

First Reading: 7/14/2025
Bill No.: 25-31

Second Reading: 7/14/2025
Ordinance No.: 250527B

**AN ORDINANCE OF THE BOARD OF ALDERS OF THE CITY OF WILLARD,
MISSOURI, REVISING AND REPLACING SECTION 400.510 OF THE CITY CODE,
PROVIDING FOR MIXED-USE DEVELOPMENT**

WHEREAS, the City of Willard (the "City") requires diversity in development to continue wise and sustainable growth; and

WHEREAS, the City seeks to incentivize the infill of property and to create a more attractive, walkable, desirable environment; and

WHEREAS, Mixed Use Zoning allows for the diversity in development and the development goals stated heretofore;

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

Section I: Section 400.510 shall be revised, as shown below.

Section II: This ordinance shall take effect and be in force from and after its passage and approval.

Read two times and passed at a meeting of the Board of Alders of the City of Willard, Missouri, on the **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 I. Revise Section 400.510

Section 400.510 - MIXED USE DISTRICT (MU)

- A. **Authority:** Upon enactment of an ordinance by the Board of Aldermen, a development plan for a Mixed-Use District may be approved in any district in the City of Willard, subject to the procedures and standards in this Section.
- B. **Purpose:** The intent of the **Mixed Use (MU) District** is to encourage more creative and imaginative design than generally is not possible under conventional zoning regulations. It is intended to permit, upon application and upon approval of site and use plans, the creation of MU districts. MU Zones have been established to encourage creative and efficient planning and development of land within our community by providing greater flexibility in the use of and placement of buildings and structures on the land, the consolidation and preservation of community-valued view corridors, open spaces and trails. Proposed developments should be designed to maximize the integration of improvements into the natural and proposed landscape, thereby minimizing the visual impact on both view corridors & viewsheds as well as from property to property within the community. These MU provisions are intended to create a more attractive, walkable, desirable environment within the City.

C. **Permitted Uses:**

- Single-family residential uses.
- Multiple-family residential uses.
- Townhouse and condominiums
- Commercial

Any combination of the above uses, **or other uses** that may be determined by the Planning Commission to be compatible and in harmony with each other according to the designed development.

D. **Zoning Process**

1. **MU Zones:** Properties identified as MU zones on the future use map may be eligible for MU development. Additional properties without the MU designation would require approval from the Board of Aldermen via the rezone
2. **Application for zone change:** Any person desiring to develop property under the provisions of this article shall first file an application for a zone change on the standard form provided by the City. The applicant shall apply to have the property rezoned in accordance with the hearing process set forth in Section **400.360** of this code. In addition to the legal description of the property to be rezoned, the conceptual development plan shall be submitted with the rezoning request and shall be subject to review, modification and approval by the Planning and Zoning Commission and Board of Aldermen as allowed in this Chapter. The applicant shall be required to pay for notification of all property owners within a 185 foot radius of the given project. They shall be notified of the intent to change zones and dates and times of public hearings.
3. **Ownership:** A MU development shall be in single or corporate ownership at the time of application, or the subject of an application filed jointly by all owners of the property.

