

Wednesday, February 27, 2019:

Proposed Significant changes to Chapter 2 – Administration

Sec. 2-3 Rules of Procedure for meetings of Council and all Boards and Commissions.

(a) Rule 2: Recommend removal of persons testifying in public hearings to provide their address.

(a) Rule 4: Recommend the City Code be modified to remove the words “roll call” to the manner in which the City Council and Board and Commission members casts their votes. This would allow votes of yeas and nays, or a show of hands be taken. Providing language that states a roll call vote can be called on any motion at the request of any member.

Sec. 2-3 (d) Language is proposed to clarify that not only is a quorum of the City council three (3) members, but that in order for a measure to pass all three (3) members must approve it.

Sec. 2-16. Salary for Elected Officials - Language is proposed to reflect current practice, with the City Council not allowing increases in City Council compensation during the term of office, and not receiving compensation for any month in which a City Councilmember does not attend all of City Council meetings.

Sec. 2-26. Placing on Agenda - Current City Code outlines various individuals who can deliver to the City Clerk an ordinance for City Council consideration. The language needs to mirror what is allowed by Missouri law. This will need to be reviewed to determine who is allowed by law to present an ordinance.

Sec. 2-27 Procedure for Passage - Proposed language replaces “governing officer” with “chair”. Proposed language also eliminates the words “mayor and mayor pro tem” when used in conjunction with the words councilmembers (currently reads - “councilmembers, mayor, mayor pro tem”) Propose language to simply read “councilmembers”.

Sec. 2-29 Procedure for Adopting an Emergency Ordinance – Language needs to be added to the Code to refer to explain the notice requirements for passing ordinances if proper notice has been provided (24 hour notice) and passing an emergency ordinance for just cause. Current City Code does not sufficiently cover the differences between the two.

Sec. 2 -26 – Collective Bargaining System – New legislation was adopted that would minimize the requirements of the City as they relate to collective bargaining and certain employee groups. However, there has been court action asking for the new legislation to be overturned. We are waiting to hear the results of this.

Boards and Commissions – The City Council will be asked to discuss whether or not attendance requirements should be established for the City’s various citizen advisory boards and commissions. There are times, when a member of two may be absent for an extended period. Should there be certain reasons when this is allowed?

Sec. 2 – 92 and 2-93 – Planning and Zoning Commission – There is a question for the City Council to consider whether or not appointments, and subsequent officer positions should be done in January (Sec. 2-92). Current Code states July. Then 2-93 refers to an annual report, with no date. Is annual considered August to July or January – December?

Article VI – Airport and Transportation Commission (ATC)

Sec. 2-101 – Created; Composition; Terms - Proposed language was added specifically to this Commission, to allow the Commission members to remove someone for missing three consecutive meetings. ATC meets April – October.

Sec. 2-102 – ATC Mission – Proposed language removes a reference to rail since it no longer exists, and changes “approval” of City policies to “recommendation” of City policies.

Article X – Kirksville Historic Preservation (KHPC)

Throughout this entire section there are changes to the assigned staff responsible for working with this Commission from Codes and Planning Director to City Planner. There is also a proposed addition of the word “Commission” at the end of Kirksville Historic Preservation. There is also reference to the Department of Public Works as it refers to public improvements and land acquisition projects. This has been replaced with City Engineer throughout this section of the Code.

Sec. 2-194. - Nomination of landmarks and local historic districts – Staff is recommending changes in the layout of the process. There is language that states KHPC and Planning and Zoning both adopt resolutions with recommendations. Both sections are being revised to state makes recommendations and removes the adoption of a resolution. Language is also proposed that would replace Notification of Nomination with a Public Hearing on the landmark property or district.

Proposed Significant Changes to Chapter 6 – Building and Building Regulations.

The City of Kirksville adheres to a series of Codes that are established by the International Code Council (ICC). In some instances the City will make revisions to these Codes to specifically address an issue specific to Kirksville.

For each of the following sections the proposed changes remove wording that does not pertain to the City of Kirksville, or the language is now included in the International Code that is currently in place for the City of Kirksville.

Sec. 6-17 - Amendments to the ICC Building Code (b) (d)

Sec. 6-87 - Amendments to the ICC Residential Code (b) (e)

Sec. 6-107 - Amendments to the ICC Plumbing Code (f)

Sec. 6-129 (b) - Frost line requirements and (d) Water and Sanitary sewer separation

Sec. 6-162 - Amendments to ICC Property Maintenance Code (e) Weeds and (f) Motor Vehicles.

