

AN ORDINANCE OF THE CITY COUNCIL AMENDING TITLE IV (“LAND USE”), ARTICLE 405-II (“DESTINATION OF DISTRICTS AND GENERAL DISTRICT REGULATIONS”), CHAPTER 405 (“ZONING REGULATIONS”), SECTION 405.030 (“DISTRICTS ENUMERATED”), ARTICLE 405-III (“ZONING DISTRICTS - USE AND REGULATIONS”), SECTION 405.148 (“MSD’ MAIN STREET DISTRICT”), ARTICLE 405-IV (“HEIGHT AND AREA REQUIREMENTS, EXCEPTIONS AND MODIFICATIONS”), SECTIONS 405.540 (“HEIGHT AND AREA REGULATIONS ESTABLISHED – CHART”) AND 405.545 (“HEIGHT AND AREA EXCEPTIONS AND CONDITIONS”), ARTICLE 405-VI (“OFF-STREET PARKING AND LOADING REQUIREMENTS”), SECTION 405.570 (“GENERALLY”), ARTICLE 405-VII (“ADDITIONAL DISTRICT PROVISIONS”), SECTION 405.620 (“EXTERIOR LIGHTING STANDARDS”), ARTICLE 405-X (“LANDSCAPING AND SCREENING”), SECTIONS 405.750 (“APPLICABILITY”), 405.770 (“LANDSCAPED AREA REQUIREMENTS”), AND 405.810 (“SCREENING REQUIREMENTS”), OF THE MUNICIPAL CODE OF THE CITY OF REPUBLIC, MISSOURI

WHEREAS, the City of Republic, Missouri, (“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 routinely reviews its Municipal Code to ensure conformity with governing state and federal law, enhance clarity, and eliminate ambiguity, as well as to further promote the City’s mission, vision and values, in the best interest of the City and its citizenship body as a whole; and

WHEREAS, the City has identified a need to amend the existing City Municipal Code provisions on zoning regulations as they primarily relate to the Main Street District to, among other things, help preserve the unique character of the downtown area while encouraging investment and development in the area.

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

Section 1: Title IV (“Land Use”), Chapter 405 (“Zoning Regulations”), Article 405-II (“Destination Of Districts And General District Regulations”), Section 405.030 (“Districts Enumerated”), is hereby amended to read as follows:

Chapter 405 Zoning Regulations

Article 405-II Destination Of Districts And General District Regulations

Section 405.030 Districts Enumerated

In order to classify, regulate and restrict the locations of trades, industries and the location of buildings designed for specified uses, to regulate and limit the heights and bulk of buildings erected or structurally altered to regulate and limit the intensity of the use of the lot areas, and to regulate and determine the areas of yards and other open spaces within the surrounding such buildings, the City of Republic, Missouri, is hereby divided into districts, of which there shall be ~~thirteen (13)~~ **fifteen (15)** in number, known as:

"AG"	Agricultural District
"R1-L"	Low Density Single-Family Residential District
"R1-M"	Medium Density Single-Family Residential District
"R1-H"	High Density Single-Family Residential District
"R1-MH"	Manufactured, Modular, and Mobile Home Residential District
"R1-Z"	Zero Lot Line Residential District
"R-2"	Two-Family Residential District
"R-3"	Multi-Family Residential District
<u>"MSD"</u>	<u>Main Street District</u>
"C-1"	Local Commercial District
"C-2"	General Commercial District
<u>"C-3"</u>	<u>General Commercial District</u>
"M-1"	Light Industrial District
"M-2"	Heavy Industrial District
"PDD"	Planned Development District

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title(s)) is added language. Matter shown above in ~~strikethrough font~~ is deleted language.

Section 2: Title IV ("Land Use"), Chapter 405 ("Zoning Regulations"), Article 405-III ("Zoning Districts -- Use and Regulations"), Section 405.148 ("MSD" Main Street District"), is hereby amended to read as follows:

Chapter 405 Zoning Regulations

Article 405-III Zoning Districts -- Use and Regulations

Section 405.148 "MSD" Main Street District

A. Intent. The intent of this district is to provide a ~~zone~~ **district** which will accommodate the ~~broad range of~~ **mixed-used developments that includes** retail shopping activities, office and residential uses that are normally found in the core area of a City and where. ~~The district also allows for flexibility of development is allowed up to the property lot line by eliminating setback requirements with no and limiting off-street parking facilities required of the private development requirements.~~ **The district also allows for flexibility of development is allowed up to the property lot line by eliminating setback requirements with no and limiting off-street parking facilities required of the private development requirements.** The zoning of property to the "MSD" Main Street District is intended to provide development opportunities consistent with the existing character within the core of ~~d~~**Downtown Republic that exhibits buildings abutted up to or in close proximity of the public right-of-way and limited amounts of off-street parking.** ~~Downtown Republic is the original commercial district within the City. The majority of buildings in the core of downtown have been constructed close to the public right-of-way. Public Parking lots are available and on-street parking is present to serve the downtown businesses. The result is a character unique to downtown that is not found elsewhere in the City. This district provides for the majority of retail uses, while encouraging that promotes an active streetscape with a pedestrian friendly shopping environment.~~ **The core of Downtown Republic is centered along the Main**

