

COUNCIL COMMITTEE OF THE WHOLE
January 21, 2014

The Council Committee of the Whole met on Tuesday, January 21, 2014 at 6:00 p.m. in the Council Chambers of City Hall at 7700 Mission Road, Prairie Village. The meeting was called to order by Council President Dale Warman with the following members present: Mayor Shaffer, Ashley Weaver, Ruth Hopkins, Steve Noll, Andrew Wang, Laura Wassmer, Brooke Morehead, Charles Clark, Courtney McFadden and Ted Odell. Staff Members present: Wes Jordan, Chief of Police; Keith Bredehoeft, Public Works Director; David Waters for the City Attorney; Quinn Bennion, City Administrator; Kate Gunja, Assistant City Administrator; Lisa Santa Maria, Finance Director; Danielle Dulin, Assistant to the City Administrator; Nic Sanders, HR Specialist and Joyce Hagen Mundy, City Clerk.

COU2014-01 Consider adoption of an Ordinance amending Fireworks Regulations

Chief Wes Jordan presented a proposed ordinance revision that removes the approval of Fireworks Permits from the Governing Body and places their approval with the Chief of Police and Fire Chief. It also allows for conditions to be added on the approval.

Ruth Hopkins asked if this would address the issues experienced in Mission Hills with a backyard wedding. Chief Jordan responded that it would and that similar language has been adopted by the City of Mission Hills.

Charles Clark made the following motion, which was seconded by Ruth Hopkins and passed unanimously:

**RECOMMEND THE GOVERNING BODY APPROVED AN
ORDINANCE AMENDING CHAPTER VII OF THE PRAIRIE
VILLAGE MUNICIPAL CODE, 2003, ENTITLED "FIRE" BY
AMENDING ARTICLE 2 ENTITLED "INTERNATIONAL FIRE
CODE (IFC)" SECTION 7-233 ENTITLED "AMENDMENTS
TO SECTION 5601.1.3 - FIREWORKS"**

**COUNCIL ACTION TAKEN
1/21/2014**

Discussion regarding Recreational Vehicles and Equipment Parking and Storage

Kate Gunja presented follow-up information requested by the City Council at their meeting on December 16th regarding the City's regulations on the storage and parking of recreational vehicles and equipment and those of other cities. She noted that the city's regulations were adopted in 1994. The regulations for the outside storage of a recreational vehicle in the City are as follows:

1. All RV's must be parked on a hard surface.
2. Not located in a required front yard (30 feet from the street).

3. Five feet away from the rear lot line.
4. Five feet away from the side lot line.
5. In all instances, an RV must be at least 15 feet from the street.

She stated that the city's code definition of "Recreational equipment" includes such large items of equipment as slide-in campers, folding tent trailers, boats, hang gliders, snow mobiles, floats, rafts and jet skis. "Recreational vehicle" includes recreational conveyances, house trailers, trucks, trailers, pickup trucks, vans and converted vehicles. It does not include light trucks; light vans, light trucks having a slide-in camper.

Ms. Gunja reviewed the regulations of neighboring cities, many of which shared common elements with those required by Prairie Village including front yard setback and hard surface for parking. The side yard setbacks vary as do requirements for screening of vehicles/equipment. City staff sent a survey to all Prairie Village Homes Associations asking if they have restrictions on recreational vehicles. Eleven responses were received with seven having regulations addressing this issue and four not having regulations. The results of the survey were reviewed.

Ms. Gunja stressed the issue being discussed is permanent storage - not the temporary storage which allows these vehicles to be parked in the driveway for a period not to exceed 72 hours within a 14 day period or for visitors.

Laura Wassmer asked what was meant by screening if it meant to the top of the vehicle. Ms. Gunja the City of Leawood requires full screening. If a fence is not tall enough, landscape screening is required.

Ashley Weaver asked what is meant by a hard surface. Ms. Gunja responded some cities require a concrete surface and others accept pavers. Mr. Bennion noted the language needs to also address how much of the vehicle is required to touch the hard surface. Mrs. Weaver noted the situation on which the complaint was filed has the recreational vehicle behind their front setback, but not the front yard setback of the neighboring property.

