



Report to Planning & Zoning Commission

Clay County, Missouri

General Information

Site Location: 16900 Old BB Hwy
Section 18 | Township 53 | Range 30

Site Size: 37.29± acres

Existing Landuse & Zoning: Residential Rural (R-1) / Agricultural District (AG)

Zoning/Platting History: Rezoning to R-1 & Subdivision - Bailey Acres, 1972

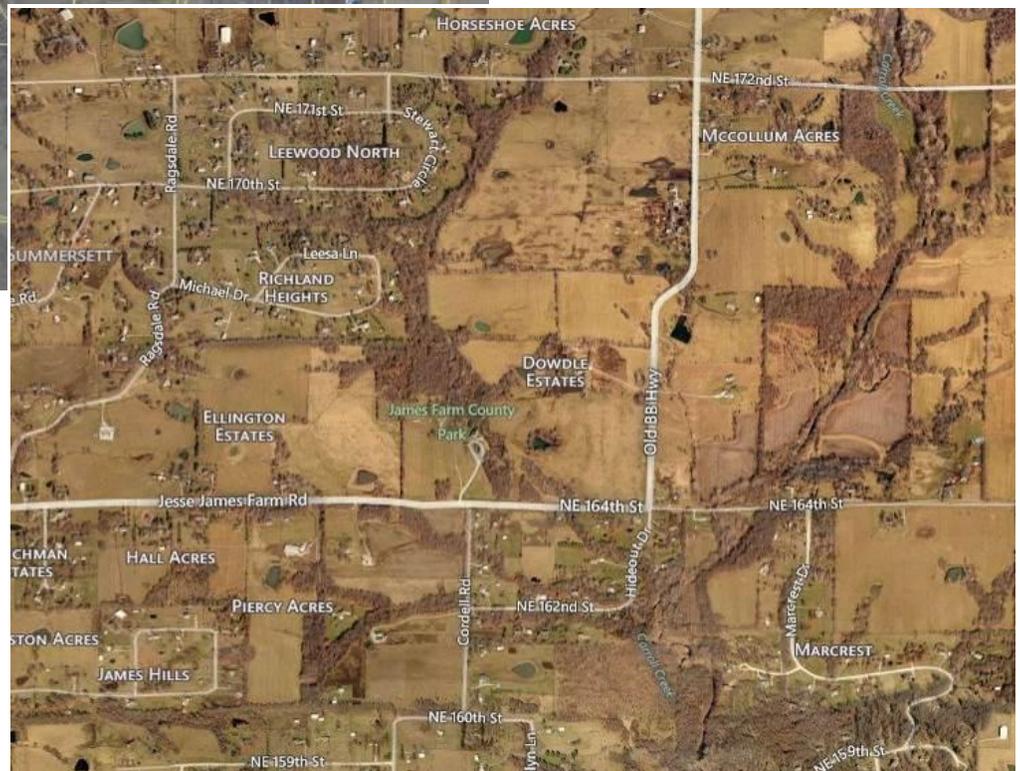
Surrounding Landuse & Zoning:

- North – Agricultural (AG) zoned land, Leewood North (R-1), Horseshoe Acres (AG), Dagley Acres (R-1), Georgetown Acres (R-1)
- East – Agricultural (AG) zoned land
- South – Dowdle Estates (R-1A), Jesse James Farm park, James Place (R-1), La Ba Estates (R-1), Marcrest Subdivision (R-1)
- West – Richland Heights (R-1), Summersett (R-1)

Current Conditions:



Courtesy Clay Count Assessor, GIS/Mapping



Courtesy Microsoft® Bing™



Report to Planning & Zoning Commission

Clay County, Missouri

Assessment

Patricia A. Crawford, applicant and co-owner of the property, is requesting approval of a **Conditional Use Permit (CUP) to operate a public training and riding stable** located at 16900 Old BB Hwy. The property is 37.29± acres in size and zoned Residential Rural (R-1) and Agricultural (AG).

As stated in the enclosed business plan submitted by the applicant (**Attachment C**), the facility “will be a small, quiet, low traffic horse pasture boarding facility” intended to “provide quality care for boarded horses and to be a family friendly place for ... clients to enjoy their horses in a country atmosphere”. Their stated proposed maximum capacity would be for 25 horses of which 15 would be the property of the owner.