MU Flowchart: MU Administration Flowchart

- E. **Staff and Developer Review.** Upon application for a rezone to Mixed Use District, the Community Development Department shall arrange a meeting for the review of the development plan submitted in accordance with the requirements and provisions of Section **400.510**. The Community Development Department staff and local utility providers shall communicate, in writing, any known deficiencies relative to the requirements contained herein as well as a determination of eligibility. Upon the satisfactory completion of that review, the Community Development Department shall arrange for all necessary legal notices and forward the application and development plan to the Planning and Zoning Commission for hearing and consideration. A fee, as provided for in the fee schedule found in Section **500.110** shall be paid to the City at the time of submittal, to defray the cost of review.
- F. **Public Hearing & Review By Planning Commission:** The Planning Commission will schedule a public hearing to consider the proposed zone change and shall review the conceptual plan, supporting text materials and staff comments for compliance with applicable general plan policies. The Planning Commission shall also make recommendations concerning the zone change request which will be forwarded to the Board of Aldermen
- G. **Public Hearing & Review by Board of Aldermen:** The Board of Aldermen will receive the recommendations of the Planning Commission and schedule a public meeting to consider official action on the zone change request.
- H. **Rezoning And Development Plan Approval.** Upon approval of the rezoning by the Board of Aldermen to the MU District, the development plan submitted with the rezoning request shall become the general guiding document for the uses to be established in the MU District. The final plat shall be in substantial conformance with the development plan.
- I. **Infrastructure Design And Construction.** Approved Mixed Use Development shall be allowed to proceed toward the design and engineering of all necessary public improvements in accordance with the adopted standards and specifications of the City of Willard. All designs shall be reviewed and approved by the Community Development Department and Public Works Department prior to permitting and construction. No construction shall commence except upon the issuance of a permit for the work to be performed.
- J. **Platting.** Upon the acceptance of the construction of all permitted infrastructure, the Mixed Use District may be subdivided by the approval and recording of a final plat pursuant to the requirements and procedures of Chapter **405** of the City of Willard Code.
- K. **Building Permits.** Upon the approval and recording of a final plat or else upon the securing of all necessary public infrastructure by an appropriate financial surety, permits may be

issued for the construction of buildings within the MU District, provided that conditions pertaining to protection of life and safety sufficiently present as determined by the various code officials of the City, including the Building Code and Fire Code officials.

- L. ***Adjustments To Plan During Development.*** During the construction of a Mixed Use development, the Board of Aldermen may authorize minor adjustments to the final development plan when such adjustments appear necessary considering technical or engineering considerations first discovered during actual development. Such minor adjustments must be brought to the Board of Aldermen's attention and must be voted on to be approved and made a part of the final development plan.
- M. ***Amendments To Final Development Plan.*** In addition to the minor adjustments authorized by above, an approved final development plan may be amended, varied or altered in the same manner and subject to the same limitations as any other regulation established by this Article. In addition, an approved final development plan may be amended or altered pursuant to the procedures established by this Section for its original approval.
- N. ***Compliance With Final Development Plan.*** The construction and operation of a Mixed Use development shall be in compliance with the approved final development plan at all times.
- O. ***Time Limitations:*** Building permits for construction within MU Zones must be obtained within 24 months of the approval of a zone change to Mixed Use development. If 24 months elapses without the issuance of building permits for the construction of the approved plans within the MU Zone, all conceptual and preliminary plan approvals shall be deemed null and void, unless an extension is granted. The applicant may request an extension on an approved development plan prior to the expiration of the 24 months time limit. The Planning Director may approve one extension up to 12 months on an approved development plan. The Board of Aldermen will approve or deny the requested ~~second~~ extension on the development plan. In the case that an approved development plan does expire, the zoning of the property shall remain a Mixed Use development, but no construction will be allowed on the property until a new plan is submitted and approved by the Planning Commission and the Board of Aldermen.

Q. CONTENT OF WRITTEN-CONCEPTUAL PLAN:

All development plans shall follow this section and have information detailed below.

Buildings: The text shall indicate the type, character and proposed height of all buildings. The plot plan, elevations and perspective drawings shall be prepared by the applicant to help the Planning Commission and Board of Aldermen better understand the proposal

Building Coverage: The land coverage by all buildings shall not exceed Forty percent (40%) of the net lot or parcel acreage unless approved by the Board of Aldermen.

Common And Open Spaces: The location of any proposed school sites, churches, parks and other common or open spaces shall be identified. Common area and open spaces shall not be part of individual lots. Common area shall be designated as

Deed Restrictions; Covenants: Copies of all deed restrictions, restrictive covenants, bylaws, architectural controls or other requirements that may be appurtenant to the proposed development.