Article XIV 6-219-220 – New Section - For each of the following sections, the proposed language creates a new section that would cover additional building requirements for things such as carbon monoxide (CO) detectors, protection of pedestrians, and more. This will reduce duplication and simplify where to find these requirements. Currently this reference is found in the following sections of the Code.

Sec. 6-17 - Amendments to the ICC Building Code (h)

Sec. 6-87 - Amendments to the ICC Residential Code (f) (g) (h)

Sec. 6-147 - Amendments to the ICC Fire Code (g) CO

Sec. 6-162 - Amendments to the ICC Property Maintenance Code (j) CO

The City has established a stand-alone document to document the fee structure for city services. Each of the following sections include a fee that should be relocated to the stand-alone document removing duplication and simplifying the process to update.

Sec. 6-67 - Amendments to the ICC International Mechanical Code (b)

Sec. 6.107 - Amendments to the ICC International Plumbing Code (b)

Sec. 6-87 - Amendments to the ICC International Residential Code (h) - Relocates Mini House requirements to Chapter 13 - Housing. The current adopted codes do not have regulations to inspect mini houses.

Sec. 6-128 - Driveways Added (g, h, i) - additional specifications for driveway designs including elevation, culvert requirements, location, and thickness.

Article XI Signs.

Sec. 6-163-168 - Move to Zoning Chapter. The Planning and Zoning Commission votes on variances and should have some input on sign regulations and how they may impact the community.

Sec. 6-164 (4) - New sign standards are proposed for the Downtown and the “Franklin Street Corridor.” New sign standards are intended to respect the architectural and historic features of buildings within these areas.

Sec. 6-164 (4)(e) - Pylon-detached and roof signs are prohibited in the Downtown and Franklin Street Corridor, unless historical evidence indicates their appropriateness.

Proposed Significant changes to Chapter 12 – Human Rights / Housing

Proposed to remove this section from Chapter 5 Buildings and Building Regulations
Mini-house requirements.

(1) The placement of mini-houses in the City of Kirksville requires that the structure be constructed within the city limits of Kirksville therefore requiring a building permit allowing for the inspection of such home, and the issuance of a final occupancy permit. Placement within a mobile home park shall follow the requirements as set forth in article III, manufactured homes of the Code of Ordinances, section 13-41, placement permit required, along with the following:

- a. Habitable space must not be less than four hundred (400) square feet.
- b. Must be no less than fourteen (14) feet fire separation between adjacent housing structures.
- c. Each structure must have two (2) off-street hard-surfaced parking spaces designated for that lot of the mobile home park.

- d. Footings, foundation, piers, or concrete slab required.
- e. All structures must have a peaked roof design with gable ends.
- f. Requirements for securing, skirting, utilities and addressing shall follow the requirements outlined in section 13-42, manufactured home minimum occupancy requirements.
- g. Relocation of a mini-home from one (1) mobile home park to another mobile home park within the city limits must adhere to section 13-41, placement permit required.

Proposed Significant changes to Chapter 13.5 – Landscaping

No recommended significant changes.

Proposed Significant Changes to Chapter 22 – Subdivision Regulations

Purpose of Subdivision Code

Sec. 22-0.5 (New Section) - A section of language is proposed to outline the general purpose of the Subdivision Code and its intent.

Sec. 22-1 – Definitions - New definitions are proposed.

Block. An area of land entirely bounded by streets, highways, barriers, or right-of-way (except alleys, pedestrian ways, or exterior boundaries of a subdivision unless exterior boundary is a street, highway, or right-of-way) or bounded by a combination of streets, public parks, cemeteries, railroad right-of-ways, waterways, or corporate boundary lines.

Cul-de-sac. A local residential or commercial street having one (1) end open to traffic and being permanently or temporarily terminated by a vehicle turnaround.

Master street plan. A plan, part of the comprehensive plan or separated into its own plan, which sets forth the general location, alignment, dimensions, and identification and classification of existing and proposed streets and their right-of-ways.

Street. A right-of-way dedicated to the public use, or a private right-of-way serving more than one (1) ownership which provides principal vehicular and pedestrian access to adjacent properties and is intended for general traffic circulation.

- (a) *Arterial street* shall mean a major street, highway or roadway designated as such on the adopted major street plan.
- (b) *Collector street* shall mean a street which collects traffic from local streets and is designated as a collector street on the city's master street plan and may include the principal entrance streets of a residential development and streets for circulation within such development.
- (c) *Cul-de-sac* shall mean a street having one (1) end open to traffic and being permanently or temporarily terminated by a vehicle turnaround.