Street Corridor and the perimeter boundary is defined by the following streets: Anderson Street, Walnut Avenue, Pine Avenue, and Elm Street. ~~This district restricts automobile-oriented uses and is intended to allow multi-story buildings with office and residential uses above the ground floor level. In addition, the district is intended to allow flexibility from the conventional development standards found elsewhere in the City.~~

B. Uses Permitted.

1. Furniture and home furnishings stores.
2. Electronics and appliance stores.
3. Food and beverage stores.
4. Health and personal care stores.
5. Clothing and clothing accessories stores.
6. Sporting goods, hobby and music stores.
7. General merchandise stores.
8. Miscellaneous store retailers such as florists, office supplies, stationery stores and gift stores, novelty stores, souvenir stores, used merchandise stores, pet and pet supply stores, art dealers.
9. Publishing industries.
- ~~10. Motion Picture Theaters~~
- ~~11. Broadcasting stations~~
- ~~10.~~ ~~12.~~ Finance and insurance offices.
- ~~11.~~ ~~13.~~ Real estate, rental and leasing services.
- ~~12.~~ ~~14.~~ Professional, scientific and technical services.
- ~~13.~~ ~~15.~~ Administrative and support services.
- ~~14.~~ ~~16.~~ Educational services.
- ~~15.~~ ~~17.~~ Health care and social assistance.
- ~~16.~~ ~~18.~~ Performing arts.
- ~~17.~~ ~~19.~~ Museums, historical sites and similar institutions.
- ~~18.~~ ~~20.~~ Food services and drinking places.
- ~~19.~~ ~~21.~~ Personal and laundry services.
- ~~20.~~ ~~22.~~ Religious, grantmaking, civic, professional and similar organizations.
- ~~21.~~ ~~23.~~ Executive, legislative and other general government support.
- ~~22.~~ ~~24.~~ Postal services.
- ~~23.~~ ~~25.~~ Public parks and playgrounds, including public recreation or service buildings and publicly-owned swimming pools.
- 24. Parking lots, garages, and similar facilities for off-street parking.**

- 25. Residential uses provided such uses are located above the first floor non-residential uses in a single attached mixed-use building, so as to create a continuous non-residential facade, on the first-floor level along all street frontages.**
- 26. Comprehensive marijuana dispensary facility as defined in Article XIV Section 2 of the Missouri Constitution and by the Missouri Department of Health and Senior Services (or its successor) with a valid license issued by the Missouri Department of Health and Senior Services (or its successor) and complying with the rules and regulations of the Missouri Department of Health and Senior Services and City ordinances.**
- 27. Medical marijuana dispensary facility as defined in Article XIV Section 1 of the Missouri Constitution and by the Missouri Department of Health and Senior Services (or its successor) with a valid license issued by the Missouri Department of Health and Senior Services (or its successor) and complying with the rules and regulations of the Missouri Department of Health and Senior Services and City ordinances.**
- 28. Microbusiness dispensary facility as defined in Article XIV Section 2 of the Missouri Constitution and by the Missouri Department of Health and Senior Services (or its successor) with a valid license issued by the Missouri Department of Health and Senior Services (or its successor) and complying with the rules and regulations of the Missouri Department of Health and Senior Services and City ordinances.**
- 29. Auction sales and flea markets entirely within enclosed buildings.**
- 30. Veterinarian, dog grooming, boarding, pet daycare, or similar place of animal care, provided that only treatment or care be given to animals kept within the building. No outside cages, kennels, fences, equipment, materials, or accessories to the business shall be stored outside or used on the premises.**

- 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.
- 6. **Preservation and/or Construction of existing/new sidewalk, meeting minimum City standards, shall be maintained and/or provided when development of a vacant lot or expansion of the footprint of an existing structure occurs.**

~~E. Use Limitations. No outdoor storage or sale of merchandise or material is allowed in this district.~~

E. ~~F. Site Plan Review. Development in the Main Street District shall be subject to site plan review requirements and procedures. Building materials will be reviewed with respect to the design guidelines in the Main Street District. Facades and outdoor seating will be reviewed according to the facade design guidelines and to ensure that safety and efficient pedestrian movement on City existing sidewalks is maintained.~~

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title(s)) is added language. Matter shown above in strikethrough font is deleted language.

Section 3: Title IV (“Land Use”), Chapter 405 (“Zoning Regulations”), Article 405-V (“Height And Area Requirements, Exceptions And Modifications”), Section 405.540 (“Height And Area Regulations Established -- Chart”), and Section 405.545 (“Height And Area Exceptions And Conditions”, are hereby amended to read as follows:

Chapter 405 Zoning Regulations

Article 405-IV Height and Area Requirements, Exceptions And Modifications

Section 405.540 Height and Area Regulations Established -- Chart

The required height and area regulations are established and shown on the following chart which is part of Article V.