Density: The density in terms of dwelling units per gross acre of land shall be indicated.

Developable Area Reserved For Landscaping: The amount of developable land area reserved for landscaping shall be indicated.

Geotechnical Report: A geotechnical report identifying any possible flood, slope, faulting, soils or other related hazards on the site shall be submitted with the application as determined by the project engineer.

Grading And Drainage Plan: A grading and drainage plan shall be submitted with the site development plan.

- A SWPPP Plan shall be provided detailing silt fencing, track pads and other stormwater drain protection.

Height Restrictions: All buildings shall have their height defined in the conceptual plan. No single family residential building shall be erected to a height greater than thirty-five feet (35') **unless specifically approved as part of the mixed-use plan.**

Improvements: Location, grades, widths, and type of improvements proposed for all streets.

Landscape Plan: A landscape plan showing the general location of the lawn area, shrubs, trees and fencing shall be submitted. (This may be part of the site or plot plan.) All landscaping shall be maintained by the governing body of the subdivision. All plants and trees shall be cared for and properly maintained per **Section 400 Article VIII**

Layout: The layout of the site with respect to locations and dimensions of vehicular and pedestrian entrances, exits, driveways and walkways.

Lighting Plan: The plans submitted shall include a general lighting plan indicating the type & location of lights to be installed on site. Design shall follow **Section 400.1370**

Natural Features: Schematic diagram showing significant natural features such as stands of trees, sinkholes, wetlands, rock outcroppings, etc.

Off Street Parking: The arrangement and adequacy of off-street parking facilities & guest parking per **Article IX**

Offsite Improvement Guarantees: See section **400.1460**

Open Space: Open space is defined as landscaping, approved trails, parks, park connectors, recreation areas, and designated open space. Detention areas, floodplains, and non developable land shall not be counted in the open space requirement

Open Space Requirement: All Mixed Use developments shall show through their design how they have satisfied the intent of the MU zone by:

Commented [1]: Open space requirements

1. Encouraging creative and efficient planning and development of land within our community
2. By providing greater flexibility in the use of and placement of buildings and structures on the land, enabling the consolidation and preservation of community-valued view corridors, and the addition of open spaces and trails.
3. Proposed developments should be designed to maximize the integration of improvements into the natural and proposed landscape, thereby minimizing the visual impact on both view corridors & viewsheds as well as from property to property within the community.
4. These MU provisions are intended to create a more attractive, walkable, desirable environment within the City.
5. **Floodways unless altered (LOMAR) and slopes that exceed a specific percentage are not considered developable.** The applicant of the requested MU Zone shall show what areas are to be landscaped and what areas are to be left in a natural state.
6. All required buffer requirements from Section 400.750 shall be met
7. The Board of Aldermen shall determine if the proposed landscaped areas and the areas proposed to be left in a natural state will satisfy the intent of the MU zone. In any event, all landscaped and open green space areas shall be kept in a weed free condition. All proposed structures, future structures, roads and parking areas are excluded from the calculations used to satisfy this requirement.

Parking Requirements: The parking requirements shall be reviewed and approved per design of the development district.

Phasing Plan: A phasing plan shall be submitted showing all phases. Recreation areas shall be situated in every phase and be completed prior to the commencement of another phase.

Planning Objectives: The text material shall set forth planning objectives to be accomplished through the development of the project and show that the requested MU zoning is in conformance with the City general plan and complies with the requested zoning designation.

Public Improvements: All public improvements shall comply with **Section 400 Article XVI (1430)**

Recreation Or Playground Areas: In developments with five (5) or more units, there shall be provided usable recreation or playground areas with a total minimum area of one thousand (1,000) square feet for five (5) units and an additional two hundred (200) square feet for each unit over five (5) units. No side measurement of each usable recreation or playground area shall be less than twenty feet (20') in width/length..

