

<p style="text-align:center"><b>MINUTES</b> <b>AURORA PLANNING AND ZONING COMMISSION</b></p>
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**REGULAR SESSION**  
**AURORA CITY HALL, COUNCIL CHAMBERS**  
**Tuesday, April 29, 2014 at 7:00 PM**

**I. Call to order**

Chairman Payne called the meeting to order at 7:00 p.m.

<b>II. Roll Call:</b>	Commission Member:	Vacant (2014)
	Commission Member:	Heidi Ryan (2017) - present
	Mayor:	
	Commission Member:	Vacant (2017)-
	Vice Chairperson:	Rita Engeldinger (2017) - present
	Commission Member:	Eddie Breeding (2014)- present
	Chairperson:	Regina Payne (2015)- present
	Secretary:	Kathie Needham- present

**III. Approval of Minutes**

A. *Approval of minutes from meeting held on April 1, 2014 at 7:00 p.m.*

Commissioner Ryan moved to approve the minutes from the April 1, 2014 meeting as submitted. Commissioner Breeding seconded the motion. All members voted in favor of the motion.

**IV. New Business**

A. *Consider board appointment for Leslie Horner and make recommendation to city council. Board term would expire in May 2017 to allow for staggering of board terms.*

Commissioner Ryan made the motion to approve board membership for Leslie Horner with a term expiration of May 2017 and recommended her appointment to city council. Commissioner Breeding seconded the motion. Motion passed with all members voting in favor.

B. *Consider Eddie Breeding's board reappointment and make recommendation to city council. New term would expire in May 2018.*

Chairman Payne made the motion to approve board membership for Eddie Breeding with a term expiration of May 2018 and recommended his appointment to city council. Commissioner Ryan seconded the motion. Motion passed with all commissioners voting in favor.

- C. *Consider draft ordinance for vehicles that are not in operating condition and make recommendation to city council.*

Recommendations of the board were incorporated into the draft policy however the suggested \$100 permit fee was not. It was felt that citizens would have a problem coming up with the money to purchase the permit. On the other hand some will simply not come in and operate illegally.

Sections of the code were combined and would allow an individual to keep an unlicensed vehicle for a maximum six-month period with a permit. Language was also added to restrict the number of allowed unlicensed vehicles to one.

Staff would give the code enforcement officer an up to date listing of permit holders so he will know what vehicles are legal and which ones are not. If a vehicle is found that does not have a license they will be ticketed and taken to court.

Commissioner Ryan made the motion to approve the draft changes and to make a recommendation to council for approval. Vice Chair Engeldinger seconded the motion. Motion passed with all members voting aye.

- D. *Consider draft ordinance for group homes and make recommendation to city council.*

### **Group Homes**

There are two definitions included in the Group Homes ordinance. One definition is titled, "Group Homes, Limited." These homes are included in a State Statute that states, "For the purpose of any zoning law, ordinance or code, the classification single family dwelling or single family residence shall include any home in which eight or fewer unrelated mentally or physically handicapped persons reside, and may include two additional person acting as houseparent's or guardians." The Statute does allow for the regulation of these homes in single-family neighborhoods in two ways, through density and appearance. The other definition is titled, "Group Homes, General." These homes have more than eight persons living in the facility. A Special Use Permit will be required for these homes.

### **Transitional Living Facilities**

"Transitional Living Facilities" are included in the Definition section of the ordinance. A Special Use Permit will be required for these facilities.

The following definitions were presented and recommended:

**GROUP HOMES:** Any residential home in which eight (8) or less unrelated mentally or physically handicapped persons reside further, and pursuant to Section 89.020 RSMO, such home may include two (2) additional persons acting as hour parents or guardians

who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home.

A. **Group Home, General:** A residential home providing 24-hour care in a protected environment for more than eight persons with physical or mental disabilities and any number of care givers.

B. **Group Home, Limited:** A residential home providing 24-hour care in a protected environment for eight (8) or less unrelated persons with mental or physical disabilities; further, and pursuant to Section 89.020 RSMO, such home may include two (2) additional persons acting as their parents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home.

**GROUP RESIDENTIAL:** The use of a site for occupancy by groups of more than five persons, not defined as a family, on a weekly or longer basis. Typical uses include fraternity or sorority house, dormitories, residence halls, and boarding or lodging houses. The term "group residential" does not include "group homes."

**TRANSITIONAL LIVING FACILITY:** A state licensed group-care home for juvenile delinquents, halfway houses providing residence, rehabilitation and counseling to persons on release from a more restrictive custodial confinement, and residential rehabilitation treatment centers which also may provide outpatient rehabilitation for alcohol and other drug abuse.

The following sections were recommended to be added to the present code:

Section 400.341: Group Home (Limited or General)

Group Homes shall be subject to the following standards only when located in an A-1 or R-1 district.

- (1) Spacing: A Group Home to be located within a residential zoning district shall not be located within 1,320 feet of another Group Home, measured as the shortest distance between any portion of the structure in which persons reside.
- (2) Exterior Appearance: There shall be no alteration of the exterior of the Group Home that shall change the character thereof as a single-family residence. There shall be no alteration of the property on which the Group Home is located that will change the character thereof as property within a single family dwelling district.

- (3) Neighborhood Character: A Group Home constructed in an A-1 or R-1 district shall be constructed to be compatible with the architectural character of the neighborhood in which it is located.

Section 400.343: Group Home, General

A Special Use Permit is required for a Group Home, General.

Section 400.344: Transitional Living Facility

A Special Use Permit is required for a Transitional Living Facility. This facility can only be located within a commercial zone.

Commissioner Ryan made the motion to recommend to city council to adopt the Special Use Permit and Zoning for Group Homes with the stipulation that Transitional Living Facilities be placed only in a commercial zone. Chairman Payne seconded the motion. Motion passed with the following commissioners voting aye:

AYE: Ryan, Breeding, Payne

NAYES: Engeldinger

Commissioner Ryan made the motion to approve the definitions as submitted to include Group Homes, Group Residential and Transitional Living Facilities and to recommend passage of these definitions to city council. Chairman Payne seconded the motion. Motion passed with all commissioners voting aye.

Chairman Payne made the motion to approve adding Section 400.341 (Group Home (Limited and General) and recommend its passage to city council. Commissioner Ryan seconded the motion. Motion passed with all commissioners voting aye.

Commissioner Ryan made the motion to approve adding Section 400.343 (Group Home General) and recommend its passage to city council. Commissioner Breeding seconded the motion. Motion passed with all commissioners voting aye.

Commissioner Breeding made the motion to approve adding Section 400.344 (Transitional Living) as amended and recommend its passage to city council. Commissioner Ryan seconded the motion. Motion passed with all commissioners voting aye.

## **V. Public Comment/Discussion**

None

## **VI. Department Report**

None

## **VII. Adjournment**

Chairman Payne made the motion to adjourn at 8:00 p.m. Commissioner Breeding seconded the motion with all members voting in favor.

### **APPROVED:**

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Regina Payne, Chairman

### **ATTEST:**

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Kathie Needham, City Clerk, MMC/MPCC

*Posted April 25, 2014 by Kathie Needham, City Clerk*