	AG	<u>R1-1L</u>	<u>R1-1M</u>	<u>R1-1H</u>	R1-MH	<u>R1-1Z</u>	R-2	R-3	<u>MSD</u>	C-1	C-2	C-3	M-1	M-2
Min. Lot Size	3 acres	12,000 s.f.	9,000 s.f.	7,000 s.f.	6,000 s.f.	5,000 s.f.	10,000 s.f.	2,500 s.f.	--	--	--	--	--	--
Front Setback	25'	25'	25'	25'	25'	25'	25'	15'	-- ^(H)	15'	15'	15'	15'	15'
Rear Setback	25'	25'	25'	25'	25'	25'	25'	15'	-- (D) ^(H)	15' (B)	15' (B)	15' (B)	15' (C)	15' (C)
Side Street Setback at an Intersection of two	25'	25'	25'	25'	25'	25'	25'	15'	-- (E) ^(H)	15'	15'	15'	15'	15'

Collector Class Streets or Greater														
Side Street Setback at an Intersection of two Local and Collector Class Streets	20'	20'	20'	20'	25'	25'	25'	15'	-- (E)(H)	15'	15'	15'	15'	15'
Side Street Setback at an Intersection of two Local and Local Class Streets	15'	15'	15'	15'	25'	25'	25'	15'	-- (E)(H)	15'	15'	15'	15'	15'
Interior Side Yard Setback	6'	6'	6'	6'	6'	0 ^(A)	6'	15 ^(B)	-- ^(D)	6' ^(B)	6' ^(B)	6' ^(B)	15' ^(C)	15' ^(C)
Min. Lot Width	100'	100'	80'	70'	60'	45'	85'	70'	--	--	--	--	--	--
Min. Cul-de-sac Lot Width	60'	80' ^{(G)(E)}	70' ^{(G)(E)}	60' ^{(G)(E)}	40' ^{(G)(E)}	40' ^{(G)(E)}	80' ^{(G)(E)}	60' ^{(G)(E)}	--	--	--	--	--	--
Min. Lot Depth	200'	110'	100'	90'	80'	100'	100'	100'	--	--	--	--	--	--
Max. Lot Coverage	--	--	--	--	--	--	--	--	90% ^(J)	80%	90%	90%	90%	90%
Max Density (Lots per Acre)	0.33	3.63	4.84	6.22	7.26	8.71	4.36	17.42 ^(K)	--	--	--	--	--	--
Min Distance Between Structures	--	--	--	--	--	--	--	15'	--	--	--	--	--	--
Max Building Height	--	--	--	--	--	--	--	--	(F)	(E)(F)	(E)(F)	(E)(F)	(E)(F)	(E)(F)

NOTES: The coordinating notes (subscript 1-12) concerning this table are contained in Section 405.545: Height and Area Exceptions and Conditions.

405.545 Height And Area Exceptions And Conditions

- A. The dwelling unit shall be placed on one (1) interior side property line with a zero (0) setback and the dwelling unit setback on the other interior side property line shall be a minimum of ten (10) feet, excluding the connecting elements such as fences, walls and trellises, but including covered porches, patios and storage spaces which are part of the principal structure. Non-zero lot line dwelling units shall comply with the interior side yard setbacks of the appropriate single-family residential district.
- B. The minimum interior side or rear yard setback shall be as established in Section 405.540 unless the premises is located adjacent to a residential zoning district, in which case the minimum rear yard and or side yard setback shall each be twenty-five (25) feet.
- C. The minimum interior side or rear yard setback shall be as established in Section 405.540 unless the premises is located adjacent to a residential zoning district, in which case the minimum rear yard and or side yard setback shall each be thirty-five (35) feet in a "M-1" District; and fifty (50) feet in a "M-2" District.
- D. **The minimum interior side or rear yard setback shall be as established in Section 405.540 unless the premises is located adjacent to a residential zoning district, in which case the minimum rear yard and/or side yard setback shall each be fifteen (15) feet.**
- E. **The minimum side street setback shall be as established in Section 405.540 unless the development is located within a sight visibility triangle, in which case the minimum side street setback shall be determined by the City Traffic Engineer.**
- F. ~~D~~-No maximum building height unless the structure is adjacent to a single-family residential district, in which case the height of the structure shall remain below a forty-five degree (45°) bulk plane as measured from the boundary of the adjacent residential district.
- G. ~~E~~-The minimum lot width on a cul-de-sac shall be measured across the front of the lot at the radius of the twenty-five (25) feet setback.
- H. **Sidewalks located within the Main Street District (MSD) must be preserved to maintain the character of the Downtown area. Structures must be setback far enough from property lines to preserve existing sidewalk line.**
- I. **The maximum density for the Multi-Family Residential District (R-3) shall be determined by dwelling units per acre.**
- J. **Property with a Principal Structure constructed prior to November 5th, 2024, shall be exempt from this standard.**

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title(s)) is added language. Matter shown above in strikethrough font is deleted language.

Section 4: Title IV (“Land Use”), Chapter 405 (“Zoning Regulations”), Article 405-VI (“Off-Street Parking And Loading Requirements”), Section 405.570 (“Generally”), is hereby amended to read as follows:

Chapter 405 Zoning Regulations

Article 405-VI Off-Street Parking And Loading Requirements

Section 405.570 Generally

- A. At the time of erection of a new structure, or at the time of enlargement or change in use of an existing structure within any district in the City, the minimum off-street parking or loading spaces shall be provided as established below:
1. Automotive sales and service; new and used motor vehicles, mobile homes, trailers, and rental establishments. One (1) parking space for each four hundred (400) square feet of enclosed total building floor area, plus one (1) parking space for each three thousand (3,000) square feet of open sales or lot area.
 2. Automotive washing establishments and car washes. Queuing spaces for waiting automobiles equal to two (2) times the maximum capacity for each wash rack, measured by the greatest number of automobiles undergoing some phase of laundering at the same time plus one (1) parking space for each two (2) employees.
 3. Bowling alley. Five (5) parking spaces for each alley.
 4. Business, professional or public office building, studio, bank, medical or dental clinic. Three (3) parking spaces plus one (1) additional parking space for each four hundred (400) square feet of floor area over one thousand (1,000) square feet.
 5. Church or temple. One (1) parking space for each eight (8) seats in the main auditorium.
 6. Commercial or light manufacturing office/warehouse space, or self-storage for purposes solely related to dispatching work, clerical work or personal storage not related to retail sales or other uses indicated elsewhere. Three (3) parking spaces plus one (1) parking space for each employee employed therein.
 7. Community center, library, museum or art gallery. Ten (10) parking spaces plus one (1) additional space for each three hundred (300) square feet of floor area in excess of two thousand (2,000) feet.
 8. Dance or gymnastics studio, dance hall, assembly or exhibition hall without fixed seats. One (1) parking space for each five (5) persons based upon designed maximum occupancy.
 9. Dance or gymnastics studio, dance hall, assembly or exhibition hall with fixed seats. One (1) parking space for each five (5) seats.

10. Furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service, clothing or shoe repair or service shop. Two (2) parking spaces plus one (1) additional parking space for each three hundred (300) square feet of floor area over one thousand (1,000) feet.
11. Gas station, convenience stores or similar retail/service establishment. One (1) parking space for each three hundred fifty (350) square feet of total building floor area plus one (1) parking space for each three (3) seats of on-site seating, but not less than ten (10) parking spaces shall be provided. Service area at gas pumps shall not be counted as parking spaces.
12. Golf club. One (1) parking space for each five (5) members.
13. High schools, colleges, universities or trade schools. One (1) parking space for each employee, plus two (2) parking spaces for each three (3) commuting students during the greatest attendance period. All parking for additional uses shall be calculated separately.
14. Hospital. One (1) parking space for each four (4) beds.
15. Hotel. One (1) parking space for each three (3) sleeping rooms or suites plus one (1) parking space for each two hundred (200) square feet of commercial floor area contained therein.
16. Manufacturing or industrial establishment, research or testing laboratory, creamery, bottling plant, warehouse or similar establishment. One (1) parking space for every two (2) employees on the maximum working shift plus parking space to accommodate all trucks and other vehicles used in connection therewith.
17. Mortuary or funeral home. One (1) parking space for each fifty (50) square feet of floor space in slumber rooms, parlors or individual funeral service rooms.
18. Printing or plumbing shop or similar service establishment. One (1) parking space for each three (3) persons employed therein.
19. Private club or lodge. One (1) parking space for every ten (10) members.
20. Restaurant, nightclub, cafe or similar recreation or amusement establishment. One (1) parking space for each one hundred (100) square feet of floor area.
21. Retail store or personal service establishment, except as otherwise specified herein. One (1) parking space for each two hundred (200) square feet of floor area.
22. Rooming house or boarding house. One (1) parking space for each two (2) sleeping rooms.
23. Sanatorium, convalescent home, nursing home or assisted care facility, not including retirement communities. One (1) parking space for each three (3) beds, plus one (1) for each two (2) employees on the longest shift.
24. School (except high school or college). One (1) parking space for each ten

- (10) seats in the auditorium or main assembly room, or one (1) parking space for each classroom, whichever is greater.
- 25. Sports arena, stadium or gymnasium (except school). One (1) parking space for each five (5) seats or seating spaces.
- 26. Theater or auditorium (except school). One (1) parking space for each five (5) seats or bench seating spaces.
- 27. Tourist home or motel. One (1) parking space for each sleeping room or suite.

B. Exceptions

- 1. **Any development within the Main Street District (MSD) shall not be required to provide the minimum amount of off-street parking or loading spaces outlined in this Article.**
 - a. **If off-street parking is provided within the development, it must abide by the standards and regulations, excluding the amount of parking spaces, outlined in this Article.**

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title(s)) is added language. Matter shown above in ~~strikethrough font~~ is deleted language.

Section 5: Title IV (“Land Use”), Chapter 405 (“Zoning Regulations”), Article 405-VII (“Additional District Provisions”), Section 405.620 (“Exterior Lighting Standards”), is hereby amended to read as follows:

Chapter 405 Zoning Regulations

Article 405-VII Additional District Provisions

Section 405.620 Exterior Lighting Standards

- A. To reduce the spillover of light and glare on operators of motor vehicles, pedestrians, and land uses in the proximity of the light source. This section is not intended to apply to public street lighting, signs, seasonal displays or emergency warning lights.
 - 1. The following exterior lighting standards shall apply specifically to:
 - a. Outdoor recreational uses. Ball Diamonds, Playing Fields and Tennis Courts lights shall have limited hours of operation and the lights for said use shall not remain on continuously at all times.
 - b. Private outdoor lights. Private outdoor lights installed by a public utility on private property for security purposes, provided the installation of is approved by all property owners of residential property from the light source can be viewed directly.
 - c. "R-3", **“MSD”**, "C-1", "C-2", "M-1" and "M-2" zoning districts. Exterior lighting for multi-family, commercial or industrial uses are permitted provided that direct illumination from any light source

does not cause illumination in excess of one-half (0.5) lumens per square foot in any adjacent residential district.

