

## **PLANNING AND ZONING COMMISSION**

**March 14, 2016**

The Planning and Zoning Commission, City of Kearney, Missouri, met in regular session at 6:30 P.M., March 14, 2016 at Kearney City Hall with Kathy Barger presiding. Other members present were Dan Holt, Chuck Davis, Kent Porter, Jason Hoyt and Darren Hiley. Doyle Riley was absent. Staff members present were David Pavlich and Shirley Zimmerman.

Kathy Barger opened the meeting with the Pledge of Allegiance.

### **CONSENT AGENDA**

- Minutes of the February 8, 2016 meeting

Darren Hiley said in the third paragraph of page 2 the sentence “The motion carried unanimously” needs to be added. Staff said they will add that.

A motion was made by Chuck Davis and seconded by Kent Porter to approve the Consent Agenda with the correction made by Darren Hiley. The motion carried unanimously.

### **NEW BUSINESS**

#### **107 E WASHINGTON – FAÇADE IMPROVEMENTS IN DOWNTOWN CBD**

Staff presented an application from Lori Klonowski, LAK Properties, proposing to make façade improvements to 107 East Washington Street, which is the location of Trash & Treasure. Improvements are needed to repair a leaky roof. Proposed façade changes in the downtown area require minor site plan review by the Planning and Zoning Commission.

Proposed improvements will include replacing the red wood shingle overhang with standing seam metal siding in a “burnished slate” color and replacing the existing vertical siding on the parapet above the shingles with horizontal hardieplank (concrete) lap siding in a khaki brown color. Other parts of the façade under the overhang are to remain the same.

Staff said they talked to Darrell McClung who is on the Missouri Main Street committee. They will eventually adopt a pallet of colors for the historic district but that hasn’t been done yet.

Dan Holt asked if the paint on the bottom will match the top. Ms. Klonowski said it will match.

Dan Holt asked if the same sign will be put back. Ms. Klonowski said yes it will be put back.

Kent Porter asked what happens when Missouri Main Street comes in years from now with a color pallet. Staff said that would only affect changes made from that point forward.

A motion was made by Darren Hiley and seconded by Dan Holt to approve the application from Lori Klonowski, LAK Properties, proposing to make façade improvements to 107 East Washington Street, which is the location of Trash & Treasure, contingent upon meeting all Staff comments. The motion carried unanimously.

### **PUBLIC HEARINGS**

**AMENDMENT – SOLAR ENERGY SYSTEMS DESIGN STANDARDS** Staff said the City of Kearney wants to amend the Zoning Ordinance by adding solar energy systems as a permitted accessory structure.

Staff said the Mid-America Regional Council has implemented the Solar Ready Communities Recognition Program to promote solar preparedness and alternative energy usage. Many cities in the metro area have already been recognized including Liberty and Clay County.

Part of the recognition criteria requires the City to approve an ordinance establishing design standards for installation of solar energy facilities.

The proposed ordinance permits roof-mounted or ground mounted solar energy facilities as an accessory use/structure, with a building permit required prior to installation. The ordinance considers the impact in the neighborhood by establishing design criteria for height, setbacks on property, and screening of appurtenances, per the following language:

*Solar Energy System.* Accessory solar energy systems shall require a building permit prior to installation and be subject to the following provisions:

- a. Roof-mounted solar collectors shall not extend above the peak of the pitched roof on which they are mounted, or four (4) feet above the deck of a flat roof.
- b. Roof-mounted solar collectors visible from any public street shall be flush mounted on a pitched roof.
- c. Ground mounted solar collectors shall not exceed eight (8) feet in total height and must meet applicable front, side and rear yard setbacks. In residential districts and/or on residential properties, ground mounted solar collectors are allowed only within the rear yard.
- d. Roof-mounted solar collector components servicing the collector panel shall be concealed and all exposed metal shall

- be finished with similar colors to the structure on which it is mounted.
- e. Utility connections and appurtenant structures shall be subject to reasonable regulations and/or utility company requirements and shall be shaded from view by vegetation, fencing, and/or located underground.
  - f. The renewable energy facility must be dismantled and removed within 12 months after operations have ceased.
  - g. No signage or advertising shall be allowed on the facilities.
  - h. For properties other than a power utility company, the principal use of the accessory solar energy structure shall be the powering of the primary structure. Incidental selling of power back to the electric grid from an accessory structure shall not constitute a commercial use.

By approving an ordinance and completing the following additional items, Kearney can receive Silver-level recognition in the Solar Ready Communities program:

- Approve an ordinance establishing design criteria for solar collection systems;
- Develop Solar Ready Guidelines (using a MARC standard form);
- Create a “Solar Energy” page on the city website;
- Provide a link to MARC’s solar mapping website on the city website; and
- Recognize community solar installations, specifically Platte Clay Electric Cooperative’s “solar farm” and solar energy program

Staff said they had received a comment from Doyle Riley wanting to know how we could know if it isn’t used for twelve months. Staff said you can’t but you can question someone if it starts being not maintained.

The floor was opened to the public.

The floor was closed to the public.

Staff said the solar ray system at Platte Clay Electric will meet the standards of this ordinance. Myers Accounting on North Jefferson has a system and it will also meet the ordinance requirements.

Kathy Barger asked what about the Homeowners Association and solar systems. Staff said we don’t regulate their standards so the homeowner would have to get permission from them.

Dan Holt asked if a property owner would have to get a structural engineer report to approve the application. Staff said that would be dealt with thru the building code section of the codes.

**AMENDMENT – SOLAR ENERGY SYSTEMS DESIGN STANDARDS** Kent Porter said in section “b” it says flush mounted on pitched roof. He said if this is mounted on the wrong side of the house in relation to the sun it won’t work unless you can canter it to where the sun hits it.

Darren Hiley said you just have to be careful to not cause it to catch the wind and snow.

Kent Porter asked what the point is in doing this. Staff said to say we are friendly to solar energy and be a green energy community. It isn’t really any advantage to the homeowner.

Kent Porter asked why we would want to put in the twelve month issue. Staff said it is just to be able to enforce a unit that becomes in disarray.

Jason Hoyt said he understands having a way to keep them in good condition.

Darren Hiley said this should make it easier for businesses in particular to get a permit.

Kent Porter asked if this would allow the permitting to be done thru Staff. Staff said that is correct.

Chuck Davis said he thought we should change it to allow the panel to be tilted.

Darren Hiley said it should definitely be allowed if it is on the back side of the house.

Dan Holt asked if there needs to be something so the fire department can disconnect service in the event of a fire. Jeff Fort, Fire Department, said there is a disconnect on the outside of the structure and is usually close to the electrical disconnect.

Staff said they have verbiage from the City of Olathe in regard to section “b”. Staff said “b” can be changed to say: Roof-mounted solar collectors visible from any public street shall be flush-mounted on a pitched roof. For purposes of this section, flush-mounted is defined as not extending more than 12 inches perpendicular to any point where it is mounted.

A motion was made by Darren Hiley and seconded by Jason Hoyt to recommend to the Board of Aldermen to approve the ordinance to amend the Zoning Ordinance by adding solar energy systems as a permitted accessory structure with the change to section “b” . The motion carried unanimously.

**ADJOURNMENT** There being no further business on the agenda, a motion was made by Kent Porter and seconded by Dan Holt to adjourn. The motion carried unanimously.

**Approved:** \_\_\_\_\_ **Attest:** \_\_\_\_\_  
**Kathy Barger, Chairperson** **Darren Hiley, Secretary**