The facility would include all of the following existing features:

- 100' x 200' Outdoor Riding Area
- Three (3) Loafing Sheds:
 - (1) 12' x 30'
 - (1) 12' x 24'
 - (1) 12' x 24'
- 20' x 40' Hay/Storage Barn
- Single-Family Residential House
- Large west pastures
- 110' x 110' (12,100 ft²) Parking area

The applicants propose that the parking lot surfacing would include large-sized concrete rocks (also known as “clean rock”), in addition to the application of an organic dust free sealant “Durasoil”. They are proposing a 2” sized rock base layer plus another 1” sized rock overlay.

Restroom facilities for customers are proposed to be provided by 1 of the bathrooms inside the existing single-family house.

Management of animal waste and by-product would be harrowed regularly behind a tractor to break up the manure piles (1x/month). The reduction of flies would be handled by Fly Predators from Spalding Laboratories, to be applied to the pastures and barn area during warmer months.

2008 Comprehensive Plan Considerations

The Comprehensive Plan (“Plan”) indicates that the subject property is located in the RURAL LOW DENSITY TIER.

The following tables illustrate two (2) of the most pertinent policies shaped by the Plan. The first (1st) table shows the landuse tiers and corresponding guidelines, and the second (2nd) explains the exceptions to the 20-acre minimum lot size policy directed by the Plan.



Report to Planning & Zoning Commission

Clay County, Missouri

Table 4.2 - Land Use Planning Tiers – Presented on the Planning Tier Map

	Natural Resources Tier* (Yellow)	Rural Low-Density Tier* (Green)	Urban Services Tier* (Salmon)
Intent	Support continued agricultural uses in areas beyond near- and long-term urban service extensions.	To accommodate low density rural uses in areas located beyond anticipated city annexation areas.	To promote urban development compatible with the long range growth plans of adjoining cities.
Primary Uses	Agricultural-related uses, natural resources	Agricultural crop lands, livestock grazing, woodlands, grasslands, rural residences	Urban density residential and non-residential
Residential Uses	Rural Density: 1 dwelling unit per 20+ acres.	Rural Density; Rural Residential Density; low-density rural residential development: 1-dwelling unit per 20+ acres, or 1-farmstead dwelling on 5+ acres; Suburban Density: moderate-density development on municipal-level services: up to 4-units per acre.	Suburban Density: moderate-density development on municipal-level services: up to 4-units per acre. Urban Density: development on municipal-level services: greater than 4-units per acre. 20-acre minimum for agricultural and rural residential uses until such time as urban development occurs.
Non-Residential Uses	Farm service related, recreation	Farm service related, recreation	Recreation, limited commercial and industrial consistent with the long range growth plans of adjoining cities.
Minimum Sanitary Sewer Provisions	On-site septic, Community Wastewater Facility if indicated by LESA guidance.	On-site septic, Community Wastewater Facility if indicated by LESA guidance.	Municipal Wastewater Treatment Plant connection for Suburban Density or greater. ⁽³⁾
Zoning Districts	Ag-related zoning districts; Open Space & Parks; non-agricultural zoning if on strict standards (not including Res. Low Density, such as on 3-acre lots).	Ag-related zoning districts; Open Space & Parks; non-agricultural zoning if on strict standards (not including Res. Low Density such as on 3-acre lots).	Open Space & Parks; and residential districts through general industrial (not including Res. Low Density such as on 3-acre lots). AG, Agricultural zoning is appropriate until full range of urban services available.

⁽³⁾ On-site septic allowed for agricultural uses only.

* The **Planning Tier Map** notes a special designation of areas within one mile of each city: "1-Mile Urban Coordination Sub-Tier" where advise-and-consent should be solicited from the designated city. The applicant will be required to submit a letter from the city of jurisdiction concerning the proposal. The Clay County Planning and Zoning Commission may consider the letter as a non-binding city recommendation for Clay County to consider in their deliberations.

Table 4.3 – Option B for Land Use Tier Implementation: Transition Policy Procedures

	Natural Resources Tier* (Yellow)	Rural Low-Density Tier (Green)	Urban Services Tier (Salmon)
Intent	Exceptions from 20-acre minimum lot size in Ag-districts / phasing in of new regulations		
Density Exceptions for Legal Lots of Record as of the date of Revision of the Land Development Code	Subdivision of land to 5+acre lots, provided that 50% of the subdivided parcel is preserved, such as in an agriculture deed restriction.	Or, subdivision of land to 10+acre lots, provided that a "shadow plat" at urban density is approved.	Subdivision of land to 10+acre lots, provided that a "shadow plat" at urban density is approved, and—for plats within one mile of a city—the city's issues have been addressed.
Other Exceptions	Farmstead** dwellings allowed on 5+ acre parcels.		City within one mile may review and recommend other exceptions granted in other tiers, provided a "shadow plat" at urban density is approved.

