Plan or designated collector and arterial streets in future Comprehensive Plans.

If the Commission wants to move forward with this then, Staff recommends that the Commission approve a motion to schedule a public hearing for the September 14, 2022 to amend Section 400.230 (Accessory Uses) as stated above.

BILL NO. _____

ORDINANCE NO: _____

AN ORDINANCE AMENDING SECTION 400.460 OF THE MUNICIPAL CODE OF ORDINANCES OF THE CITY OF GRAIN VALLEY, MISSOURI, TO CHANGE THE PARKING REGULATIONS IN THE DOWNTOWN OVERLAY DISTRICT.

WHEREAS, pursuant to Chapter 89 of the Revised Statutes of Missouri and Section 400.330 of the City Code for the City of Grain Valley ("City"), the City's Planning and Zoning Commission has made a recommendation to the Board of Aldermen to amend the City Code to modify the parking regulations in the Downtown Overlay District;

WHEREAS, the Board of Aldermen has the authority to implement said recommendation of the Planning and Zoning Commission through its power pursuant to Section 89.020 RSMo; and

WHEREAS, the Board of Aldermen finds that the amendments within said recommendation will foster further economic development and improve the general welfare for the citizens of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF GRAIN VALLEY, MISSOURI, AS FOLLOWS:

Section 1: Section 400.460(G) of the Code of Ordinances of the City of Grain Valley, Missouri is hereby amended and shall hereafter read as follows:

G. Parking Regulations.

1. Objective. To ensure that parking does not appear as the dominant element in downtown Grain Valley, is designed in keeping with the Main Street corridor and adjacent neighborhoods plan, and to provide safe, convenient access to and within sites without diminishing quality pedestrian walking or visual experiences.
2. Standards. The downtown overlay district will be subject to Section 400.290, Off-Street Parking And Loading Regulations, with the additional following regulations, except that subsections (a) and (b) below shall not apply to the Transition Zone or to that portion of the Downtown Zone which lies south of Harris Street.
 - a. Parking shall not be located between a building and the street. Exceptions may be made for one (1) row of on-street parallel parking.
 - b. Parking shall be either to the side of a building or to the rear. Parking lots shall not be located at intersections.
 - c. Restricting vehicular and pedestrian access between adjoining parking lots at the same grade is prohibited.
 - d. Vehicle entrances to parking lots are encouraged to be placed along side streets.
 - e. Curb cuts shall be no wider than thirty-six (36) feet.

- f. Parking lots shall not be placed so as to create a "missing tooth" effect in a block face along Main Street.
- g. Shared parking may be allowed if the applicant prepares a study following the procedures of the Urban Land Institute Shared Parking Report, ITE Shared Parking Guidelines or other approved procedures.
- h. A formal parking study may be waived for small developments where there is established experience with the land use mix and its impact is expected to be minimal.
- i. Payment In-Lieu-Of Parking. In lieu of providing the required parking spaces, a developer may pay the City a sum of money equal to the cost of a surface parking stall, that is the product of the number of parking spaces required but not provided.

(1) The funds collected by the City will be used by the City to acquire and/or develop on-street or off-street parking and related facilities which are determined by the Board of Aldermen to alleviate the need for parking spaces in the downtown area.

(2) The cost of a surface parking stall shall be established by the City and subject to review on a yearly basis.

Section 2: The provisions of this ordinance are severable and if any provision hereof is declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this ordinance.

Section 3: This ordinance shall be in full force and effect from and after its passage and approval.

Read two times and PASSED by the Board of Aldermen this ____ day of _____, 2022, the aye and nay votes being recorded as follows:

ALDERMAN BASS	_____	ALDERMAN CLEAVER	_____
ALDERMAN ARNOLD	_____	ALDERMAN MILLS	_____
ALDERMAN SKINNER	_____	ALDERMAN WEST	_____

Mayor _____ (in the event of a tie only)

Approved as to form:

Lauber Municipal Law, City Attorney

Mike Todd, Mayor

ATTEST:

Jamie Logan, City Clerk

C. Geographical Area

The downtown overlay district is defined in green and red by the following Main Street corridor map. The northern portion of the transition zone extends from Woodbury to the north to Yennie / James Rollo to the south and the southern portion generally extends from SW Eagles Parkway to the north to SW Rock Creek Ln to the south. The downtown district extends generally along Main St from Yennie / James Rollo to SW Eagles Parkway to the south, between Gregg St to the west, and Cypress St to the East.