Commented [2]: Recreation areas

Refuse Storage Areas: Refuse storage areas shall be screened so that materials stored within these areas shall not be visible from access streets, freeways and adjacent properties. Storage or refuse areas shall not be located within required building setbacks nor within utility easements.

Setbacks: The setbacks for Mixed Use Developments will be as follows:

Commented [3]: Setbacks

1. **Front Yard:** Front yard setbacks shall be a minimum of twenty feet (20'). Approved Corner lot side setbacks may be adjusted to be less than 20 feet if the property meets the intersection sight triangle requirements
2. **Building, Parking Required:** The front yard setback area shall not be used for long term parking of any motor vehicles, or for required additional visitor parking, except for the driveway directly in front of the garage or carport of the dwelling unit.
3. **Side Setbacks:** Side yard setbacks on interior lot lines shall be a minimum of five feet (5') on one side and ten feet (10') on the opposite side for all dwellings, with a minimum of fifteen feet (15') between homes. Side yard setbacks on exterior lot lines (boundary lines) shall be a minimum of ten feet (10').
4. **Rear Setbacks:** Rear yard setbacks shall be a minimum of ten feet (10').

*Setbacks differing from the above standards will require approval of the Board of Aldermen. In all cases building and fire codes shall be satisfied.

Signage: Signage identifying the project shall be installed. The size, location, design and nature of signs, ~~if any~~, and the intensity and direction of area flood lighting shall be detailed in the project materials. Signage shall be in accordance with **Section 400.Article X**

Signs And Advertising: The requirements of **Article X** of this code shall apply, except that in large

Stormwater Plan: An engineered stormwater plan will be produced by a registered engineer to evaluate potential flows and develop a stormwater drainage plan. Detention, retention and release shall be determined through this reporting. The stormwater drainage report shall be conducted in accordance with and shall include all applicable information, maps, calculations and other materials as specified in Chapter **405** Design Standards for Public Improvements, **Article V, Stormwater Design Standards — General Provisions.**

If the proposed development is located within a flood hazard area, the stormwater drainage report shall provide all applicable information as specified in the **Article XVII, Section 400.1520** (Floodplain Management Regulations).

Topography: Topography at contour intervals of two feet (2') shall be submitted.

Traffic Analysis: A traffic analysis and street study shall be done by a certified engineer showing the effect of the development on traffic conditions on new and abutting streets shall be shown. The traffic analysis must extend from the proposed subdivision to the nearest arterial. The analysis shall be done on all accesses to the project and note loads on all affected streets. The traffic report shall show traffic discharge at a minimum of two points within the project. Existing traffic counts may be estimated from a study of the area served by the subject road or by counting vehicles consistent with good engineering practice.

Commented [4]: Traffic analysis

Turning Spaces: Safe and convenient turning space shall be provided for cars, sewer vehicles, refuse collection vehicles, fire-fighting equipment, etc., at the end of private drives and dead-end streets.

Use Of Land: The applicant shall prepare a site plan and written text that show and clearly explain the projected use of land including percentages of land devoted to various types of land use, such as building coverage, parking area, landscaped area, etc.

Utility Line Locations: A plan showing the location of all power, fiber, water, sewer and drainage lines in and through the project. All utilities shall be located in dedicated utility easements.

R. DEVELOPMENT GOALS:

Commented [5]: Development Goals

The procedures herein established are intended to substitute procedural protections for substantive regulations in recognition of the fact that traditional density, bulk, spacing and use regulations, which may be useful in protecting the character of substantially developed areas, may impose inappropriate and unduly rigid restrictions upon the development or redevelopment of parcels which lend themselves to an individual, planned approach. In addition, a development plan should be designed to ensure that the following general goals will be achieved

Promoting Efficient Land Use

1. The development will efficiently utilize the available land and will protect and preserve, to the extent possible, natural features of the land such as trees, streams and topographic features.
2. The development shall provide for harmonious and coherent site and building design that creates a sense of place.
3. The developer is encouraged to use creative and efficient planning and development of land within our community by providing greater flexibility in the use of and placement of buildings, uses, and structures on the land.