2. The following exterior lighting standards are required of all exterior lighting.
 - a. The light source or luminaire for all exterior lighting shall have a cutoff so that the bare light bulb, lamp or light source is completely shielded from the direct view of an observer at ground level at a property line adjacent to a public right-of-way or property zoned residential or, if a bufferyard is required, at the interior bufferyard line.
 - b. No flickering or flashing lights shall be permitted.
 - c. Light sources or luminaires shall not be located within bufferyard areas except on pedestrian walkways.

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title(s)) is added language. Matter shown above in ~~striketrough font~~ is deleted language.

Section 6: Title IV ("Land Use"), Chapter 405 ("Zoning Regulations"), Article 405-X ("Landscaping And Screening"), Sections 405.750 ("Applicability"), 405.770 ("Landscaped Area Requirements"), and 405.810 ("Screening Requirements"), are hereby amended to read as follows:

Chapter 405 Zoning Regulations

Article 405-X Landscaping And Screening

Section 405.750 Applicability

- A. All new structures, buildings and parking lots must comply with the landscaping and screening standards of this Article.
- B. If an addition is proposed to a building; an additional building is proposed for a lot; or if an expansion is proposed to an existing parking lot, the existing and expanded parking lot shall comply with the provisions of this Article.
- C. Exceptions.
 1. Previously approved developments which have been given a permit to begin construction.
 2. Additions to existing structures that are under ten percent (10%) of the gross floor area of the existing structure or five thousand (5,000) square feet, whichever is less.
 3. Subdivisions that include a mix of commercial and industrial zoning that were developed in a coordinated fashion with the intent to mix uses and zoning without the need to buffer and screen between these uses, such as a business park development. This exception shall not apply to situations in which a local commercial, commercial office, or residential district adjoins an industrial district.

4. An application for alternative landscaping schemes is justified only when one (1) or more of the following conditions apply. In such a case, the applicant shall describe in a letter to the Community Development Department which of the requirements set forth in this Article will be met with modifications, which project conditions justify using alternatives and how the proposed measures equal or exceed normal compliance. The request will be evaluated on a case-by-case basis.
 - a. The site involves space limitations or unusually shaped parcels.
 - b. Topography, soil, vegetation, or other site conditions are such that full compliance is impossible or impractical.
 - c. Safety considerations require a change.
5. Landscaping, screening and bufferyard standards shall apply to all applicable situations, regardless of requests from adjoining property owners to omit the same.
6. **Main Street District (MSD) – Property with a Principal Structure constructed prior to November 5th, 2024, shall be exempt from Article 405-X Landscaping And Screening.**
7. **Main Street District (MSD) – Property with this zoning designation is exempt from Section 405.770 Landscaped Area Requirements (B)(1)(2).**

[. . .]

Section 405.770 Landscaped Area Requirements

- A. Where Required. All uses must provide and maintain a landscaped area as provided in this Section. Landscaped areas may not include rights-of-way and accessory uses, and must be maintained as a permeable and uncovered surface that contains living material. No more than twenty percent (20%) of the required landscaped area may consist of porous non-living materials.

Landscaped Area Requirements	
Type of Use	Required Landscaped Area (percent)
Single-family Residential	30
Two-family Residential	30
Multifamily Residential	20
Commercial	10
Industrial	10
<u>Mixed-Use</u>	<u>10</u>

- B. Placement Of Landscaped Areas. Landscaping in the following areas shall be provided:
 1. Landscaped area a minimum of six (6) feet in width along street frontages; and
 2. Landscaped area a minimum of six (6) feet in width along all perimeter property

lines. This required landscape area may be utilized in conjunction with the screening requirements of this Article. This requirement does not apply to single-family detached dwellings.

3. Plantings shall not be placed within the required sight triangle at the intersection of any public thoroughfare or private driveway with a public thoroughfare according to the table below.

Sight Triangle Requirements					
Intersecting Street	Driveway	Local	Collector	Secondary Arterial	Primary Arterial
Driveway	A	A	A	A	B
Local	A	A	A	A	B
Collector	A	A	A	B	B
Secondary Arterial	A	A	B	C	C
Primary Arterial	B	B	B	C	C
Key:					
A = ten-foot-by-ten-foot sight triangle					
B = thirty-foot-by-thirty-foot sight triangle					
C = sixty-foot-by-sixty-foot sight triangle					

4. The utility locations shall be agreed upon prior to submission of landscape plans. Utility easements shall be provided at locations that minimize their impact on required bufferyards and perimeter landscaping. Plantings on utility easements shall be limited to ornamental trees, shrubs and hedges and ground cover. Each required canopy tree may be replaced by two (2) understory or ornamental trees to reduce conflicts with overhead utilities. Plantings in or adjacent to a utility easement shall be coordinated with the utility.

[. . .]