* The Natural Resources Tier includes an "Urban Services Transition Sub-Tier" area along M-92 and C-Highways that extends where urban development is influenced by the urban highway; yet remains within the Natural Resources Tier designation for purposes of enhanced environmental review and scrutiny.

** A "Farmstead Dwelling" is the original residence built and initially occupied by a farm family, regardless of whether the current household occupant is associated with farming.

Staff believes this CUP request for a public stable is consistent with the fundamental spirit and jest of the 2008 Comprehensive Plan due to the larger property size (greater than 20 acres), proposed AG-related use/activities, and adequate supply of public transportation/access and utilities based on estimated demand.



Report to Planning & Zoning Commission

Clay County, Missouri

Character of the General Neighborhood

AG zoned property, Leewood North (R-1), Horseshoe Acres (AG), Dagley Acres (R-1), and Georgetown Acres (R-1) are to the north. AG zoned land is to the East. Dowdle Estates (R-1A), Jesse James Farm park, James Place (R-1), La Ba Estates (R-1), Marcrest Subdivision (R-1) are to the south, and Richland Heights (R-1), Summersett (R-1) are to the west. Agricultural (AG) zoned land to the east and south of the property [See Attachment B].

Code Considerations

The Conditional Use Permit (CUP) application was properly noticed in the Kearney Courier on 06/12/2014. Adjacent property owners within the statutory law mandated 1,000 foot distance were notified by means of a certified letter sent 06/13/2014.

The subject request for a public training and riding stable is handled under multiple portions of the 2011 Clay County Land Development Code ("LDC"). The use table inside **Section 151-6.1** includes a "Stable, Training and Riding, Public" designation requiring approval of a Conditional Use Permit ("CUP") in the Agricultural ("AG"), Residential Rural (R-1), and Open Space (OP) zoning districts. As such, the subject request must meet all of the approval criteria for a CUP in **Section 151-3.10 (A) (13)** detailed below:

- A) The proposed use complies with the intent of the Comprehensive Plan and general provisions of the Land Development Code, modified for the specific use request.
- B) The proposed use in its proposed location will not have a substantial adverse impact on the public health, safety or general welfare.
- C) The proposed use will not cause substantial injury to the value of other property in the vicinity.
- D) Adequate access routes will be provided and designed to prevent traffic hazards and to minimize traffic congestion in public streets.
- E) Adequate public safety, transportation and utility facilities/services will be available to service the subject property while maintaining adequate levels of service for existing development, and
- F) The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (i.e., hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts).

Section 151-10 of the LDC requires development standards for off-street parking as a new use is established. Staff classified this public training and riding stable as an "Outdoor sales or display area (over 3,000 square feet)" under the Off-Street Parking Schedule "B" in the LDC. Schedule "B" requires one (1) parking space per 1,000 square feet of building space.

In relation to the subject request, this would calculate out to be a minimum number of two (2) parking spaces since this request will be utilizing approximately 1,750 ft² of indoor building space. In addition, one parking space must meet American Disabilities Association (ADA) universal accessible space standards. Taken further, the minimum parking stall size as established by the LDC is 8.5' x 18.5', or 157.25 square feet. If 2 total stalls are required, that equates to 314.5 square feet of total area. Include the ADA Van-Accessible compliant space size (16' x 18.5' = 296 ft²), plus necessary navigating space to get in and out of the spaces, and the total parking area needed to adequately serve the application is roughly 1,405 square feet. The enclosed business plan submitted by the applicant indicates they plan to install a new parking area, which measures roughly 100' x 75' (7,500 ft²). The business plan also states the subject request will offer 1 ADA parking slot. Therefore, the subject request meets all off-street parking development standards.



Report to Planning & Zoning Commission

Clay County, Missouri

Increases in required off-street parking initiated by future development and/or buildings would be addressed prior to the issuance of any building permits in accordance with Section 151-10 of the LDC. The required parking spaces and drives shall be ready for use and approved by the Planning and Zoning Director prior to issuance of a certificate of occupancy.

