**PLANNING AND ZONING COMMISSION**

**REGULAR MEETING**

**TUESDAY, JANAURY 13, 2015**

**3:00 PM**

The Planning and Zoning Commission met in regular session on Tuesday, January 13, 2015 at 3:00 PM with Chairman, Dave Claggett presiding. Members present were Judith Read and Ruth Ann Barnhart. Member(s) Jim Simmons and Doug Hulse were absent. Also present was Assistant City Manager, Debbie Bottoroff; Code Enforcement/Building Inspector, Calvin Igney and City Clerk, Bonnie Buzzard.

**APPOINTMENT OF OFFICERS**:

Chairman – Read nominated Dave Claggett. Seconded by Barnhart. Nominations ceased. AYE: Read, Barnhart and Claggett. NAY: None. Nomination carried.

Vice-Chairman – Barnhart nominated Judith Read. Seconded by Read. Nomination ceased. AYE: Read and Barnhart. NAY: Claggett. Nomination failed due to a majority of vote from the attending members in accordance to the P&Z By-Laws. Claggett then nominated Jim Simmons. No second to nomination. Nomination failed. Table for the next meeting.

**PUBLIC COMMENTS**:

Claggett introduced Building Inspector / Code Enforcement Officer, Calvin Igney, and welcomed him to the Staff.

Claggett made the motion to approve the minutes of the previous meeting. Seconded by Read. AYE: Read, Barnhart and Claggett. NAY: None. Motion carried.

Claggett opened the floor for discussion regarding an Ordinance amending the following sections of the City of Grove Planning & Zoning Ordinances upon recommendation to the Mayor and City Council:

* Chapter 1 – Section 6 Interpretation of Words and Terms
* Chapter 2 – General Description of Districts
* Chapter 3 – Uses Permitted in Districts/Use Permitted Use Table
* Chapter 5 – Special Conditions
* Chapter 6 – General Provisions

Bottoroff reported that she has been working with the Staff and the Public on better defining the Zoning Ordinances in certain areas. Bottoroff noted that Mr. Bob Huggins visited with the Staff and strongly suggestion some modification in regards to Vacation Homes for the Board to consider. Bottoroff presented and discussed in detail with the Board the following proposed changes:

**Chapter 1 – Section 6 Interpretation of Words and Terms**

(Proposed Changes)

*The following new definitions will be added:*

CABIN: A small stick-built structure located in a Resort and designed to provide Temporary Lodging to guests for an established rate or fee. The structure shall be built in compliance with city code.

FARMERS MARKET: A group of three or more farmers, growers or producers from the Craig, Delaware, Mayes or Ottawa County area that gather at one designated fixed site on a regularly scheduled basis to sell non-potentially hazardous farm food products and whole-shell eggs to the public.

LIQUOR STORE: An establishment that provides retail sales of alcoholic beverages in the original sealed package for off premise consumption. No others merchandise or services shall be rendered on the premises on which retail package alcoholic beverages are sold.

MARINA: A dock or basin providing secure moorings for boats and other watercraft, often offering supplies, and other facilities.

PARK MODEL HOME: A small pre-manufactured unit located within a Resort or Recreational Vehicle Park that does not exceed 400 square feet (porches and decks are not included in the calculation of the square footage allowed) when in set-up mode. (Mobile Homes and Manufactured Homes are not considered park model homes) The structure is built on a chassis, and equipped with a hitch. Park Model Homes are constructed under the American National Standard Institute (ANSI) standards. The unit shall have a Recreational Park Trailer Industry Association (RPTIA) label affixed. The label is evidence that the unit complies with the standards. The label is generally placed on the exterior of the unit.

RESORT: A place where people go to vacation. A resort may have various types of *Temporary Lodging* accommodations such as hotels, motels, guest rooms, park model homes and cabins designed for overnight lodging of guests for an established rate or fee. A resort may offer a designated area for *Temporary Recreational Vehicle parking*; the designated area shall not exceed more than ten (10) percent of the entire resort area. The resort may offer additional services, such as a registration office, restaurants, club houses, meeting rooms, golf course, swimming pools, ship stores, marinas, boat docks, boat ramps and other recreational facilities.

* RESORT - TEMPORARY LODGING: Overnight accommodations for guests at a resort lasting a maximum of fourteen (14) consecutive days, and not permanent. There must be a minimum of fourteen (14) consecutive days time lapse in between temporary lodging stays.
* RESORT - TEMPORARY RECREATIONAL VEHICLE PARKING: Overnight parking of Recreational Vehicles at a resort, lasting a maximum of thirty (30) consecutive days, and not permanent. There must be a minimum of fourteen (14) consecutive days time lapse between temporary parking stays.

SHIP STORE: A retail store often located near or at a Marina offering boating and watercraft supplies, clothing, food, souvenirs, etc.