405.810 Screening Requirements

- A. Applicability. All uses must provide and maintain screening as required by this Section. In cases where a use would be required to provide both landscaping and screening at the same location, the two (2) requirements may overlap; however, the most restrictive requirement applies. Additionally, screening requirements may be counted toward the percent of landscaped area required by Section 405.770.
- B. Screening Table. The following table establishes which type of screen is required. To determine the type required, first identify the zoning of the subject lot (the new or expanded use). Then identify the zoning of each adjacent lot. Types of screens are labeled A, B and C; these are described in Section 405.810(C).

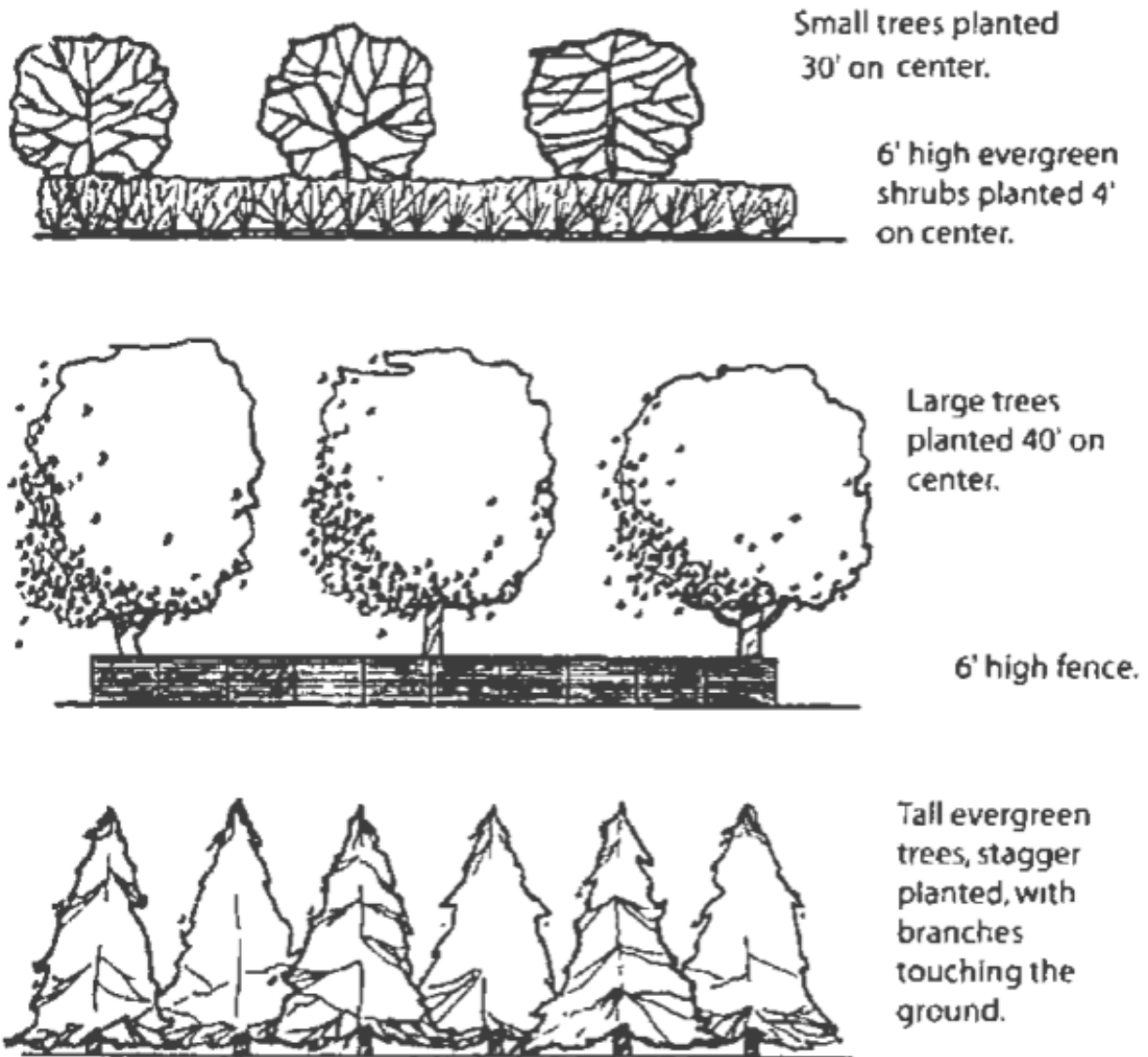
Types of Screening required

Zoning of Subject Lot	Zoning of Adjacent Lot														
	AG	R1-L	R1-M	R1-H	R1-Z	R-2	R-3	MH	C-0	<u>MSD</u>	C-1	C-2	C-3	M-1	M-2
AG	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
R1-L	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
R1-M	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
R1-H	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
R1-Z	B	A	A	A	n/a	n/a	n/a	n/a	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
R-2	B	A	A	A	A	n/a	n/a	n/a	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
R-3	B	A	A	A	A	A	n/a	n/a	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
MH	B	A	A	A	A	A	A	n/a	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
C-0	B	A	A	A	A	A	A	A	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
<u>MSD</u>	<u>B</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
C-1	B	A	A	A	A	A	A	A	C	<u>C</u>	n/a	n/a	n/a	n/a	n/a
C-2	B	A	A	A	A	A	A	A	C	<u>C</u>	C	n/a	n/a	n/a	n/a
C-3	B	A	A	A	A	A	A	A	B	<u>C</u>	C	C	n/a	n/a	n/a
M-1	B	A	A	A	A	A	A	A	B	<u>B</u>	B	B	C	n/a	n/a
M-2	B	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	B	n/a