Section 151-6.2 (C) (1) (e) of the LDC establishes an Animal Unit (AU) standard for calculated the allowed amount of animals per acre of land. As can be seen under **Figure 151-6.2-1** of the LDC, no more than one adult horse per 1 acre of land is allowed. The purpose of this LDC restriction is to prevent pasture areas from being over-grazed and causing soil erosion and sedimentation. The subject property is 37.29 acres, and the subject request is proposing a maximum of 25 horses, thereby meeting or exceeding the AU standard for horses ($25 < 37.29$).

Outside Agency Review

The Clay County Health Department has given approval. Clay County Public Water Supply District #3 stated in a letter they are capable to serve the subject request. The Kearney Fire Protection District serves this property.

The Clay County Highway Department noted that they require the following:

“a 30’ Tube be installed to handle Horse Trailers Entering & Leaving Public Training Facilities.
30’x18” Tube for Driveway Tube“.

Findings

No opposition has been received as of the date of this staff report.

Staff concurs with the Highway Department that utilizing the larger-sized concrete rocks (also known as “clean-rock”) is adequate in preventing the generation of excess dust, along with the application of a dust-free sealant “Durasoil”.

The LDC requires the submittal of a business plan with any proposed CUP, and the applicant has provided the attached plan (see **Attachment C**). The plan states that the business hours will be 8 a.m. – 9 p.m. 7 days a week.

As stated in the business plan, the management of animal waste or by-product (“manure”) will be harrowed regularly behind a tractor to break up manure piles. The reduction of flies caused by manure is proposed to be handled by Fly Predators from Spalding Laboratories, which is added to the pastures during warmer months to assist in fly reduction.

Animal waste or by-product (“manure”) management by means of harrowing is permissible at this time. However, if odor complaints arise then manure management shall be handled through a composting facility and direct disposal as fertilizer or recycling as compost. Burning of manure shall not be permitted.

In the natural environment, Fly Predators serve as a major check of pest fly populations by destroying the next generation of flies in their immature pupa (cocoon) stage. Fly Predators are small, completely biteless and stingless bugs. After emerging, their single minded pursuit is to reproduce by finding pest fly pupa. Because of their small size and the fact they live their entire life cycle on or near manure (where the pest fly pupa are typically found), Fly Predators typically go unnoticed.



Based on the submitted business plan, site plan drawing, and verbal conversations with the applicant, staff believes that the proposed CUP will not dramatically impact traffic, noise, or other nuisances such as odor. The applicants have met or exceeded all requirements of a public training and riding stable at their preferred intensity level (at most 25 horses).



Report to Planning & Zoning Commission

Clay County, Missouri

Recommendations

Staff recommends the request for the **Conditional Use Permit** for a public training and riding stable be **approved**, with the following conditions as shown on Exhibit A:

Exhibit A

1. The CUP shall be issued to "Christina J. Schultz and Patricia A. Crawford", based on a time frame of ten (10) years.
2. A minimum parking area of 1,405 square feet must be provided, and shall include at least one American Disabilities Association (ADA) universal accessible space.
3. Larger-sized concrete rocks (also known as "clean-rock") will be used on all driveways and parking areas to prevent excessive dust, along with the use of the dust-free sealant "Durasoil".
4. Business hours are not to exceed 8:00 am to 9:00 pm 7 days a week.
5. A pasture management plan shall be followed to assure proper growing conditions for grazing. Any degradation of pasture areas that creates soil erosion or sedimentation is subject to the enforcement provisions of Section 151-6.2 (C) (1) (h), 151-11.2, 151-8.12, and 151-8.19 of Land Development Code, including revocation of the Conditional Use Permit.
6. Animal waste or by-product ("manure") management by means of harrowing is permissible at this time. However, if odor complaints arise then manure management shall be handled through a composting facility and direct disposal as fertilizer or recycling as compost. Burning of manure shall not be permitted.
7. The use of the restroom facilities in the existing single-family house is allowed by the Clay County Health Department at this time. If the owners determine that separate restroom facilities are required at a later time, they must get written approval from the Health Department.
8. Once approved, this CUP is non-transferable; therefore, if ownership changes a new CUP must be filed with the Clay County Planning and Zoning office.