*The following definitions are expanded to include all types of Watercrafts and replace the terms Boat Repair, Boat Sales, Boat Salvage in the definitions and Permitted Use Table:*

WATERCRAFT: Boats, jet skis, sea doos, and other types of motorized and non-motorized vehicles designed for ~~recreational~~ use on the water.

WATERCRAFT REPAIR: Watercraft repair, diagnostic and maintenance services; watercraft washing, polishing, reconditioning and collision repair services.

WATERCRAFT SALES/RENTING: Retail sales or renting of new/used watercraft and watercraft trailers, may include the service of new/used watercraft as a minor part of the business.

WATERCRAFT SALVAGE: The dismantling of watercraft, including the collection and storage of parts for resale and/or storage of inoperative watercrafts for future salvage or sale.

WATERCRAFT STORAGE: The storage or impoundment of operable watercrafts for the purpose of holding such watercrafts for sale, distribution and/or storage.

*The following definition is amended to reflect the new LFR categories.*

NON-CONFORMING RESIDENTIAL MANUFACTURED HOME PARK: An area of land located within Category 1 – Responsible Growth or Category 2 – Responsible Growth Wetlands Inventory of the Lake Front Resort District (LFR) and which was designed, platted, improved or being used for short or long-term occupancy by Mobile Homes, Manufactured Homes or Recreational Vehicles including travel and camping trailers prior to February 4, 2014.

**Chapter 2 – General Description of Districts**

(Proposed Changes)

*Divide Lake Front Resort (LFR) District into three categories based on location and as identified in the GRDA Shoreline Management Plan.*

*Current definition – no change*

LAKE FRONT RESORT DISTRICTS

The LFR District is established to provide for lakeside developments, which may include a variety of uses including: differing types of housing, facilities catering to recreation and tourism, and a limited number of commercial activities. The protection of the lake frontages while accommodating the mixtures of land uses will be sought through the Planning Commission review and approval of most uses, and the encouragements of Planned Unit Development.

The LFR District must have at least 200 continuous feet of frontage, elevation 750 feet above sea level on Grand Lake O’The Cherokees. (*Amended per Ordinance 488, 04/02/2002.)*

New wording added to comply with GRDA Shoreline Management Plan

The majority of the shoreline of property located within the corporate limits of the City of Grove has been identified in the Grand River Dam Authority (GRDA) Shoreline Management Plan as Responsible Growth Areas. There is a minimal amount of property that is identified as Responsible Growth Areas – Wetlands Inventory; as well as a minimal amount of property identified as Municipal/Public Use Areas. The Lake Front Resort Districts listed below are in compliance with GRDA Shoreline Management Plan.

LFR Category 1 - RESPONSIBLE GROWTH AREA

The purpose of this district is to provide an opportunity for carefully integrated uses adjacent to the shoreline of Grand Lake. The intent of this zoning district is to provide resort development along the shores of Grand Lake. Views from both land and water should be aesthetically pleasing. Development may include a variety of uses including: differing types of housing, facilities catering to recreation and tourism, and a limited number of commercial activities.

This district does not require the same degree of environmental, recreational and socioeconomic protection afforded by the LFR-2 and LFR-3 Districts.

LFR Category 2 - RESPONSIBLE GROWTH AREA – WETLANDS INVENTORY

The purpose of this district is to provide public and private uses that are conducive to the protection and enhancement of Grove and Grand Lake’s environmental, recreational and socioeconomic purposes. Development may include a variety of uses including: differing types of housing, facilities catering to recreation and tourism, and a limited number of commercial activities.

Uses in this district are subject to greater scrutiny and may require specific protection, mitigation and/or environmental enhancements. No vegetation management activities may be undertaken in this district without approval by GRDA.

LFR-Category 3 - MUNICIPAL/PUBLIC

This district serves a public purpose or governmental function such as state parks, public beaches, municipal water intake/outflow, transmission/utility line crossings, roads, bridges, and gas/oil pipelines.

Uses in this district are site specific uses that occur distinct from other uses. A degree of separation from other uses may be required for the safe operation and/or delivery of municipal and public uses.

**Chapter 3 – Uses Permitted in Districts/Use Permitted Use Table**

District LFR – Added Category 1, Category 2 and Category 3, and placed the new

**Chapter 5 – Special Conditions**

(Proposed Changes)

**PARKING/STORING RV, WATERCRAFT AND HAULING TRAILERS**

SECTION 5-5 STORAGE AND PARKING OF RECREATIONAL VEHICLES, PARK MODEL HOMES, WATER SPORTS TRAILERS, HAULING TRAILERS, COMMERCIAL VEHICLES AND TEMPORARY MOBILE STRUCTURES

1. GENERAL INTENT:

Regulations, controls and provisions set-forth in this Ordinance for Recreational Vehicles including travel and camping trailers, Park Model Homes, water sports trailers, hauling trailers, commercial vehicles and temporary mobile structures are made in accordance with an overall plan and program for the public safety, area development and preservation of property values and general welfare of the City of Grove.

