City of Duquesne, Mo

Planning & Zoning Commission Work Session FINAL

**5.1.2023**

In Attendance: Kerry Divine (April 2021-2024), Rick Gamboa-Sec (April 2021-2024), Ray Brown-Chair (Dec 2022-2026), Denny White (Sept 2021-2025), Gary Jackson (Dec-2022-2026), Sherry Lawrence-Vice Chair (Dec 2021-2025), Tom Johnston Late (Dec 2019-2023), Courtney Denney (Jan 2023-2027), MAYOR Bill Sherman, also in attendance City Attorney Mike Talley

**Call to Order:** 6:01 PM

**Approve Agenda:** Devine/Denney 8/0

**Approve Minutes Dated:** April 3, 2023, White/Denney 8/0

**New Business:** Review of 404.114 and 404.115.

Divine said we need to go over these chapters and make sure we understand how the code works.

Sherman passed out copies of the SOPs for commercial and residential applications.

Divine said her concern was that in the information required on the permits were not complete or presented to the P&Z prior to a building permit being issued. We should go over all the requirements to make sure we understand what is required to be presented to the P&Z prior to the building permit being granted. Specifically, 404.114 D and all the information is 404.115. Denney said that part of the items is included in the site plan review which is part of the SOP. The city gives the applicant the code pertaining to what they are applying for and it’s up to the applicant to read the code and provide the information. Devine said it is the order that she is concerned with. Building permits were being issued without seeing all the information required in the code. Rick asked where in the code it says the exact order that everything Is supposed to happen. Devine said its under 404.114.B. Talley said there is no procedure for approval of a **preliminary** site plan review. It is a way to give the developer feedback on their proposal. We only make recommendations to the BofA on the **Site Plan review.**

Devine said her main concern is that we did not any of the information mentioned in the code.

Talley said the developer could take the preliminary site plan review to the BofA as well as the P&Z. Talley said the BofA, P&Z, City Clerk, and City Engineer are all involved in the feedback process, but they act independently of one another to give feedback to the developer.

Brown noted that the SOP form shows a signature indicating receipt of all paperwork.

Sherman said if you are disturbing more than one acre, you must have a construction general permit from the state which is essentially a storm water plan.

Gamboa asked what information is given to a person applying for a C-1 preliminary site plan review. Sherman

said they are given the code that applies to C-1. Gamboa said if they then show up without items required in the code, we cannot help them.

Divine said since the board has already discussed issuance of the building permit without following the code process, what was their feedback. It would have been helpful to know at the time we started discussing this. Sherman said the mistakes made were discussed some time ago and the recommendation was made not to do that again.

Divine asked what was coming up.

Sherman said nothing has been submitted.

He said dirt work has begun on Katherine with a construction general permit from the state. Divine asked if that work has been inspected. Sherman said the state is handling all inspections at this point. He has not received a preliminary site plan review to present to the P&Z.

Divine said on the actual site plan we must have glossed over it as there are so many things in there and if we would just do one and follow the list it would be interesting.

Gamboa said that it seems that you just must follow everything that is listed in the code before anything is brought to the P&Z and if they do not, we don’t act on it. Lawrence said I think what we are saying is if you don’t have everything, don’t bring it to us. We don’t want to have people have to do everything twice.

Lawrence asked if there was someone who checks off everything required which has not happened in the past. Sherman said yes, we must do that and that’s what we are trying to overcome in the future.

Divine had questions on different forms like utility releases. Sherman said those signatures must come from the utility. Devine said all seasons signed instead of the utility. Gamboa asked where this was in the code. Devine said she was talking about information in the permits. She said we have every right to ask about the permits. Gamboa said we would not see permits. Denney said that’s not our job to review permits. Devine said maybe we should have a class on permits. Denney said that is not this committee’s job. Gamboa said if something is not being done correctly in the office, it should be taken to the Mayor or the BofA, but we have no power to correct anything.

Gamboa asked if there is a code provision about erecting tents on property and living in them. Talley said he did not know of one. Gamboa said this is going to be a problem in the future. Gamboa said that since the woods behind Sam’s has been cleared, the deer and homeless people have migrated to other areas. Recently people were living in tents in the woods east of Festival Restaurant Talley said it would be up to the homeowner or landowner to file trespass charges. He is currently prosecuting such charges. Devine said there are people in tents in the woods behind Foxfire.

**Public Comments:** None

**Other Business Deemed necessary:** Divine asked if a homeowner can store RVs that are not his. It was discussed that there is no way to tell who owns RVs.

**Schedule next meeting:** 6-5-2023 is cancelled as Talley will not be here. Next session will cover 420.020

**Meeting Adjourned:** 7:01 PM Denney/Devine 9-0

Submitted by: Rick Gamboa