

First Reading: 7/14/25
Bill No.: 25-50

Second Reading: 7/14/25
Ordinance No.: 250714H

AN ORDINANCE REVISING SCHEDULE IV OF THE WILLARD, MISSOURI CITY CODE 'LAND DEVELOPMENT CODE', SECTION 400.520, IN ORDER TO ALLOW HOMEOWNERS FLEXIBILITY IN UTILIZING ACCESSORY STRUCTURES

WHEREAS, the City of Willard has adopted zoning regulations in Chapter 4 of the City of Willard General Code to regulate uses and property within the various zoning districts; and

WHEREAS, those uses need to be updated periodically to reflect the future trajectory of the City and the needs of its residents; and

WHEREAS, the City of Willard feels it in the best interest of the city to increase flexibility and clarify usage of accessory structures;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERS OF THE CITY OF WILLARD, MISSOURI, AS FOLLOWS:

Section 1: It is the intention of the Board of Alders, and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the City of Willard Municipal Code, and the sections of this ordinance may be renumbered to accomplish such intention.

Section 2: That Section 400.520 of Chapter 4 of the Willard Municipal Code be hereby repealed in its entirety and amended to read as set forth herewith.

Section 3: This ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

Section 4: That should any section, sentence or clause of this Ordinance be declared invalid or unconstitutional, such declaration shall not affect the validity of the remaining sections, sentences or clauses.

Section 5: That the City Clerk is authorized by this Ordinance to correct any scrivener's errors identified within this Ordinance.

PASSED BY THE BOARD OF ALDERS AND APPROVED BY THE MAYOR THIS 14th DAY OF JULY, 2025.

Approved By: _____

Troy Smith, Mayor

Attested By: _____

Rebecca Hansen, City Clerk

Approved as to Form: _____

Holly Dodge, City Attorney

Section 400.520 Accessory Uses and Structures.

[Ord. No. 020227 §1(6.1), 2-27-2002; Ord. No. 021111 §1, 11-11-2002; Ord. No. 071210 §§1 — 2, 12-27-2007; Ord. No. 111219C §1, 12-19-2011]

- A. **Purpose.** This Section provides for the regulation of accessory uses and structures and lists those common accessory uses and structures that are specifically permitted.
- B. **Permitted Accessory Uses And Structures.** ~~Any use or structure that complies with the definition in Section 400.120 may be allowed as an accessory use or structure.~~ All accessory structures shall comply with the use limitations applicable in the zoning district in which they are located and with the following additional use limitations:
1. Accessory uses and structures include, but are not limited to, the following list of examples:
 - Accessory Dwelling Unit (ADU)
 - Accessory Structures constructed in an Agricultural (AG) Zoning District.
 - Structures for parking (i.e., garages or carports), incidental to a permitted use.[Ord. No. 130610F §1, 6-10-2013]
 - Structures for storage incidental to a permitted use.[Ord. No. 130610F §1, 6-10-2013]
 - Children's playhouses.
 - Private swimming pools and bathhouses.
 - Greenhouses.
 - Satellite dish antennas.
 - Barbecue pits.
 - Storage of boats, boat trailers, camping trailers, small house trailers and recreational vehicles owned and used by the property owner, provided the equipment is not used for living, sleeping or housekeeping purposes when parked or stored.
 - Home occupations as permitted in Section 400.540(B).
 - Restaurants, drugstores, gift shops, cocktail lounges, newsstands and other similar uses located in a permitted motel, hotel or office building.
 - Employee restaurants and cafeterias when located in a permitted business or manufacturing building.

- Central laundry and washroom facilities, clubhouse, manufactured home park office and maintenance buildings when located in a manufactured home park.
- A day care center located in a permitted business or manufacturing building providing day care for children of persons employed on the premises.
- A day care center, hourly care center or preschool located on the same lot as a church or school.
- The keeping and raising of six (6) or less chicken hens-**See Section 400.570**

C. Habitable spaces, as used in this section, refers to any building space that is used for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closet, halls, storage or utility spaces and similar areas are not considered habitable spaces.

1. ~~A guest house, without kitchen facilities, or rooms for guests in an accessory building, provided such facilities are used for the occasional housing of guests of the occupants of the principal building and not as rental units or for permanent occupancy as housekeeping units.~~

p. ~~Keeping or raising of six (6) or less chicken hens.~~

~~(1) The maximum number of chickens allowed is six (6) per tract of land regardless of how many dwelling units are on the tract.~~

~~(2) Only female chickens shall be allowed. There shall be no restriction on chicken breeds.~~

~~(3) It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes.~~

~~(4) Slaughter may occur for personal use provided that it is conducted in a sanitary manner, does not generate noise that creates a nuisance, and is not visible from adjacent properties or any public area or right-of-way.~~

~~(5) Chickens shall be kept in a secured enclosure or fenced area at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.~~

~~(6) Enclosures shall be kept in a clean, dry, odor-free, neat, and sanitary condition at all times.~~

~~(7) Henhouses, chicken tractors and chicken pens shall provide adequate ventilation and adequate sun and shade and shall be impermeable to rodents, wild birds, and predators, including dogs and cats.~~

~~(8) Henhouses and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.~~

~~(a) A henhouse or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors shall be able to be shut and locked at night. Openings, windows, and vents shall be covered with predator and bird-proof wire of less than one (1) inch openings.~~

