

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF REPUBLIC, MISSOURI,
AMENDING THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI, BY
AMENDING TITLE IV, LAND USE, CHAPTER 405, ZONING REGULATIONS, ARTICLE
III, ZONING DISTRICTS - USE AND REGULATIONS, AND ARTICLE VIII, SPECIAL USE
REGULATIONS**

WHEREAS, the City of Republic, Missouri, (herein called the "City" or "Republic") is a municipal corporation and Charter City located in Greene County, Missouri, being duly created, organized, and existing under the laws of the State of Missouri; and

WHEREAS, the City of Republic has recognized the need to continually review and revise Land Use Regulations as the City continues to grow and develop; and

WHEREAS, the City's BUILDS Department did, thereafter, submit revisions to the Planning and Zoning Commission, which did set April 12, 2021, as the date a public hearing would be held on such application and proposed revisions regarding C-2 zoning and special use regulations (herein called "Revisions"); and

WHEREAS, notice of the time and date of public hearing on the Revisions was given by publication on March 24, 2021, in the *Greene County Commonwealth*, a newspaper of general circulation in the City, such notice being at least 15 days before the date set for the public hearing; and

WHEREAS, the public hearing was conducted by the Planning and Zoning Commission on April 12, 2021; and

WHEREAS, on April 12, 2021, the Planning and Zoning Commission, by a vote of 6 Ayes to 0 Nays, recommended the approval of the Revisions and thereafter, submitted the same, together with its recommendations, to the City Council; and

WHEREAS, the Revisions were submitted to the City Council at its regular meeting on April 20, 2021, after which the City Council did proceed to vote to approve the Revisions.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF REPUBLIC AS FOLLOWS:

Section 1. Title IV, Land Use, Chapter 405, Zoning Regulations, Article III, Zoning Districts - Use and Regulations is hereby amended by amending Section 405.160 "C-2" General Commercial District Regulations to read as follows:

Section 405.160 "C-2" General Commercial District Regulations.

A. *Purpose.* The intent of the "C-2" Commercial District is to permit less restrictive commercial and service related business with a compatible location adjacent to similar uses, which are separated from residential

uses restricted.

B. *Uses Permitted.*

1. Any use permitted in the "C-1" Commercial District, without restriction as to **the** number of employees or location.
2. Automotive sales and service including body work; painting; frame alignment; restoration or reconstruction, excluding the storage of wrecked or scrap vehicles; parts and other partially dismantled cars and trucks.
3. Automotive, moving, and equipment rental.
4. Boat and marine sales and service.
5. Lumberyard, building and construction material sales, hardware and home improvement stores.
6. Camper trailers, recreation vehicles sales, rental and service.
7. Campgrounds and recreational vehicle parks.
8. Churches or other places of worship, including parish houses, Sunday schools and temporary outdoor revivals, on a minimum of two (2) acres of land, to provide sufficient land area for off-street parking, bufferyards and proper site design to lessen impact on adjoining residential neighborhoods. The requirements of Article VI and X regarding parking, loading, landscaping, and open space shall be required. Overnight shelters shall not be permitted.
9. Commercial amusement centers including drive-in theaters; baseball, softball, and soccer fields or complexes; miniature golf; archery ranges; batting cages; driving ranges; but not including go-cart or other motorized vehicle tracks.
10. Recycling collection centers.
11. Landscaping, plant nurseries, lawn and garden equipment sales and service.
12. ~~Boat, vehicle or self storage facilities.~~
12. Swimming pool sales and displays.

~~14~~13. Truck stops including fueling; sales; and service of commercial freight hauling vehicles.

~~15~~14. Commercial contracting offices including plumbing; electrical; heating and air conditioning; general carpentry; cabinetry; siding and soffit; guttering; roofing; concrete finishing and forming; general masonry; except uses which require the outside storage of materials associated with manufacturing related uses.

~~16~~15. Radio; cable; television; or other broadcasting studios.

~~17~~16. Rental and service of commercial moving vehicles; including trailers, towing equipment, construction and landscaping equipment.

~~18~~17. Car wash, quick lube, or place of express auto service.

~~19~~18. General automotive repair establishments, excluding auto-body and painting establishments.

~~20~~19. Hardware and home improvement stores, excluding the outside storage of lumber, block and associated aggregate products.

~~21~~20. Farm equipment and supplies, implement sales and service, livestock and animal feed.

~~22~~21. Pre-manufactured storage buildings and accessory structures display and sales.

~~23~~22. Filling stations.

C. *Height And Area Regulations.* The height and area regulations set forth in Article V shall be observed.

D. *Design Standards.*

1. *Parking and loading requirements.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Article VI.

2. *Landscaping and open space regulations.* Landscaping and open space regulations shall be provided in accordance with the requirements for specific uses set forth in Article X.

3. *Screening and bufferyard requirements.* Screening and bufferyard

requirements shall be provided in accordance with the requirements for specific uses set forth in Article XI.

4. *Sign regulations.* Sign regulations shall be provided in accordance with the requirements for specific uses set forth in Chapter 415.
5. *Additional district provisions.* Additional provisions relating to exterior lighting, accessory buildings, stormwater regulations and access are provided in Article VII.

Section 2. Title IV, Land Use, Chapter 405, Zoning Regulations, Article VIII, Special Use Regulations, is hereby amended by amending Section 405.670, Generally, to read as follows:

Section 405.670 Generally.

