



# City of Arkansas City

## PLANNING COMMISSION MEETING MINUTES

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Tuesday, August 8, 2023 at 5:30 PM — 400 W Madison Ave, Arkansas City, KS

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Vice Chair Tom Wheatley called the meeting to order at 5:30 PM.

### Roll Call:

Dr. Tyson Blatchford  
 Kyle Lewis

Lloyd Colston  
 Cody Richardson

Brandon Jellings  
 Dotty Smith

Ian Kuhn  
 Tom Wheatley

Also present was Mike Bellis, Building Official of Neighborhood Services, and Commissioner Canyon Ginger.

### Public Comments

Persons who wish to address the Planning Commission regarding items not on the agenda. Speakers will be limited to three (3) minutes. Any presentation is for information purposes only. No action will be taken.

Citizen came to the meeting to observe the meeting and listen to discussions about tiny homes. The citizen has a plot of land that he would like to develop with several tiny homes on the property.

### Consent Agenda

1. Meeting Minutes, **July 11, 2023 meeting.**

Lloyd Colston made the motion to approve the minutes and Cody Richardson made the second motion. Motion was carried.

### Consideration

2. Zoning Regulations Amendments discussion: Josh picked up discussions from last month starting with Article 18 of the Zoning Regulations.
  - a. Article 18: Josh discussed with the commission some issues that went along with the Mixed Use District, such as some issues that came up when Family Dollar was built.
  - b. Article 19: Wind Turbines: Tom Wheatley asked about the 100 ft tower height for wind turbines and using the same footage for radio towers.
  - c. Article 20 Supplemental Regulations includes several topics;
    - i. Corner Visibility,
    - ii. Accessory dwelling units-800 sq.ft (anything larger requested, could ask for a variance), mother in law suite, R-2 or R-3 allows duplexes,
    - iii. Home Occupations: could be done in certain districts except R-3- Josh added R-3
    - iv. License Amateur Communications: Height Limitations- change 60 ft to 100 ft. may not need the part about zoning administrator; anything over 100 would require a conditional use permit.
    - v. Fencing: Need to look at proposed changes, easement access must be maintained, fences can be built on easements, but if easement work should be done, it may be removed at owners

expense. Tom asked about HOA and Covenants, Josh stated that covenants supersede zoning regulations. Simplify fence regulations, corner lot fence regulations can't be in the sight triangle, the zoning administrator determines what the front yard is. Institutional uses generally have taller fences such as daycares, churches etc they have different standards. Kanyon asked about having a 5 ft fence in the front yard because some animals can scale the fence at 4 ft. Cody stated that the visibility for that would have to be defined; Josh agreed that there would have to be percentage of visibility. After discussions, the commission decided to leave the 4 ft chain-link where it's at. Josh stated there is currently not a listing of what sort of fencing material is allowed. For example, using pallets for fencing, sheet metal, corrugated metal, chicken wire, stock (cattle) panel, etc. When constructing a privacy fence, the finished side should be on the outside.

- vi. Tiny Houses were discussed a little last month. Josh felt a section was needed because a tiny home is a home and as long as it meets the basic regulations of the building code. A setback of a lot depends on the district the lot is in. Cody felt that if the 50% rule was used, he wouldn't have a problem with someone re-building on the nonconforming lot. Josh explained what he would have to do. After discussions, it was consensus of the commission to take the section out and instead alter Article 21 on Nonconformities.

d. Article 22: Parking

- i. Single family home has to have two spaces, garage spaces count,
- ii. Two Family has similar language – changed to two per duplex.
- iii. Multi family: Having two per apartment would be too much, not really an issue in AC
- iv. Non-residential; several items were simplified

**Other Items:**

Josh suggested that he would bring back the Article on Nonconformities to address the issues with nonconforming lots. If that is the only item for the agenda in September, he said we'd cancel that meeting. However, there may be a rezone application.

**Adjournment: Tom 1 and Lloyd 2<sup>nd</sup> voice vote carried the motion.**