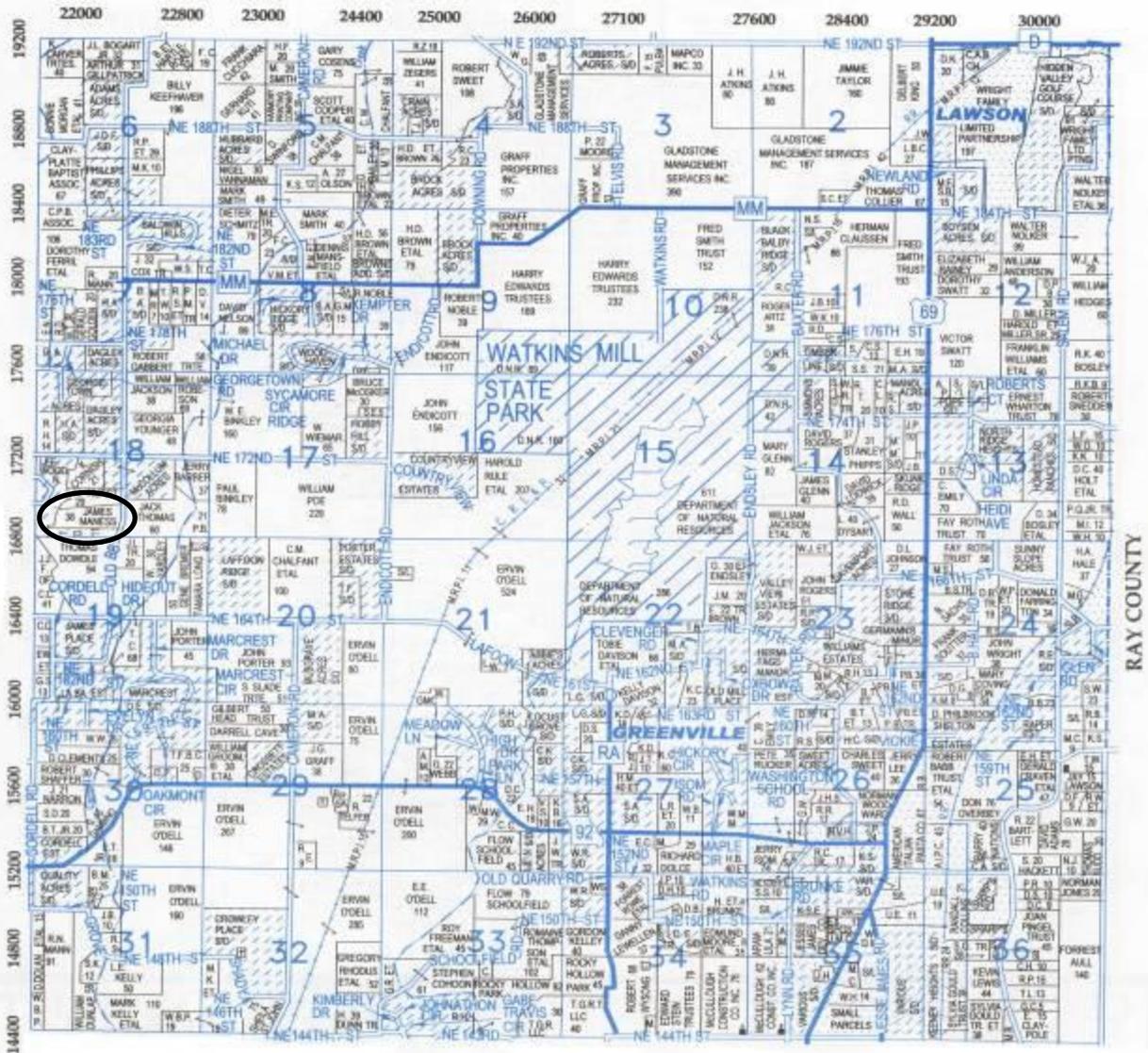
Report to Planning & Zoning Commission

Clay County, Missouri

Attachments

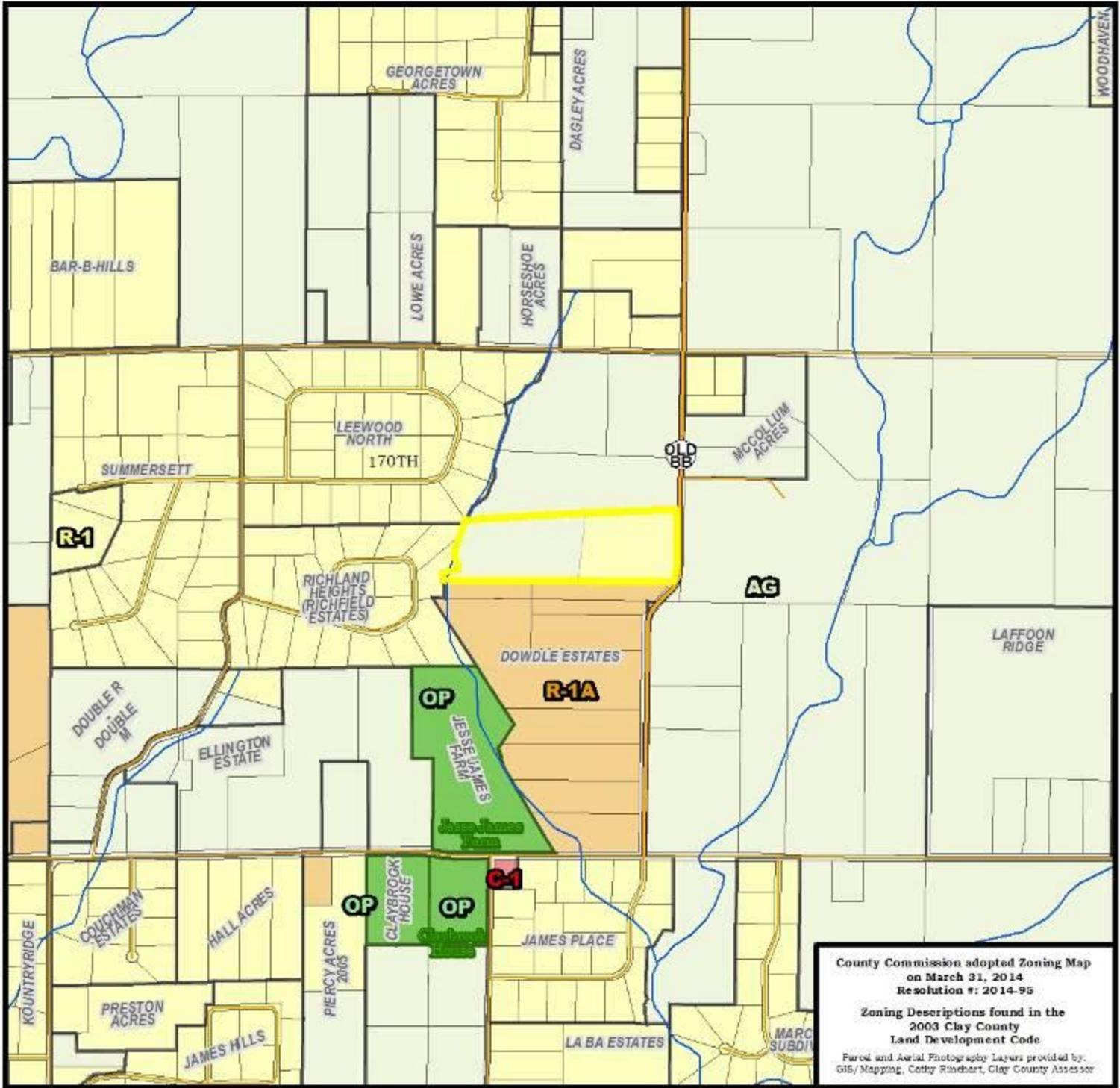
July 14-122CUP – Crawford Public Stable Attachment A – Vicinity Map

TOWNSHIP 53N • RANGE 30W



July 14-122CUP – Crawford Stable - 16900 Old BB Hwy

Attachment B - Existing Conditions Map



County Commission adopted Zoning Map
 on March 31, 2014
 Resolution #: 2014-95

Zoning Descriptions found in the
 2003 Clay County
 Land Development Code

Parcel and Aerial Photography Layers provided by:
 GIS/Mapping, Cathy Rindhart, Clay County Assessor

Map Document: G:\GIS\Project_Files\vacinity_Map - 8 x 11_P.mxd
 09/04/2014 -- 03:53:36 PM

Planning & Zoning Department

LEGEND

Property Line	Roads	Subdivisions	Overlay Districts	Zoning Districts
Streams (EPA)	Interstates	2014 City Limits	CD (Conservation District)	AG
Railroads	State Highways	Parks	POD (Preservation Overlay District)	R-1
	Local Roads	County Boundaries	PLD (Planned Unit Development)	R-1A/R-2
	Highway Ramps			R-1B/RU
				R-3
				C-1
				C-2
				C-3
				I-1
				I-2
				OP