- (d) *Frontage roads* shall mean a minor street which is parallel and adjacent to an arterial or collector street and provides access to abutting properties.
- (e) *Local street* shall mean a minor street which is not designated as an arterial or collector street, or state or federal highway.

Subdivider. The owner of land proposed to be platted, subdivided or developed or their representative. Consent shall be required from the legal owner of the premises.

Subdivision:

(a) *Major subdivisions:*

- (1) The division of land into more than four (4) lots; or
- (2) Any division of land into two (2) or more lots if such division involves the construction and dedication of a public street or public infrastructure.

Sec. 22-6 - Issuing Building Permits

Building permits for a lot in a major subdivision will only be issued if required improvements enroute to said lot from an existing public street are completed at the time of permit issuance or if satisfactory surety is issued to guarantee completion of improvements.

Sec. 22-7 - Plat Phasing

Larger plats shall be broken up into phases where each phase can ideally be completed within a five (5) year timeframe.

Article II. – Procedures - Division 1

Procedures Required Street Frontage - Any subdivided land is proposed to be completely fronted upon an existing public street or platted public street, unless otherwise approved by City Council, after a recommendation from the Planning and Zoning Commission.

Contents of Preliminary and Final Plats - Additional content is proposed to be shown on preliminary and final plats.

Preliminary and Final Plat Approval Timelines - Revised timelines for the preliminary and final plat approval process are proposed with guiding flowchart diagrams.

Article II. – Procedures – Division 3

Large Lot Subdivisions - Large Lot Subdivisions are proposed to be omitted from the subdivision code.

Article II. – Procedures – Division 6 (New Division)

Lot Combinations - Language is proposed identifying the process for the combining of lots within the City of Kirksville.

Street and Block Design

Sec. 22-22 – Streets - Language is proposed identifying the minimum dimensions for right-of-ways to accommodate public streets and infrastructure.

Sec. 22-22.5 – Street Connectivity - (New Section) - Standards for street connectivity in new subdivisions are proposed.

Sec. 22-24 - Blocks - Standards for the lengths, widths and geometry of blocks are proposed.

Sec. 22-25 - Lot Dimensions - The minimum lot size is proposed to decrease from 70 feet by 110 feet to 50 feet by 100 feet.

Sec. 22-30 - Street Lighting - Street lights are proposed to be required at every street intersection and every street/sidewalk intersection. Proposed language would allow developers to install ornate light poles and fixtures at the expense of the subdivider.

Sec. 22-27 - Sidewalks - Construction of required sidewalks may be delayed up to three (3) months after a temporary occupancy permit is issued for a structure.

Proposed Significant Changes to Appendix A – Zoning

Sec. 25-17 to 25-18 - Roles for Board of Adjustment - Requests for exceptions to the zoning chapter will be made to City Council, after receiving recommendation from the Planning and Zoning commission. The Board of Adjustment will hear appeals from individuals in disagreement with the interpretation of the zoning code by the administrators.

Sec. 25-30.5 - Exterior Lighting Nuisance – (New Section) - Language was added to instruct the installation of exterior lighting in a way that will minimize the nuisance to surrounding properties. Some exterior lights reported as a nuisance will need to have lighting shields added.

Sec. 25-33 - Off-Street Parking Locations - Language was added outlining the existing exceptions to requiring driveways and/or garages accessed off of public alleys. These existing rules are proposed to be incorporated into the code.

Sec. 25-60 - Permitted Land Uses – (New Section Number) - All existing permitted land uses have been incorporated into a table indicating which uses are permitted, requiring a Special Use Permit, or prohibited in each zoning district within the City of Kirksville. If applicable, additional conditions may be referenced in the table with the location of the additional conditions.

Article V. – Article XX. - Setbacks and Design Standards

Existing language has been reorganized into proposed new Divisions of Article VI.

Minor design standards are proposed for new construction in some zoning districts. These standards will provide requirements on building orientation, maximum front yard setbacks, and window placement on street facing facades.

Sec. 25-46 - Newly constructed fire escapes and staircases are proposed to be included into existing or new building footprints and rooflines.

New Zoning Districts for Designed for Central Neighborhoods and Downtown

Article VII. – Central Zoning Districts (New Article and Divisions)

Five new zoning districts tailored for the central portions of Kirksville are proposed for future implementation. These new zoning districts have beneficial design standards for new construction to maintain the charm and character of Downtown Kirksville and surrounding neighborhoods.