Enhance Community and Social Interaction

1. The developer shall show how the use of mixed-use areas prioritizes pedestrian and bicycle traffic, encouraging active modes of transportation and creates a more livable environment.
2. MU provisions are intended to create a more attractive, walkable, desirable environment within the City. The developer will demonstrate how it has incorporated parks, trails, landscaping, recreation areas, along with mixed use principles into the development.

Support Sustainable Development

1. The developer may show how the mixed use has provided a wider range of housing

options, varying square footage, ADA accessible units and adjustable rates, prompting attainable housing.

2. The development shall encourage infill, which will help reduce the costs of public services and preserve open space.
3. The proposed development may differ from the provisions of the other zoning districts of this Chapter but are congruent with the spirit and intent of this Chapter and the Willard Comprehensive & Vision Plans.

S. APPLICATION FOR CONCEPTUAL DEVELOPMENT PLAN

Minimum Lot Size: The minimum lot size in mixed use zones and subdivisions may be adjusted by section O as approved through the Planning Commission and Board of Aldermen

Starting Density: 3 houses per acre

T. Bonus Density: The density of a mixed use development shall conform to the density limitations of the general plan, except that the Board of Aldermen upon recommendation of the Planning Commission may approve a density greater than the general plan designation where the following findings are made:

Commented [6]: Bonus Density

1. The proposed dwellings are platted for individual ownership of the dwelling units, and
2. The density and building scale of the proposed units are similar in scale to an adjoining developed parcel or is considered in scale with the surrounding area and fits harmoniously into the neighborhood,

Density may be adjusted with addition of bonus density credits from the list below

To be considered for density increases, the applicant will include, as part of the development design, any of the following credits:

- **Landscaping Along Periphery Of Development:** A common area landscaped strip of twenty five feet (25') shall be created along the periphery of the development and surrounds at least Seventy percent (70%) of the development. Walking paths, benches and gathering places may be integrated into this open space. An approved subdivision sign shall be constructed within the landscaping strip. All open space and landscaping shall be maintained regularly. All landscaping will be owned and maintained by the HOA or designated party.
 - An increase of half a dwelling unit to one dwelling unit per acre may be added to the minimum density for the development.

- **Tree Lined Streets:** Tree lined streets for all streets (internal and periphery) to provide shade for sidewalks and to reduce solar heat gain. If all streets within the development, on both sides of the streets, will have a landscape strip between the curb and sidewalk planted with shade trees at forty-five-foot (45') spacing or less, with trees that are of twenty four inch (24") box containers with a minimum of one and one-half inch (1½") caliper, All tree installations shall follow **Section 400.760** for installation and setbacks. All trees shall be maintained by the HOA or designated party.
 - An increase of half a dwelling unit to one dwelling unit per acre may be added to the minimum density for the development

- **Walking Trail of 12' of concrete to be installed:** Where designated, a walking trail shall be established and designed to provide access to open space and connectivity to adjacent properties. Trails shall be installed in accordance with the City of Willard Trails specifications and Master Trails Plan. All approved trails and easements shall be dedicated to the City of Willard for maintenance and upkeep
 - An increase of half a dwelling unit to one dwelling unit per acre may be added to the minimum density for the development

- **Interconnectivity** Interconnectivity of existing subdivisions is a priority. The connection of surrounding subdivisions to the new development is important. Credit will be given for the donation of the cost of installation of 1500 feet of Five foot (5) sidewalk within the city right of way of an existing subdivision.
 - An increase of half a dwelling unit to one dwelling unit per acre may be added to the minimum density for the development

- **Recreation Donation:** A donation to an existing recreation area for improvement or expansion of services. Donations may be monetary, or services rendered for the expansion and improvement of existing facilities.
 - An increase of half a dwelling unit to one dwelling unit per acre may be added to the minimum density for the development