Report to Planning & Zoning Commission

Clay County, Missouri

July 14-122CUP – Crawford Public Stable Attachment C – Applicant Business Plan (5 pages)

June 7th 2014

Clay county Planning and Zoning Commission

Liberty Mo. 64068

Dear Sirs:

I am applying for a Conditional Use Permit with the intent to have a horse boarding facility at my residence on my 38 acre farm. I intend to provide pasture boarding ONLY without stalls. The maximum capacity allowed by Clay County for housing horses on 38 acres is 38 horses. However, I plan to keep my numbers down to 25 pasture horses to avoid overgrazing. My intent is to provide a clean, and well managed boarding operation focusing on caring for pasture boarded horses within the regulations and conditions of the county. I have no plans on being a high traffic facility but rather a small quiet place where horse owners can enjoy their animals in a peaceful atmosphere. Thank You for your consideration in this matter.

Sincerely,

Patty Crawford
Owner & Operator



Report to Planning & Zoning Commission

Clay County, Missouri

June 17, 2014

To: Clay County , Missouri Board of planning and Zoning

Re: Patty Crawford Horse Boarding Business Plan

My farm will be a small, quiet, low traffic horse pasture boarding facility. The horses will have 38 acres of pasture with plenty of grass, shade, shelter and water. My current private facility has a 100' X 200' outdoor riding arena and a 60' round pen where my family members and I enjoy and ride our horses. I also have 3 loafing sheds (1) 12' X 30', (2) 12' X 24', (3) 12' X 24' and a 20' X 40' hay and storage barn. There will be no stalls available to clients for boarding, only pasture. I am keeping horses for friends and family members now and would like to expand to clients to provide some income to help with the maintenance costs on the farm so I am in need of a conditional use permit.

Business plan

Objective:

To provide quality care for boarded horses, and to be a family friendly place for my clients to enjoy their horses in a country atmosphere. My facility will be known for being organized, clean, and well maintained. I have 30 years of experience in boarding, training and showing horses and I will continue to use this experience and knowledge to manage this facility in a quiet and respectful way to both boarders and neighbors. I will continue to maintain my fences and buildings to the highest standards for safety and aesthetics as well as keeping low noise and traffic levels. I will aspire to be an asset to my community.

Location

16900 Old BB
Kearney Mo 64060

Entrance is existing residential driveway just south of the house.



Report to Planning & Zoning Commission

Clay County, Missouri

Hours of operation

7 days a week 8:am to 9:pm

Planned Modification to current facility

*Completing upgrade on outdoor arena including corral fencing

* Installing a 30' tube in driveway as required by Clay County Highway Dept.

Pasture Management :

Horses will be pastured (25 horses max.) and pastures will be harrowed regularly (once a month) to break up manure piles. This keeps flies down and eliminates odor.

Fly Predators from Spalding Laboratories are added to my pastures during warmer months to keep down flies. Fly Predators are environmentally friendly; they eat the larva stage of flies and keep fly populations down. They die within 3 weeks of hatching and do not reproduce.

My farm is a 38 acre facility and by county regulations I could house 38 total horses, however I will not board more than 10 horses and have 15 of my own. No more than 25 horses on pasture total to prevent over grazing.

I will continue to use environmentally friendly fertilizers and weed control products as necessary with the guidance of the University of Missouri Extension office.

Parking and Driveways:

Parking will be allocated for boards on the North side of the house in a 108' X 94' graveled lot. This will also be enough space for the 4 horse trailers that are currently parked here. An ADA space will also be marked in this area. This space is shown on the site map. My driveway now is paved and the parking area is 3" base rock and 1" clean-rock (no dust) top rock over the entire area. A dust free sealant will be added as necessary to avoid disturbing neighbors and passersby.



Report to Planning & Zoning Commission

Clay County, Missouri

Thank you for your assistance in this matter and I look forward to being an asset to my community as well as an example of excellent pasture management.

Sincerely,

Patricia Crawford
Owner & Operator



Report to Planning & Zoning Commission

Clay County, Missouri



Prepared by GIS Mapping Department, Clay County Assessor's Office

08-451-03-03-011.00
600 = 10 FT PER INCH

1:600



Report to Planning & Zoning Commission

Clay County, Missouri