Ted Odell asked what direction staff was seeking. Ms. Gunja stated staff recommends the issue be sent to the Planning Commission for a public hearing on proposed changes to get public input. She suggested that the Council direct the Commission on what restrictions they would like to see in the regulations.

Laura Wassmer stated it is so difficult to cover all possible provisions and there are so few instances in the City, she would support simply banning the storage of recreational vehicles.

Ruth Hopkins disagreed feeling it was too restrictive. Ms. Wassmer noted Homes Associations ban them. Charles Clark agreed with Mrs. Hopkins. He stated Prairie Village is not a uniform city and the diversity is one of its assets, suggesting homes associations could be more restrictive. He does not support a citywide ban. Mrs.

Hopkins agreed there were so few in the city that the city could demonstrate some tolerance in dealing with them.

Ted Odell expressed concern with these units becoming property maintenance issues in the future. He is not supportive of the City doing nothing. There are acceptable criteria that could be established.

Dale Warman stated he felt a ban was premature and supports sending the issue to the Planning Commission.

Laura Wassmer stated she feels very strongly about people who use these items for 365 days per year for permanent storage. She feels at the minimum there should be a ban against using them solely for storage.

Steve Noll supported sending the issue to the Planning Commission noting that it has been several years since this has been reviewed. He suggested that the licensing of the vehicles could be criteria that would clearly identify those units used for recreational travel and those used for storage.

Dale Warman confirmed the current regulations include company trailers.

Quinn Bennion advised the Council that the more specifics they can send to the Planning Commission the better it would be.

Andrew Wang also noted the Planning Commission needs to have clear definitions. He stated it is difficult to determine from the outside that a vehicle is being used for storage. He asked where "pods" fit in and suggested a possible permit requirement.

Laura Wassmer stated a straight ban would be the easiest for the city to enforce; however, if there is no support for that then clear criteria need to be added to address the issues. She feels this would include at a minimum screening, hard surface, length of time, corner lot setbacks.

Courtney McFadden asked this could be addressed with a permit. Kate Gunja replied that at one time, the City did have a permit and noted she could do further research.

Dale Warman stated his support for screening. Ted Odell stated he can see both sides but was leaning toward a ban. He felt at minimum tighter regulations and definitions were needed.

Andrew Wang asked if commercial vehicles were addressed. Kate Gunja replied these are addressed elsewhere in the code.

Charles Clark noted if the city were to ban "recreational vehicles", it would be the only city in Johnson County to do so. Ruth Hopkins noted the city has received one complaint. This is not an overwhelming problem. Andrew Wang stated he doesn't want to see them banned entirely, but would like to ban their permanent presence outside.

Chief Jordan reviewed some of the challenges faced with enforcing the current regulations. He noted that historically the city has received more complaints on the temporary storage of recreational vehicles in driveways.

Quinn Bennion reported he heard the following directions from the Council discussion to forward to the Planning Commission:

- Cannot be used as storage or permanently located
- Length of time allowed - is 72 hours ok?
- Actively licensed and operable if a conveyance vehicle
- Screening
- Corner lot issues
- Parked on a hard surface - hard surface definition clearly stated
- Front line in relation to adjacent property

Laura Wassmer moved the City Council direct the Planning Commission to further review Chapter 19.38 entitled "Recreational Vehicles and Equipment" and hold a public hearing on proposed revisions addressing the concerns listed above. The motion was seconded by Andrew Wang and passed by a majority vote with Ruth Hopkins and Charles Clark voting in opposition.

EXECUTIVE SESSION

Charles Clark moved pursuant to KSA 75-4319 (b) (6) that the Governing Body, recess into Executive Session in the Multi-Purpose Room for a period not to exceed 40 minutes for the purpose of discussion of possible acquisition of property. Present will be the Mayor, City Council, City Administrator, Assistant to the City Administrator and City Attorney. The motion was seconded by Ruth Hopkins and passed unanimously.

The Council Committee of the Whole will reconvene at 7:25 p.m.

Council President reconvened the meeting at 7:26

ADJOURNMENT

The Council Committee of the Whole meeting was adjourned at 7:26 p.m.

Dale Warman
Council President