

CITY OF CLEARWATER, SEDGWICK COUNTY, KANSAS

PLANNING COMMISSION MINUTES

NOVEMBER 4, 2008

The regular meeting of the City of Clearwater, Sedgwick County, Kansas, Planning Commission was held on Tuesday, November 4, 2008 at 7:00 p.m., in the Clearwater City Council Chamber, City Hall at 129 E. Ross Avenue, Clearwater, Kansas.

The following members were present: Lonnie Stieben, Ryan Shackelford, Don Berntsen, and Mike Machart. George Rudy and Les Langston were absent. The following City staff members were present: Kent Brown, City Administrator, Cheryl Wright, City Clerk, and Janet Amerine, City Attorney. Others present Austin Pond, citizen.

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1. Approval of Minutes of the Meeting of October 7, 2008

MOTION: The motion to approve the minutes was made by Ryan Shackelford seconded by Don Berntsen and passed unanimously.

2. Begin Parking Ordinance Review

City Administrator Brown stated that the Council has requested that the Planning Commission review section 10.20.090 "All night parking. It shall be unlawful for any person to stand or park overnight on any city street or right of way any commercial vehicle greater than 16,000 lbs, included but not limited to bus, tractor, trailer, house trailer, tractor trailer or truck-trailer combination, or cause or permit any such vehicle or vehicle combination owned by him or under his control to so stand or park". Brown continued to state that there has been a problem of semis parking in neighborhoods overnight with generators running and causing a problem for neighbors. There is also a case where the owner of the semi has shown proof that their vehicle is under the 16,000 lb. restriction. The Council is requesting that the Planning Commission review to see if the current ordinance is the best way to handle truck parking on city streets. Austin Pond stated that he lives on Rolling Hills Court and sometimes there are two large trucks that park in his neighborhood. One of the problems is that the vehicles are 10 ft. wide and create a problem of seeing around them. One of the vehicles has a generator that they leave running, which is annoying. Pond stated that another thing is that the large semis are very destructive to the streets. Brown stated that in 2003 the Planning Commission reviewed ordinances from several different cities and decided that the 16,000 lb. criteria appeared to be the best solution at the time. Brown stated that the City of Oakley has an ordinance that uses length of the vehicle instead of pounds. The Planning Commission discussed at length the problems of semis parking on the city streets and the

alternative if the City would eliminate all street parking for large vehicles. The Planning Commission requested staff to provide the following additional information for the next meeting.

- a. How strict the Council is expecting the change in the parking ordinance
- b. Police Department stats for discussion and tickets with semi owners
- c. Examples on how license tags are issued
- d. Examples from other cities
- e. Contact the Motor Carriers Association or other trucking companies on drivers expectation for parking.

3. Review Electronic Communication Towers as in the Zoning Ordinance Compared to City Code

City Attorney Amerine stated that when the new Zoning Ordinance was adopted it removed Chapter 17 of the Municipal Code. The Telecommunication Ordinance references Chapter 17 in several places and Amerine removed all of the references to Chapter 17 and replaced it with the statement “Zoning Ordinance for the City of Clearwater”.

MOTION: Mike Machart made a motion to recommend to the Council to approve the ordinance correcting reference to Chapter 17 of the Clearwater code that are incorrect after the adoption of the new zoning Code for the City of Clearwater. Ryan Shackelford seconded the motion and passed unanimously.

4. Special Use Permit Gannaway Property 149 N. Grant Avenue

Tabled until another meeting.

5. Begin Animal Ordinance Review

City Administrator Brown stated that in the Municipal Code the only reference to animals is to dogs and exotic animals. Brown continued to state that there are horses, chickens, rabbits, and etc. inside the City and there are no regulations on how many can be on a property. City Clerk Wright stated that staff received calls from the public at times asking how many animals and what kind are allowed in the City. The only thing that staff can say is that there nothing in the Code concerning animals other than dogs. The Planning Commission briefly discussed animals in the City and decided to take up again at another meeting.

7. Adjournment

With there being no further business to come before the Commission, Mike Machart made a motion to adjourn the meeting. The motion was seconded by Don Berntsen and passed unanimously.

CERTIFICATE

State of Kansas }
County of Sedgwick }
City of Clearwater }

I, Cheryl Wright, City Clerk of the City of Clearwater, Sedgwick County, Kansas, hereby certify that the foregoing is a true and correct copy of the approved minutes of the November 4th Planning Commission meeting.

Given under my hand and official seal of the City of Clearwater, this 2nd day of December.

Cheryl Wright, City Clerk