- A. The City Council of the City of Republic may, by special **use** permit following a public hearing advertised as provided in Section 405.980 of the Code of the City of Republic, authorize the location of any of the following buildings or uses **unless in any district except as herein qualified, from which they are otherwise prohibited by this Chapter;** ~~provided however, that appropriate conditions and safeguards shall be imposed to protect the public welfare and to conserve and protect property and property values in the neighborhood~~
 1. Any public building erected and used by any department of the City, County, State, or Federal Government **in any zoning district.**
 2. Commercial amusement or recreational development for temporary or seasonal periods **in any zoning district.**
 3. Cemetery or mausoleum on a site of twenty (20) acres or more; provided that any mausoleum shall be located at least two hundred (200) feet from any street or lot line **in any zoning district.**
 4. Hospitals and institutions, except institutions for criminals and for persons who are mentally ill or have contagious diseases **in any commercial or manufacturing zoning district;** provided however, that such buildings may occupy not over twenty-five percent (25%) of the total area of the lot or tract and will not have any serious depreciating effect upon the value of the surrounding property; and provided further, that the buildings shall be set back from all yard lines heretofore established an additional distance of not less than two (2) feet for every foot of

building height, and that adequate off-street parking space will be provided.

5. Greenhouses and plant nurseries, **including the growing and cultivating of plants and trees, which may include wholesale or retail sales of plants, trees, and related nursery items as an accessory activity, in any zoning district.**
6. Radio or television broadcasting tower or station over fifty (50) feet in height **in any zoning district.**
7. (Reserved)
8. Guyed or lattice telecommunication towers located in "AG" or "C-2" Districts, when complying with the regulations in Section 405.170(B)(8).
9. Monopole telecommunications towers located in any district, when complying with the regulations in Section 405.170(B)(8).
10. Group day-care homes in any **single-family** residential district with the permit to have a five-year limit and the permit may be renewed following the process set forth in Section 405.680.
11. Commercial office uses located in any residential district which are associated with low traffic volumes. ~~such as accounting, architecture, drafting, engineering, law and associated professional consulting services as approved by the Planning and Zoning Commission and City Council.~~
12. Neighborhood markets, **and** convenience stores ~~and gasoline/fuel stations~~ located in residential districts.
13. (Reserved)
14. ~~The sale of merchandise by traveling vendors, under tents or other temporary facilities, located in "C-1", "C-2", "M-1" or "M-2" Districts. Temporary facilities shall not be permitted beyond a three (3) month period per year unless permitted as a permanent structure.~~ **Temporary Vendor Sites in agricultural, commercial, and manufacturing zoning districts, which allow for the retail sale by multiple traveling or temporary vendors, under tents, canopies, or in mobile vending vehicles, which may include farmers markets or similar type seasonal sales and may not operate more than three consecutive days in any seven days period; such permits shall have a five-year limit with the**

permit renewal following the process set forth in Section 405.680.

14. **Permanent Vendor Sites in agricultural, commercial, and manufacturing zoning districts, which allow for the retail sale by multiple traveling or temporary vendors, under tents, canopies, or in mobile vending vehicles, which may include food truck parks; such sites must meet the parking, surfacing, and landscaping requirements for commercial development.**
15. Veterinary facility or similar establishment located in **the AG, C-2, C-3, M-1, or M-2** ~~“C-2”, “M-1” or “M-2”~~ Districts for the treatment and boarding of all animals, large and small.
16. ~~The temporary use of land for purposes associated with the support of active public improvements projects. The use of the land must comply with all applicable State and Federal regulations regarding environmental quality and protection. Each special use permit for this purpose shall be considered on a case-by-case basis and considerations in reviewing and approving the application for a special use permit shall include, but not be limited to:~~
 - a. ~~Intensity of the use relative to the surrounding land uses, especially in terms of noise, dust, odor, etc.~~
 - b. ~~Volume and type of traffic generated by the use.~~
 - c. ~~Potential impacts on water, air, and soil quality.~~
 - d. ~~Whether more appropriate alternative sites exist.~~
 - e. ~~The length of time requested for the special use of the land.~~
 - f. ~~Potential impacts on public services including water supply, wastewater treatment, fire protection, law enforcement, etc.~~

~~If Council determines to issue a special use permit for temporary use of land under this paragraph, the permit term will generally expire sixty (60) days after the completion date of the contracted for services and/or uses as set forth in the plans or the contract presented to the City during the review process. If the documents provided to the City do not state an end date for the contracted for services and/or uses then Council may establish the length of term for the special use permit. Upon approving a special use permit, Council may grant staff the discretion to extend the~~

~~permit twice for a period of no greater than ninety (90) days each. Any extension beyond those described above shall be subject to Council approval~~

16. Boat, vehicle, and self-storage facilities located in a C-2, C-3, M-1, or M-2 Zoning District.

B. Buildings and land uses permitted by a Special Use Permit must conform to the following criteria and ensure the building or use in the proposed location:

- a. Will not endanger the public's health or safety;**
- b. Will be in conformity with the Comprehensive Plan and other plans adopted by the City Council; and**
- c. Will be in harmony with the area in which it is located.**

EXPLANATION —Matter in **bold-face** type in the above is added language. Matter in ~~striketrough~~ in the above is deleted.

Section 3. All other Sections of the Municipal Code of the City of Republic, Missouri, not specifically referenced in this Ordinance shall remain unmodified and in full force and effect.

Section 4. The whereas clauses are hereby specifically incorporated herein by reference.

Section 5. The provisions of this Ordinance are severable and if any provision hereof is declared invalid, unconstitutional or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.


Section 6. This Ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED AND APPROVED at a regular meeting of the City Council of the City of Republic, Missouri, this _____ day of _____ 2021.

Matt Russell, Mayor

Attest:

Laura Burbridge, City Clerk

Approved as to Form:  Digitally signed by Scott Ison
Date: 2021.04.14 15:46:43
-05'00' _____, Scott Ison, City Attorney

Final Passage and Vote: _____