- **Increased Recreational Facilities:** Additional designated approved recreational amenities, above the requirements as already set forth for Mixed Use development, may receive an increase in density, as approved by the Planning Commission and Board of Aldermen in accordance with this chapter.
 - An increase of half a dwelling unit to one dwelling unit per acre may be

added to the minimum density for the development

- **Architectural design:** ~~If~~ The project shall be submitted and reviewed for architectural design layout, and by the City of Willard. The addition of multiple floor plans, sliding square footage, affordable housing options, ~~with~~ restricted sales prices or rents on a percentage of houses, and inclusion of ADA Accessible units as part of the project may add to your possible total score.
 - **An increase of half a dwelling unit to one dwelling unit per acre may be added to the minimum density for the development**
- **Pocket Parks and Park Connectors:** In accordance with **Section 405.115** the developer may establish a pocket park with available public connections for the entertainment and utilization of the public. Pocket parks and recreation areas shall be connected by a Park Connector Trail per **Section 400.156**
- See **Section 400.155** and **Section 400.156** for additional information on park connectors and trail
- **An increase of half a dwelling unit to one dwelling unit per acre may be added to the minimum density for the development**
- **Diversity of the Project:** The project will be evaluated on its use of multiple zones i.e. residential, commercial, R-3 etc. Project will be graded on use and design of mixed uses.
- **Combined Uses:** Bonus points will be awarded from use of combined uses within the project.
- Points will be given on design criteria, layout, height, location and accessibility.
- **An increase of half a dwelling unit to one dwelling unit per acre may be added to the minimum density for the development**

U- Certified Developers-

Commented [7]: Certified Developers

A project that receives a score of 100 or more will qualify as a Certified Developer

Certified Developer Program	
<u>Items to be Graded</u>	<u>Possible Points Awarded (140)</u>
Mixed Use Diversity of Design	20

Certified Developer Program	
Interconnectivity	20
Active Transportation	20
Architecture	20
Opens Space	20
Landscaping	20
Recreation Areas	20

Certified Developers will be eligible for

- Expedited Permitting Processes
- Preferred Plan Review
- Block Inspection Times
- Standard Permits on Homes

V. MULTIPLE FAMILY DEVELOPMENT STANDARDS:

- A. **Density:** The density and building scale of the proposed units are similar in scale to an adjoining developed parcel or is considered in scale with the surrounding area and fits harmoniously into the neighborhood, as determined by the Board of Aldermen
- B. **Minimum Lot Size:** The minimum lot size in multiple-family residential subdivisions with private individual building pads and associated common area is twenty thousand (20,000) square feet; provided that at least twenty percent (20%) of the total project is developed and maintained as common, open, landscape, or recreation area.
- C. **Setbacks:** The setbacks for all Mixed Use developments - multiple family may be as follows, unless an approved setback alternative plan is granted by the Planning Commission and approved by the City Council:
 1. **Front Yard:** Front yard setbacks shall be a minimum of twenty feet (20'). The street side of corner lots shall be the same as the front yard setback.
 2. **Building, Parking Required:** The front yard setback area shall not be used for long term parking of any motor vehicles, or for required additional visitor parking, except for the driveway directly in front of the garage or carport of the dwelling unit.
 3. **Side And Rear Setbacks:** Side and rear setbacks on interior lot lines shall be a minimum

of ten feet (10') for all dwellings.

4. **Group Dwellings:** In group dwellings, no two (2) buildings may be located closer together than ten feet (10') for one- story buildings, fifteen feet (15') for two-story buildings, and twenty feet (20') for approved three-story (or more) buildings.
5. **Two-Story Buildings:** For two-story (or more) buildings, the side and rear setbacks shall be at least twenty-five feet (25') along the boundary of a Single-Family Zone.