1. DESIGNATED LOCATION OF RECREATIONAL VEHICLES INCLUDING TRAVEL AND CAMPING TRAILERS, PARK MODEL HOMES, WATER SPORTS AND HAULING TRAILERS

Upon compliance with the provisions as set forth herein:

* + 1. Recreational Vehicles including travel and camping trailers, Park Model Homes and water sports trailers may be stored or parked within a Recreational Vehicle Park, a Non-conforming Manufactured Home Park, within a designated area in a RMH district or within a designated area in a Resort as defined herein. Recreational Vehicles including travel and camping trailers and Park Model Homes may be occupied ONLY while parked in a Recreational Vehicle Park, a Non-conforming Manufactured Home Park, within a designated area in a RMH zoned district or within a designated area of a Resort as defined herein.
		2. Recreational Vehicles including travel and camping trailers, water sports trailers and hauling trailers may be parked or stored on any lot occupied by a dwelling within a residential zoned districts in accordance with the following provisions:
1. A combined total not to exceed three (3) trailers per dwelling on these premises shall be permitted. No trailer(s) shall exceed thirty two (32) feet in length, or eight (8) feet in width, and further provided that said trailer(s) shall not be parked or stored for more than one week unless it is located behind the front yard building line.
2. Parking or storing Park Model Homes within a residential zoned district shall be prohibited.

Remove the **required parking space table** from Chapter 3 and insert it into Chapter 5 at the end of Section 5-3 Off-Street Parking Requirements, no changes will be made to the contents of the table only moving it to a more appropriate section of the zoning regulations.

**Chapter 6 – General Provisions**

(Proposed Changes to Chapter 3 & 6)

*Move this section from Chapter 3 to Chapter 6, the content will not change.*

# SECTION 6-5 ANNEXATION CLAUSE

Parcels of land annexed into the municipal limits consisting of forty (40) acres or more which were used solely for agricultural purposes upon annexation into the municipal limits are exempt from municipal ordinances restricting land use or building construction to the extent that such land use or building construction is related to agricultural purposes. *(Added per Ordinance No.589, 12/15/09)*

Bottoroff then presented and discussed in detail the following suggestions received for possible amendments:

CABIN: A small stick-built ~~wooden dwelling~~ structure located…

PARK MODEL HOME: ….Porches and decks are not included in the calculation of the square footage allowed.

WATERCRAFT: Boats, jet skis, sea doos, and other types of motorized and non-motorized vehicles designed for ~~recreational~~ use on the water.

DESIGNATED LOCATION OF RECREATIONAL VEHICLES INCLUDING TRAVEL AND CAMPING TRAILERS, PARK MODEL HOMES, WATER SPORTS AND HAULING TRAILERS

Upon compliance with the provisions as set forth herein:

* + 1. Recreational Vehicles including travel and camping trailers, Park Model Homes and water sports trailers may be stored or parked within a Recreational Vehicle Park, a Non-conforming Manufactured Home Park, within a designated area in a RMH district or within a designated area in a Resort as defined herein. Recreational Vehicles including travel and camping trailers and Park Model Homes may be occupied ONLY while parked in a Recreational Vehicle Park, a Non-conforming Manufactured Home Park, within a designated area in a RMH zoned district or within a designated area of a Resort as defined herein.

a. The hitch/tongue shall be removed from the Park Model Home;

b. The Park Model Home shall be permanently located on a concrete foundation;

c. The Park Model Home shall be skirted within thirty (30) days of placement, only materials approved by the City of Grove shall be used for skirting;

c. The Park Model home shall be connected to water, sewer and electric utilities;

d. The Park Model Home may have porches and decks added;

e. Each Park Model Home requires a final inspection by the Building Inspector;

f. Each Park Model Home must have a Certificate of Occupancy issued prior to the unit being used for human occupancy.

The Board entertained questions, comments and concerns from the Bob Huggins. After much discussion was heard, Read made the motion to approve the Ordinance as presented and discussed to include the amendments as presented upon recommendation to the Mayor and City Council. Seconded by Barnhart. AYE: Read, Barnhart and Claggett. NAY: None. Motion carried.

**STAFF REPORT**:

Bottoroff reported that the Board will hear two (2) rezoning proposals in the upcoming February meeting:

1. Doug Hulse – Highway 59 North
2. Grove Dental Associates – Property directly East to existing property line

Bottoroff added that the proposed Ordinance on the Vacation Rental Homes is still in the hand of the City Attorney for review.

**TRUSTEES REPORT**:

Claggett again welcomed Calvin Igney to the City of Grove, and expressed thanks to all of the participating audience.

At 3:56 PM Read made the motion to adjourn. Seconded by Barnhart. AYE: Read, Barnhart and Claggett. NAY: None. Motion carried.