C. Types of Screens.

1. Opaque screen, Type A. An opaque screen is intended to exclude all visual contact between uses and to create a strong impression of special separation.
 - a. Height. Type A screens must be opaque from the ground to a height of at least six (6) feet, with intermittent visual obstructions to a height of at least twelve (12) feet.
 - b. Materials and Installation.
 - (1) The opaque screen may be composed of wall, vinyl/wood fence, landscaped earth berm, planted vegetation or existing vegetation.
 - (2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species or field observation of existing vegetation.
 - (3) The opaque portion of the screen must be opaque in all seasons of the year. At maturity, the portion of intermittent visual obstructions may not contain any completely unobstructed openings more than ten (10) feet wide. The portion of intermittent visual obstructions may contain deciduous plants.
 - (4) Planting areas for the placement of these screens must be a minimum of five (5) feet wide.

- c. Example. Suggested planting patterns that will achieve this standard are included in the following diagram. See Section 430.080 for lists of suggested plant materials.



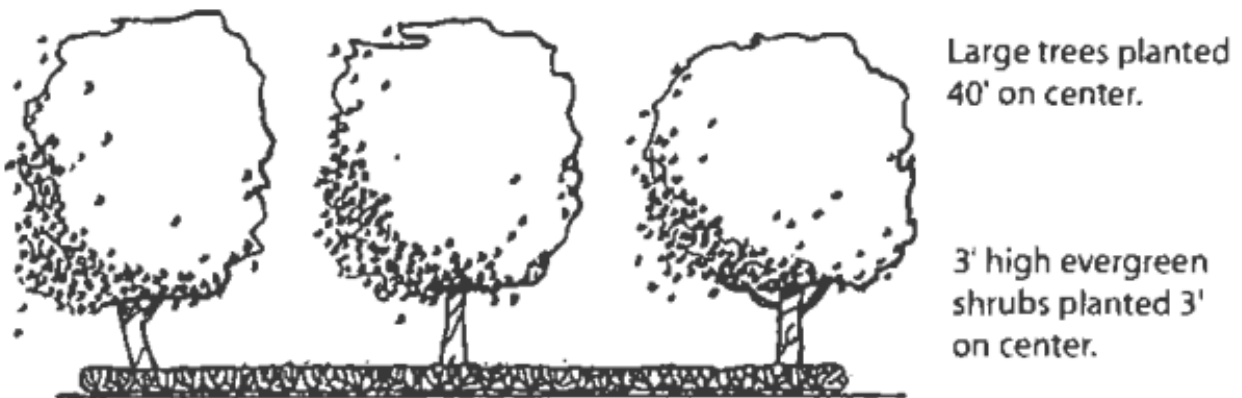
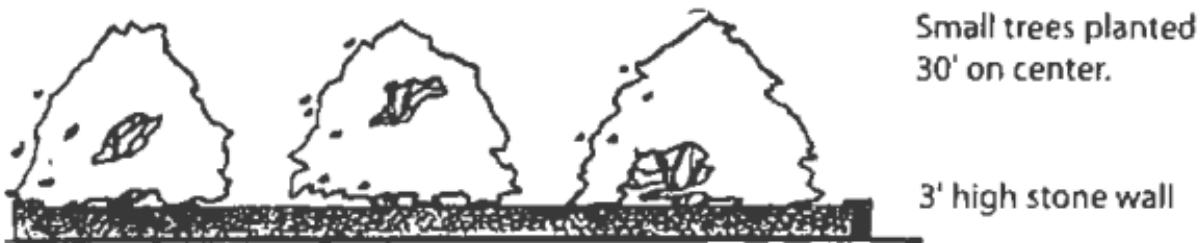
- 2. Semi-opaque screen, Type B. The semi-opaque screen is intended to partially block visual contact between uses and create a strong impression of the separation of spaces.
 - a. Height. Type B screens must be opaque from the ground to a height of three (3) feet, with intermittent visual obstructions to a height of at least twelve (12) feet.
 - b. Materials and installation.
 - (1) The semi-opaque screen may be composed of a wall, vinyl/wood fence, landscaped earth berm, planted vegetation or existing vegetation.
 - (2) Compliance of planted vegetative screens or natural

vegetation will be judged on the basis of the average mature height and density of foliage of the subject species or field observation of existing vegetation.

(3) At maturity, the portion of intermittent visual obstructions may not contain any completely unobstructed openings more than ten (10) feet wide. The zone of intermittent visual obstruction may contain deciduous plants.

(4) Planting areas for the placement of these screens must be a minimum of five (5) feet wide.

c. Example. Suggested planting patterns that will achieve this standard are included in the following diagram. See Section 430.080 for lists of suggested plant materials.



