



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

7/10/2024
Page 1 of 4

ITEM I: CALL TO ORDER

- The Planning & Zoning Commission of the City of Grain Valley, Missouri, met in Regular Session on July 10, 2024, in the Council Chambers at City Hall.
- The meeting was called to order at 6:30 PM by Chair Craig Shelton.

ITEM II: ROLL CALL

- *Present: Scott Shafer*
- *Present: Craig Shelton*
- *Present: Chris Bamman (via Zoom)*
- *Present: Elijah Greene*
- *Present: Justin Tyson*
- *Present: Bob Headley (arrived at 6:45PM)*
- *Present: Rick Knox (BOA Liaison)*
- *Absent: Debbie Saffell*
- ***There was a quorum.***

ITEM III: PLEDGE OF ALLEGIANCE

ITEM IV: APPROVAL OF MINUTES

- Commissioner Tyson motioned to approve minutes from the June 12,2024 meeting. Commissioner Shafer seconded the motion. The motion was approved by a vote of 5 to 0.

ITEM V: CITIZEN PARTICIPATION

- None

ITEM VI: PUBLIC HEARINGS

- None

Commissioners Present

Craig Shelton
Scott Shafer
Chris Bamman
Justin Tyson
Elijah Greene
Bob Headley
Rick Knox BOA Liaison

Commissioners Absent

Debbie Saffell

Staff Officials Present

Mark Trosen – CD Director
Dick Tuttle – City Engineer
Madison Touchstone – City Attorney



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

7/10/2024
Page 2 of 4

ITEM VII: ACTION ITEMS

1. Amend Section 400.290 (Off-Street Parking and Loading Regulations) allowing parking in the rear yard. Vote needed to direct Staff to advertise public hearing.

- Director Trosen stated that the new option 1 includes the comments made by the Commission at the June 12th meeting. Trosen further stated that option 2 was left in at the request of Commissioner Greene.
Director Trosen introduced Madison Touchstone, an attorney with Lauber Municipal Law offices. Trosen stated that Madison will explain the limitations of enforcement regarding non-conforming use or what we commonly refer to be grandfathered when a new ordinance is approved.
Madison explained that she is the Assistant City Attorney and City Prosecutor during Municipal Court and works very closely with Code Enforcement Officer Ray Draper. To enforce the new amendment will be a slow burning process and will not occur overnight. All the properties that currently have a vehicle, RV or other item being parked in the backyard when this ordinance is passed is a non-conforming use. Those vehicles and items will still be lawful and can continue until they are abandoned. According to city ordinance, if a non-conforming use is discontinued for a period of 12 months or more, the use of the premises would then need to conform to the new ordinance. For example, if I was parking an RV in my backyard and I took that RV on a cross-country trip where I was gone for more than 12 months then, I could not park the RV in the backyard again. However, if I come back before 12 months and even if I leave again and back before 12 months, then the non-conforming use exists, and I can park the RV in the backyard. From an enforcement standpoint, Ray will need to track and continue to monitor the properties that are impacted by the new ordinance. Madison further stated if you sold the property then the new owner would not be allowed to park a vehicle or RV in the backyard unless the condition of the sale includes the transfer of RV ownership. Madison said you will probably not see immediate action by passing this amendment but over time as property transfers hands or those properties without non-conforming use status can not start parking vehicles or RVs in the backyard.
Commissioner Tyson asked if you have a renter, and they currently park three cars in the backyard, but they move. What happens? Morgan said it depends on who is residing on the property and if that renter moves, then the new renter cannot claim the non-conforming use.

Commissioners Present

Craig Shelton
Scott Shafer
Chris Bamman
Justin Tyson
Elijah Greene
Bob Headley
Rick Knox BOA Liaison

Commissioners Absent

Debbie Saffell

Staff Officials Present

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City of Grain Valley

Planning & Zoning Commission

Meeting Minutes

Regular Meeting

7/10/2024
Page 3 of 4

- Commissioner Tyson asked if you have someone that currently parks a car in the backyard and then the Board of Aldermen passes this ordinance and then the property owner parks three additional cars in the backyard for a total of four. How does that work? Madison says if it is documented that the additional 4 cars were parked after the ordinance passed then, the non-conforming use no longer exists on the property.
- Chair Shelton stated that what you are saying, regardless of which option we move forward with, it is going to take time to see an impact. Madison responded yes. She also said that she has reviewed both options and said that she does not have a legal issue with either option.
- Chair Shelton said the goal is not to sweep the city but establish a standard for the future.
- There was discussion regarding the two options and what they mean. The discussion also included removing the length requirement for a boat and camper from option 1.
- Commissioner Greene said that he asked Staff to keep option 2 in the discussion. He wants to encourage the Commission to consider option 2 because he doesn't think the city can enforce what people park on their property and option 1 does not make sense to him. He is opposed to option 1 even if you remove the lengths.
- Commissioner Shafer said that he is personally against parking vehicles in the park yard. I don't want to see 3 cars parked in my neighbor's backyard. He said we should approve option 1 but drop the lengths.
- Commissioner Tyson made a motion to direct staff to notice a public hearing on option 1 with the lengths removed for a boat and camper. Commissioner Shafer second the motion. Commissioner Bamman said that he has been following the discussion and although he wished the proposed amendment was more restrictive, he said that we have come a long way from allowing anything to be parked in the backyard to where we are now. He is in favor of option 1 as amended. Commissioner Greene said that the purpose of the law is for safety concerns and preventing hazards. He said this is not a sensible approach. This is a severe approach and is not even enforceable. We are going to get all the blame for something that does not make sense. He said we should just limit the number of and allow everything to be parked in the backyard. Chair Shelton said in his opinion he doesn't see the difference between a boat and car. Commissioners Bamman, Shafer, Headley and Tyson were "yeas" on the motion and Chair Shelton and Commissioner Greene were a "no" on the motion. The motion is approved by a vote of 4 to 2.

Commissioners Present

Craig Shelton
Scott Shafer
Chris Bamman
Justin Tyson
Elijah Greene
Bob Headley
Rick Knox BOA Liaison

Commissioners Absent

Debbie Saffell

Staff Officials Present

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

7/10/2024
Page 4 of 4

- Chair Shelton asked if staff would reach out to Commission members on the availability of being at the August 14, 2024 meeting for the public hearing on this amendment.

ITEM VIII: PREVIOUS BUSINESS

- **None**

ITEM IX: NEW BUSINESS

- **None**

ITEM X: ADJOURNMENT

- Commissioner Tyson made a motion to adjourn the meeting. Commissioner Shafer second the motion. The Commission approved the motion by a vote of 6 to 0.

-The Regular Meeting Adjourned at 7:06 PM-

Commissioners Present

Craig Shelton
Scott Shafer
Chris Bamman
Justin Tyson
Elijah Greene
Bob Headley
Rick Knox BOA Liaison

Commissioners Absent

Debbie Saffell

Staff Officials Present

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