

City of Duquesne, Mo
Planning & Zoning Commission (FINAL) 8.1.2022

August 1, 2022

In Attendance: Kerry Divine (4.12.2024), Rick Gamboa (4.14.2024), Ray Brown (12.10.2022), Denny White (9.13.20.25), Gary Jackson (12.31.2022), Chris Ellsworth (1.31.202) Absent, Sherry Lawrence (12.13.2025) Absent, Tom Johnston (12.31.2023)

Call to order: 7PM by President Ray Brown

Approve Agenda: Agenda amended by Divine to add Public Comments to this and all future agendas. Motion to approve amended agenda Gamboa/White 6-0.

Public Hearing: 7:04pm Short term rental Bill 22-06 amending chapter 404 of the city code. Mayor Sherman spoke that the city needs to get ahead of the impending flood of requests for short term rental rules. The city has already received inquiries regarding our rules. Bill Sherman and Gary Heilbrun spoke in favor. Public hearing closed at 7:11pm.

Divine spoke against allowing it in all zones. Divine said some cities have designated new zones where short-term rentals are allowed and no others are allowed.

Johnston asked where this proposed ordinance was drawn up from. Mayor said it was close to Joplin's ordinance.

Divine said the bill does not address the number of guests of guests allowed. Sherman said it is covered in the occupancy section which must be posted along with all other requirements inside the residence. It also shows: No parties-name and contact information for person with day-to-day responsibility-business license-trash collection schedule-City noise ordinance-No receptions, parties, weddings etc.-Parking requirements.

Gamboa said if the previously mentioned items are agreed to by the applicant and posted in the residence and enforced by the City, he would recommend approval to the council. He felt that if we do not allow this bill, we could set the city up for a lawsuit by a homeowner for denying him the use of his property to generate income.

Divine said other cities require the responsible person to be able to respond withing 15 minutes. It was agreed that the notice should state response within 30 minutes.

Brown asked if a sign would be posted notifying neighbors of the application for this license. Mayor Sherman said a noticed would be mailed to all within 185 feet.

Sherman said it was a one-time permit and a yearly license. City clerk said if 30% of the people are against it, it will be denied. Divine thought 185 feet was not far enough. Gamboa said he did not think it would help the situation to make the distance farther than 185 feet. He felt that if you cannot get your immediate neighbors to vote against the license, it would be more difficult to get people living farther than 185 feet to agree to vote against the license. The mayor said it was the same as for re-zoning notifications.

Divine asked if we could add the items we have discussed to the bill. Brown said no, we can only recommend denial or approval to the council for the bill. Gamboa said we could also recommend to the council that certain things be considered for addition to the bill.

Divine mentioned that this bill does not require an on-site host for a short term rentals.

Motion: Jackson/Johnston 6-0, to send this recommendation for Bill NO. 22-06 to the council with approval and with a recommendation that:

1. The responsible party must be able to respond with 30 minutes
2. Consider expanding the notification zone farther than 185 feet.

Approve Minutes 7.7.2022: Motion to approve, Jackson/White 6-0.

New Business: None

Other business Deemed Necessary: Divine asked if we were to get updates on Sign designs. Mayor said the city engineer monitors construction.

Public Comments: None

Schedule next meeting: 9.8.2022 7pm Thursday

Meeting Adjourned: 7:48 White/Johnston 6-0

Submitted by: Rick Gamboa

Speakers: Mayor Bill Sherman 825 South Duquesne RD., Gary Heilbrun 4025 East 20th