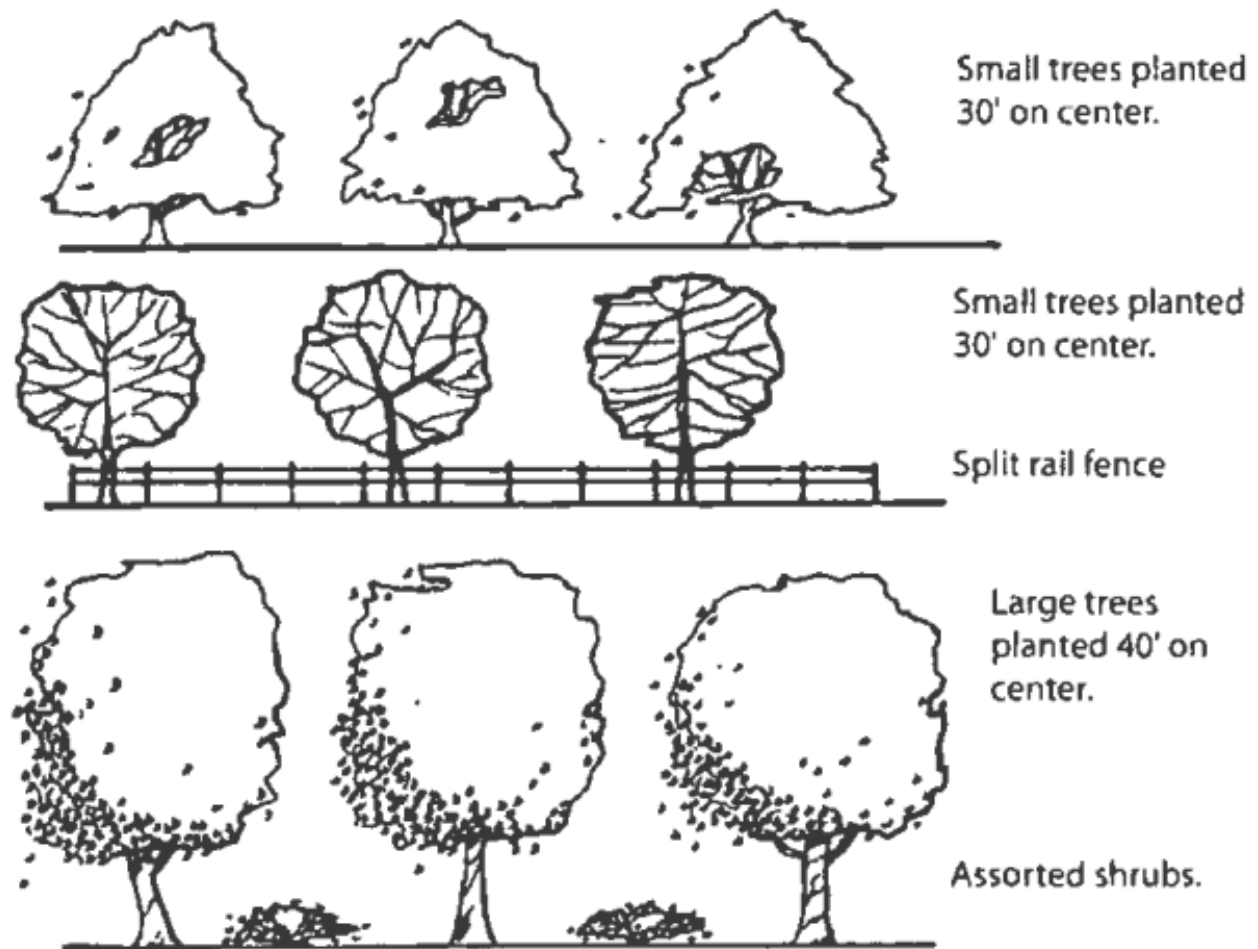
3. Broken screen, Type C. The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces.

a. Height. Type C screens must be composed of intermittent visual obstructions from the ground to a height of at least twelve (12) feet.

b. Materials.

- (1) The broken screen may be composed of a wall, vinyl/wood fence, landscaped earth berm, planted vegetation or existing vegetation.
- (2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of the foliage of the subject species or field observation of existing vegetation. The screen may contain deciduous plants.
- (3) Planting areas for the placement of these screens must be a minimum of five (5) feet wide.

c. Example. Suggested planting patterns which will achieve this standard are included in the following diagrams. See Section 430.080 for lists of suggested plant materials.



4. Location of screens. Screening required by this Section must be located along the common lot line(s) of adjacent uses. Where uses are separated by an intervening right-of-way, screening is not required. In its review of a site plan, the Community Development Department may require the location or

dimensions to be modified to better achieve the desired level of screening on a particular site. [Ord. No. 16-23 § 1, 11-28-2016]

EXPLANATION: Matter shown above in **bold-face/underlined font** (except for Chapter title(s)) is added language. Matter shown above in ~~strike through font~~ is deleted language.

- Section 7:** 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 8:** All ordinances and parts of ordinances in conflict herewith are hereby repealed.
- Section 9:** The City Administrator or his/her designee, on behalf of the City, is authorized to take the necessary steps to execute this Ordinance.
- Section 10:** The WHEREAS clauses above are specifically incorporated herein by reference.
- Section 11:** The provisions of this Ordinance are severable, and if any provisions hereof are declared invalid, unconstitutional, or unenforceable, such determination shall not affect the validity of the remainder of this Ordinance.
- Section 12:** 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 _____, 2024.

Attest:

Eric Franklin, Mayor

Laura Burbridge, City Clerk

Approved as to Form:



Megan McCullough, City Attorney

Final Passage and Vote: