



CASS COUNTY, MISSOURI  
PLANNING & ZONING  
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FILED

MAY 11 2006

Missouri Public  
Service Commission

CASS COUNTY PLANNING BOARD

MINUTES OF THE DISCUSSION AND VOTE ON THE  
COMPREHENSIVE PLAN  
ZONING ORDER  
SUBDIVISION REGULATIONS & IMPACT FEES

JANUARY 18, 2005

MEMBERS PRESENT

J. ROBERT HARDIN  
DAVID CLICKNER  
LYNN STARK  
JON SEABAUGH

DEBRA BURTON  
ORRIS HOFF  
BILL SHELTON

Exhibit No. 123  
Case No(s). 9A-2006-0309  
Date 5-3-06 Rptr TX

## **MEETING OF JANUARY 18, 2005**

### **DISCUSSION OF CASS COUNTY, MISSOURI COMPREHENSIVE PLAN**

The meeting convened at 7:10 p.m. on January 18, 2005 with the following in attendance:

**Darrell Wilson, Planning Director**  
**Traey Lambertz, Codes Director**  
**Bill Gough, Zoning Enforcement Officer**  
**Jon Seabaugh, Associate County Commissioner**  
**Robert Hardin, Chairman-Planning Board**  
**Debbie Burton, Planning Board**  
**David Clickner, Planning Board**  
**Lynn Stark, Planning Board**  
**Orris Hoff, Planning Board**  
**Bill Shelton, Planning Board**  
**Craig Fedynich – rep. – sign outdoor advertising**  
**Ed Hesse – audience member**  
**Karen Ferguson, Zoning – Administrative Assistant**  
**Kathy Flanary-H. R. Director-Co. Commission**

Planning Director Darrell Wilson stated the purpose of the meeting is to review, discuss and offer recommendations to the County Commission regarding the 2005 Comprehensive Master Plan, Zoning Ordinances, Use Tables and Subdivision regulations. He further stated the County Commission will review the Planning Commission's recommendations at their meeting on January 27, 2005 at 10:00 a.m. (The proposed changes were given to the Board Members for review.)

Director Wilson then asked Chairman Robert Hardin to conduct the meeting.

Mr. Hardin stated the 2005 Comprehensive Plan has been discussed in earlier meetings in which Scott Michie, rep. from Bucher, Willis & Ratliff Corporation and the Planning Board had been present.

Mr. Hardin asked that Director Darrell Wilson review the highlighted changes in the proposed comprehensive plan book.

They then moved on to the Zoning Ordinance.

Discussed Section 1 (changes) and definitions – Ag purposes

Ag – personal use

Definition of Farmstead and Structures

Discussion was held regarding sign ordinances – Page 114 and 115, size of billboards – sec. a.

Page 115 – changed from a paved driveway to access driveway-

Page 117 – Article II – Sec. A; non-conformity; Sec. B – para 2 (Mr. Wilson had asked that this be changed) Separate deed will be classified as separate ownership – he explained in detail.

Chairman Hardin asked Craig Fedynich if he had seen all of the sign changes. Mr. Fedynich stated he had looked over the changes and felt this was a good compromise. He told the Board that the two important things they were working at have been addressed – this is a good compromise that could be lived with.

Chairman Hardin asked Mr. Fedynich if the above was what he was primarily in attendance at the meeting. He stated yes.

Mr. Wilson asked the Board if there was anything else there were questions about. He explained the following:

Page 77 – Article 7 –Para a. in Supplementary Regulations – Mr. Wilson stated that one line has been added – farm structures would be exempt from height and bulk restriction. Distance regulations have been added to meet Code requirements between structures.

Commissioner Seabaugh stated this is a good amendment and was needed.

Mr. Wilson asked if there were any other questions – he also asked if the Board Members had read the complete proposed plan. They stated yes.

Chairman Hardin asked if there were any other comments. Darrell Wilson then continued:

Page 28 –Zoning Regulations - Type of Equivalent Districts- Discussion was held (Mixed use zoning replaced RA, etc.)

Chairman Hardin asked questions about pages in the Comprehensive Plan –Mr. Wilson sited page 31 in the comprehensive plan update.

Main highways, state roads were discussed. Mr. Wilson stated that they have tried to eliminate all references to the 1991 and 1997 comprehensive plan.

Board Member David Clickner asked questions about specifications.

Mr. Wilson stated we left it as is – we will have latitude in the future.

Mr. Wilson presented the updated maps that Scott Michie had completed. Thoroughfare plans will be finished-natural features maps will not change, etc.

Chairman Hardin stated once this is approved we will get current copies of the maps.

Mr. Wilson stated that the Cass County Commission may change some of this - they have to adopt the ordinance - the Planning Board has to make the recommendations to the Commission.

Chairman Hardin asked if there were any questions on the Comprehensive Plan section - the next discussion will be held on the Zoning Order Regulations portion.

Darrell Wilson discussed the use policy (livestock for personal use - residential tracts - educational purposes - maximum number of adult dogs - cats, etc. This was discussed in length.

Chairman Hardin asked if there were any other changes from the previous plan that have not been discussed. He then stated the next section to be discussed in the Subdivision Regulations.

Mr. Wilson discussed short forms - preliminary and final plats together, etc.

He discussed Article 1 - General Provisions - Exemptions, para 7 (pg. 2) is a new exemption.

Board Member Debbie Burton is this tying back to the Ag lots- at what point do they have to rezone. Mr. Wilson explained the exemption from zoning - when an individual does not have to plat as a subdivision - still has to go through codes, etc.

Board Member David Clickner discussed agricultural tracts - size, etc.

Board Member Debbie Burton asked questions about the size of tracts - when to go through zoning, etc. Mr. Wilson explained.

Board Member Lynn Stark had other questions about rezoning. Discussion was held regarding 40a tracts - agricultural buildings-tracts with residences-certificate of occupancy-future requirements by lenders for certificate of occupancy (Codes Director Traey Lambertz stated this is not addressed in the Zoning Order but it is addressed in the Building Codes. This subject was discussed in detail by Board Members and Mr. Wilson.

Director Wilson discussed Page 3-Sec. 12 - Adequate Public Facilities – tying in with the Stream Buffer Ordinance.

Discussed Article 2 – Definitions

Discussed Page 7 – Submission dates for subdivision plats and lots splits – he is asked that applicants apply two months ahead.

Discussed Article 3-Minimum Design Standards – will work with the County Commission.

Changed Urban Service Tiers (page 9) County Commission and Zoning will discuss infrastructures.

Page 15 and 16 – Discussion held.

Board Member David Clickner asked questions about Stormwater Runoff Plan (page 14, Sec 9) Director Wilson explained the section. Chairman Hardin asked Mr. Clickner if he would like to have this changed. Mr. Clickner stated no.

Discussion was held on Page 14- Section 10 (Soil Erosion); Page 15-Section 1 (Short-Form Plats) Section 3 (Considerations and procedures of Preliminary Plat approval or disapproval.)

Article 6 – Final Plat (pages 26 & 27) Section 2 para 4 – Storm Drainage/Storm Sewer –new street standards and regulations-brought into conformity.

Chairman Hardin asked if there were any further questions. David Clickner, Board Member had questions regarding page 30, para 4-30 days after submission of final plat. Director Wilson explained the meaning –discussed weather delays – state statutes, -voluntary continuance, etc.

Chairman Hardin asked questions regarding Impact Fees. He explained the County Commission would approve the Impact Fees Study. Chairman Hardin asked if the Board approves the Comprehensive Plan Study – do they not have to approve the Impact Fee. Director Wilson stated you are the recommending body, and the County Commission has the final authority to approve the Comprehensive Plan.

Board Member David Clickner had questions regarding the Procedures Manual, Page 155. Article 21 – Fences. He asked if fences are regulated in all areas of the county –what about agricultural. Director Wilson explained the section to the Board.

Chairman asked Ed Hesse, audience member if he had any questions regarding building structures. He was told to talk to the Codes Department for specific information.

Chairman Hardin stated if there is no other discussion or questions, he would entertain a recommendation for approval or disapproval of the 2005 Comprehensive Master Plan.

Board Member Debbie Burton made a motion that the Planning Board recommend approval of the 2005 Comprehensive Master Plan, the Zoning Use Tables, and Subdivision Regulations to the Cass County Commission.

Chairman Hardin stated there is a motion on the floor by the Planning Board to recommend to the Cass County Commission the approval of the 2005 Comprehensive Master Plan, Zoning Ordinances and Subdivision regulations. He asked if there was a second to the motion.

Board Member Bill Shelton seconded the motion.

Chairman Hardin then asked for a vote of the Board. The Board voted as follows:

Chairman Hardin – yes  
Debbie Burton – yes  
David Clickner – yes  
Lynn Stark – yes  
Orris Hoff – yes  
Bill Shelton – yes

There were six (6) yes – 0 no- The motion carried unanimously to approve the recommendation to the County Commission.

Chairman Hardin entertained a motion from the Planning Board for an approval or disapproval of the Impact Fee Order.

Board Member Debbie Burton made a motion that the Planning Board recommend approval of the Impact Fee Order to the Cass County Commission.

Chairman Hardin stated there is a motion on the floor by the Planning Board to recommend to the Cass County Commission the approval of the Impact Fee Order. He asked if there was a second to the motion.

Board Member Bill Shelton seconded the motion.

Chairman Hardin then asked for a vote of the Board. The Board voted as follows:

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**Chairman Hardin – yes  
Debbie Burton – yes  
David Clickner – yes  
Lynn Stark – yes  
Orris Hoff – yes  
Bill Shelton –yes**

**There were six (6) yes – 0 no- The motion carried unanimously to approve the recommendation to the County Commission.**

**Darrell Wilson stated the next Board Meeting will be next Tuesday night (January 25, 2005). The Agenda will have the Election of Officers as part of the schedule.**

**THE BOARD ADJOURNED.**