~~(b) Henhouses, chicken tractors, and chicken pens shall only be located to the defined rear of the property as required by the Zoning Code.~~

~~(c) Henhouses, chicken tractors, and chicken pens shall meet zoning setback requirements for accessory structures and be located at least twenty-five (25) feet from any adjacent residential dwelling, church, school, or place of business.~~

~~(9) Any enclosed chicken pen shall consist of sturdy wire or wooden fencing. The pen shall be covered with wire, aviary netting or solid roofing.~~

~~(10) Odors from chickens, chicken manure, or other chicken-related substances shall not be detectable at the property boundaries.~~

~~(11) All uses shall operate in accordance with the noise standards contained in Section 400.1530 of the land development regulations.~~

~~(12) The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by an Animal Control Officer.~~

~~(13) The chicken owner shall provide chickens access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds, and predators.~~

~~(14) The chicken owner shall provide for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. The henhouse, chicken tractor, chicken pen, and surrounding area shall be kept free from trash and accumulated droppings.~~

~~(15) No dog or cat which kills a chicken shall, for that reason alone, be considered a dangerous or aggressive animal.~~

~~(16) It shall be unlawful for any person to keep chickens in violation of any provision of this Article.~~

~~(17) It shall be unlawful for any owner, renter, or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this Article.~~

~~(18) Any violation of this Section that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under Chapter 215.~~

~~(19) Each day that a violation of this Article continues is a separate offense.~~

~~(20) All other applicable City codes shall apply.~~

D. None of the following shall be permitted as an accessory use:

1. Outdoor storage or overnight parking in a residence district of a commercial truck, van, bus or other vehicle with a gross volume weight of more than one (1) ton. Church and school buses are permitted provided they are parked on church or school property.
2. Outdoor storage, except as specifically permitted by the zoning district regulations.

3. Modular homes, manufactured or mobile homes or house trailers used as storage, workshops or accessory buildings. The conversion of such dwelling units or vehicles to a purpose other than for which it is manufactured is prohibited.
 - d. Living quarters in any zoning district other than a residential district unless specifically permitted.
- E. **Use Limitations.** All accessory uses and structures shall comply with the limitations applicable in the zoning district in which they are located. No accessory structure shall be constructed and occupied on any lot prior to the time of the completion of construction of the principal structure to which it is accessory.
- F. **Bulk And Setback Regulations.** All accessory structures and uses shall comply with the bulk and setback regulations applicable in the zoning district in which they are located and with the following additional regulations:
- ~~1. Accessory structures or uses shall be located not less than forty (40) feet in back of the front building line for the principal structure. This provision shall not apply to fences.~~
 - ~~2. Accessory structures or uses shall be set back at least ten (10) feet from the rear lot line.~~
 - ~~3. Accessory structures or uses shall be set back at least seven (7) feet from the side yard lot line, except on a corner lot. When the principal use or structure is on a corner lot, the accessory structure or use shall be set back from the side yard lot line adjacent to the side street such a distance so that the same shall not be closer to the side street than one half (1/2) the lot width on which the principal structure is located.~~
 1. Corner lots shall abide by the principal structure's zoning district side street setback requirements for all accessory buildings
 2. Swimming pools shall not be constructed closer than five (5) feet to any structure on the lot.
 3. An accessory structure may not obstruct any sight triangle. The definition and validity of a given sight triangle shall be determined by the Planning and Development Department or their designee
 4. The maximum height of the accessory structures shall comply with **Section 400.520 Table A**. The maximum structure height of accessory structures shall be determined by measuring the height from the finished floor to the top of the truss, or girder beam of the wall or post.
 5. Accessory structures shall be set back a minimum of three (3) feet including projections from the rear and side property lines.
 6. All water from accessory structures shall be maintained on the residence property.
 7. **Accessory Dwelling Units (ADU)** shall comply with **Section 400.521** for size and height requirements and shall be subject to the development standards therein.
 8. Accessory structures to a residence on a single property shall not singularly or in total exceed the following structure sizes listed in **Section 400.520.H- Table B** .[Ord. No. 130610F §1, 6-10-2013]
 9. The maximum number of accessory buildings will not exceed four (4) on any one lot.[Ord. No. 130610F §1, 6-10-2013]
 10. No accessory use or structure shall be permitted in any required front yard.[Ord. No. 130610F §1, 6-10-2013]

G. Table A

Graduated Accessory Structure Height	
Distance From the Property Line	Maximum Structure Height
= 3 Feet < 5 Feet	= 8 Feet
= 5 Feet and < 15 Feet	= 10 Feet
= 15 Feet and < 20 Feet	= 15 Feet
= 20 Feet and < 25 Feet	= 17 Feet
= 25 Feet or Greater	= 25 Feet

H. Table B

GRADUATED INCREASE IN ACCESSORY STRUCTURE SIZE BY LOT SIZE	
LOT SIZE	STRUCTURE SIZE
0-7000	500
7001-9000	780
9001-12000	950
12001-21780	1080
21781-43560	2000
43561-63340	2500
63341-87120	3000

GRADUATED INCREASE IN ACCESSORY STRUCTURE SIZE BY LOT SIZE	
87121-108900	3500
108901-217800	4500
217801- or More	6000