



## AGENDA

### Planning and Zoning Commission Meeting

#### Virtual (Zoom)

March 08, 2021 at 7:00 PM

#### Call Meeting to Order

#### Approve Agenda

#### Approve Minutes

1. Vote to approve Minutes from the January 11, 2021 meeting

#### Meeting Procedures

#### Public Hearings

2. **REZN 21-003.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Eight Point Four-Four (8.44) Acres, Located at the Southeast Corner of State Highway MM and West Farm Road 148, From Agricultural (AG) and General Commercial (C-3) to General Commercial (C-2)
3. **ORD 21-001.** Public Hearing and Possible Vote to Recommend the Approval of Amendments to Sections 405.020 Definitions, 405.150 C-1 Local Commercial District Regulations, and C-2 General Commercial District Regulations
4. **ORD 21-002.** Public Hearing and Possible Vote to Recommend the Approval of Amendments to Article IV A Planned Development District
5. **ORD 21-003.** Public Hearing and Possible Vote to Recommend the Approval of Amendments to Chapter 415 Sign Regulations

#### Other Business

#### Citizen Participation

#### Community Development Department Update

#### Comprehensive Plan Update

#### Adjournment

Individuals addressing the Commission are asked to step to the microphone and clearly state their name and address before speaking. In accordance with ADA guidelines, if you need special accommodations to attend any city meeting, please notify the City Clerk's Office at 732-3101 at least three days prior to the scheduled meeting. **All meetings are tape recorded for public viewing.**



**MINUTES**  
**Planning and Zoning Commission Meeting**  
**Virtual Meeting**  
**January 11, 2021 at 7:00 PM**

**Call Meeting to Order**

**PRESENT**

- Commissioner Brandon Andrews
- Commissioner Erik Pedersen
- Commissioner Kevin Haun
- Commissioner Ransom Ellis
- Commissioner Randy Phelps
- Commissioner Chris Crosby

**ABSENT**

- Commissioner Cynthia Hyder

**Approve Agenda**

Motion made by Commissioner Phelps, Seconded by Commissioner Andrews.  
 Voting Yea: Commissioner Andrews, Commissioner Pedersen, Commissioner Haun, Commissioner Ellis, Commissioner Phelps, Commissioner Crosby.

**Approve Minutes**

Motion made by Commissioner Andrews, Seconded by Commissioner Haun.  
 Voting Yea: Commissioner Andrews, Commissioner Pedersen, Commissioner Haun, Commissioner Ellis, Commissioner Phelps, Commissioner Crosby

Vote to approve Minutes from the November 9, 2020 meeting

**Meeting Procedures**

**Public Hearings**

1. **SU 21-001.** Public Hearing and Possible Vote to Recommend the Approval of An Application for a Special Use Permit to Jennifer Wood for the operation of an Office for Jennifer’s Cleaning at 621 North Walnut Avenue in Republic, Missouri.

Speaking in Opposition: Donald and Debra Seman (statement read by staff).

Motion made by Commissioner Phelps, Seconded by Commissioner Crosby.  
 Voting Yea: Commissioner Andrews, Commissioner Pedersen, Commissioner Haun, Commissioner Ellis, Commissioner Phelps, Commissioner Crosby.

2. **REZN 20-007.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Point Two-Two (0.22) Acres from Agricultural (AG) and Eighteen Point Nine-Seven (18.97) acres from General Commercial (C-2),





Located Northeast of the Northeastern Right-of-Way Line of Missouri State Route 360, to Light Industrial (M-1)

Speaking in Favor: Crystal Webster.

Motion made by Commissioner Pedersen, Seconded by Commissioner Andrews.

Voting Yea: Commissioner Andrews, Commissioner Pedersen, Commissioner Haun, Commissioner Ellis, Commissioner Phelps, Commissioner Crosby.

- 3. REZN 21-001.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Point Two-Nine (0.29) Acres, Located at 2860 North Brookline Avenue, to Local Commercial (C-1)

Speaking in Favor: Andrew Nelson

Motion made by Commissioner Andrews, Seconded by Commissioner Phelps.

Voting Yea: Commissioner Andrews, Commissioner Pedersen, Commissioner Haun, Commissioner Ellis, Commissioner Phelps, Commissioner Crosby.

- 4. REZN 21-002.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Three Point Three (3.3) Acres to Two-Family Residential and Approximately Eight Point Five (8.5) Acres to Multi-Family Residential, Located at 634 West Hines

Speaking in Favor: Umar Akhtar, Dave Bodeen

Speaking in Opposition: Kent and Cindy Hoffpaur, Joyce Lopez, Camron and Amy Perrodin, Michael and Shannon Wise, Samantha and Dane Swinford, Robert Rice, Megan and Kyle Gerhardt, Gail Feil, Dana and Melody Underwood, Tim and Callie Logan.

Commissioner Phelps recused himself from this item due to a conflict of interest. He did not participate in the related discussion and vote.

Motion made by Commissioner Andrews.

Voting Yea: Commissioner Andrews, Commissioner Pedersen, Commissioner Ellis, Commissioner Crosby.

Voting Nay: Commissioner Haun

#### Other Business

- 5. SUBD-PRE 20-006 Oak Hills.** Possible Vote to Recommend the Approval of an Application for a Preliminary Plat for Oak Hills, a residential subdivision consisting of approximately forty-eight and a half (48.5) acres at 7012 West Farm Road 170

Motion made by Commissioner Andrews, Seconded by Commissioner Haun.

Voting Yea: Commissioner Andrews, Commissioner Pedersen, Commissioner Haun, Commissioner Ellis, Commissioner Crosby.

#### Citizen Participation

#### Community Development Department Update

#### Comprehensive Plan Update



**Adjournment**

Voting Yea: Commissioner Andrews, Commissioner Pedersen, Commissioner Haun, Commissioner Ellis, Commissioner Phelps, Commissioner Crosby.

\_\_\_\_\_  
Karen Haynes, Planning Manager

\_\_\_\_\_  
Ransom Ellis, Chairman

DRAFT





## EXHIBIT A

**Project/Issue Name:** **REZN 21-003.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Eight Point Four-Four (8.44) Acres, Located at the Southeast Corner of State Highway MM and West Farm Road 148, From Agricultural (AG) and General Commercial (C-3) to General Commercial (C-2)

**Submitted By:** P Squared Storage, LLC

**Presented By:** Karen Haynes, Planning Manager, BUILDS Department

**Date:** March 08, 2021

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### ISSUE IDENTIFICATION

P Squared Storage, LLC has applied to change the Zoning Classification of approximately **(8.44) acres** of property located at the southeast corner of State Highway MM and West Farm Road 148 from Agricultural (AG) and General Commercial (C-3) to **General Commercial (C-2)**.

### DISCUSSION AND ANALYSIS

The property subject to this Rezoning Application is comprised of approximately **(8.44) acres** of land located at the southeast corner of State Highway MM and West Farm Road 148; the property is currently vacant. The Applicant has expressed their intent to develop a Self-Storage Facility on the property.

The following paragraphs contain brief analyses of present site conditions as well as the proposal's relationship to **adopted plans of the City**.

#### Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of commercial development through proactive Rezoning of land at appropriate locations. Appropriate locations are described generally throughout the Plan, with regard to the **relationship of land at particular locations to infrastructure capable of supporting various intensities and densities of uses**.

The Plan more particularly describes appropriate future land uses through the depiction of a "Future Land Use Map" (FLUM). In this case, the FLUM depicts the subject property as having a Neighborhood Commercial District FLUM designation on the western portion of the parcel and High and Medium Density Residential designations on the remainder of the parcel. The City's Adopted 2005 Land Use Plan has identified the "Neighborhood Commercial" Future Land Use Map designation as a Mixed-Use area



## EXHIBIT A

described as, “Retail and office uses; including small neighborhood shopping centers and isolated retail businesses.” The High Density FLUM designation is described as, “Multi-Family Residential development of more than eight units per acre;” the Medium Density FLUM designation is described as “Two-Family Residential development at four to seven units per acre and neighborhood compatible institutional uses.”

**The 2005 Land Use Plan identifies Land Use Goals and Objectives relating to commercial development, as follows:**

- **Goal:** Expand the opportunity for new commercial development in the City.
  - **Objective:** Increase the amount of land available for commercial development in the City.
  - **Policies:** Proactive consideration of Rezoning Requests where there are opportunities to provide land for commercial development.

The general trend of development in the vicinity of the subject property, along State Highway MM is industrial and commercial redevelopment.

### **Compatibility with Surrounding Land Uses**

The subject property is surrounded by Medium Density Single Family Residential (R1-M) and Agricultural (AG) to the north, Heavy Industrial (M-2) to the west, General Commercial (C-3) and Agricultural (AG) to the south, and Agricultural (AG) to the east.

The land uses permitted in the Local Commercial (C-2) Zoning District include restaurant, retail, and self-storage.

### **Capacity To Serve Potential Development and Land Use**

**Municipal Water and Sewer Service:** The parcel is in proximity to a 12” water main serving the Branco property on the east side of State Highway MM. Development of the property will require the extension of water from its current location, north to the intersection of State Highway MM and east along West Farm Road 148.

The parcel is in proximity to an 8” gravity sewer main serving the Branco property; development of the property will require an extension of the sewer to serve the development. The sanitary sewer will flow from this location to the Brookline North Lift Station, Brookline South Lift Station, McElhane Lift Station, and Shuyler Creek Lift Station; it is pumped from Shuyler Creek to the Wastewater Treatment Facility. The water system, Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the Applicant’s intended use.



## EXHIBIT A

**Transportation:** A Traffic Impact Study (TIS) was not required for the Rezoning Application due to several recent Traffic Impact Studies along the State Highway MM corridor and very low traffic generated by Self-Storage Units. The City will require a TIS, with review by MODOT, for any development other than the use expressed by the Applicant.

**Floodplain:** The subject parcel **does not** contain a Special Flood Hazard Area (SFHA/Floodplain).

**Sinkholes:** The subject property contains one identified sinkhole. on the southern portion of the property, extending into Branco's property to the south. The Republic City Code requires a thirty (30) foot setback for development; a Sinkhole Analysis was previously submitted for the Branco Project.

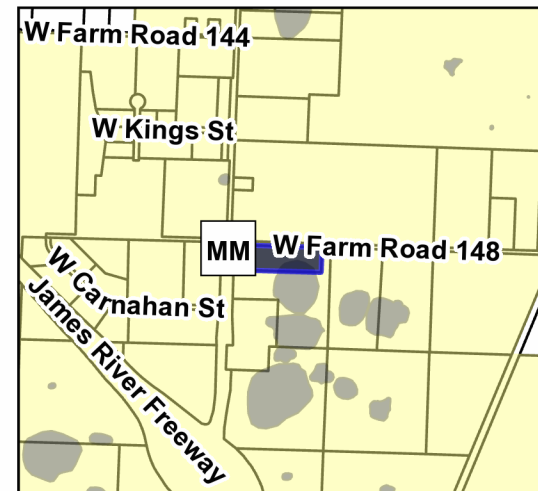
### STAFF RECOMMENDATION

Staff considers the **proposed Zoning Map Amendment (Rezoning)** to be generally consistent with the **goals and objectives of the Comprehensive Plan**, consistent with the **trend of development in the vicinity of the site, compatible with surrounding land uses, and able to be adequately served by municipal facilities.** Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application.**

# REZN 21-003: P Squared Storage

Item 2.

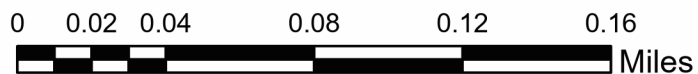
## Vicinity Map



### Legend

- Parcels
- REZN 21-003
- Floodplain
- Sinkhole

Parcel Owner: P Squared Storage LLC  
Parcel ID: 881435200013  
Area: 8.44 Acres  
Existing Zoning: General Commercial (C-3); Agricultural (AG)  
Requested Zoning: General Commercial (C-2)  
Future Land Use Designation: Neighborhood Commercial; High Density Res.; Medium Density Res.

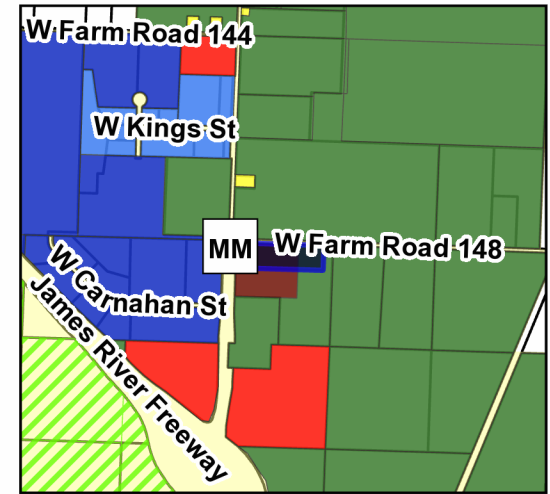
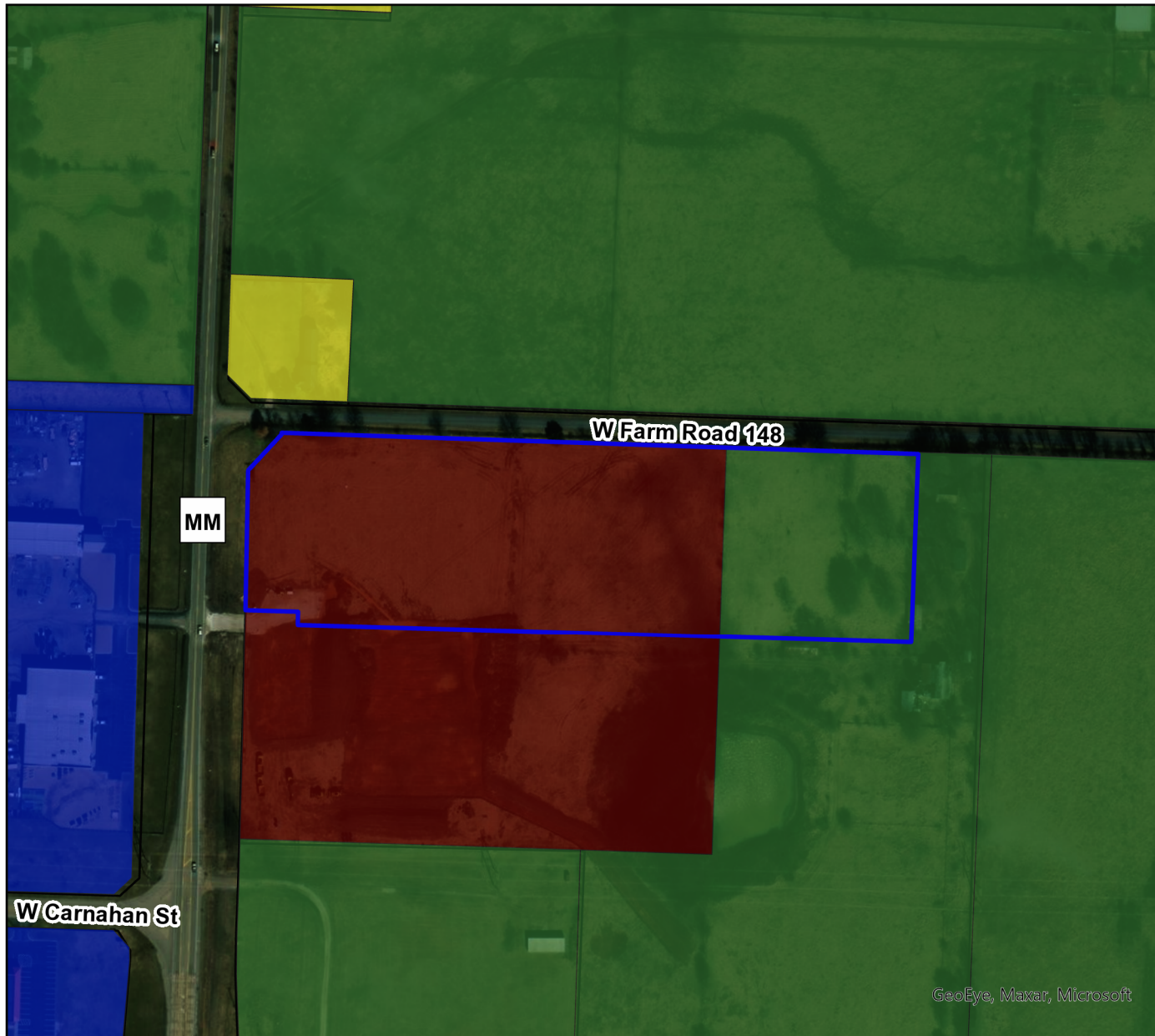




# REZN 21-003: P Squared Storage

## Zoning Map

Item 2.



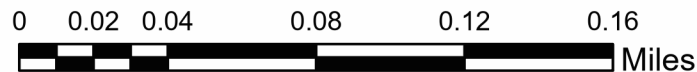
### Legend

- Parcels
- REZN 21-003

### Zoning

- AG Agricultural
- C-1 Commercial
- C-2 General Commercial
- C-3 General Commercial
- M-1 Light Manufacturing
- M-2 Heavy Manufacturing
- PDD Planned Development
- R1-L Single Family Low Density
- R1-M Single Family Medium Density
- R1-H Single Family High Density
- R1-Z Zero Lot Line Residential
- R-2 Two-family Residential
- R-3 Multi-family Residential

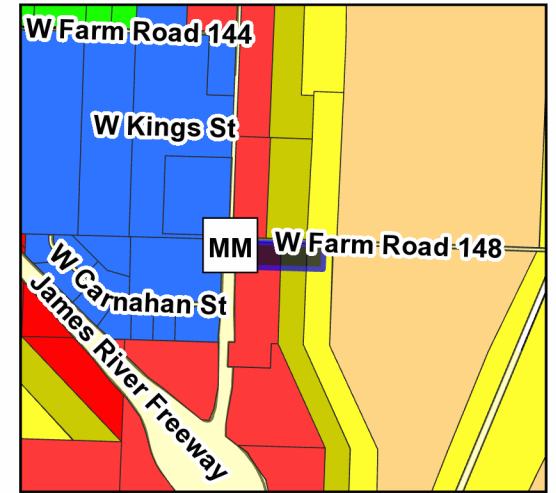
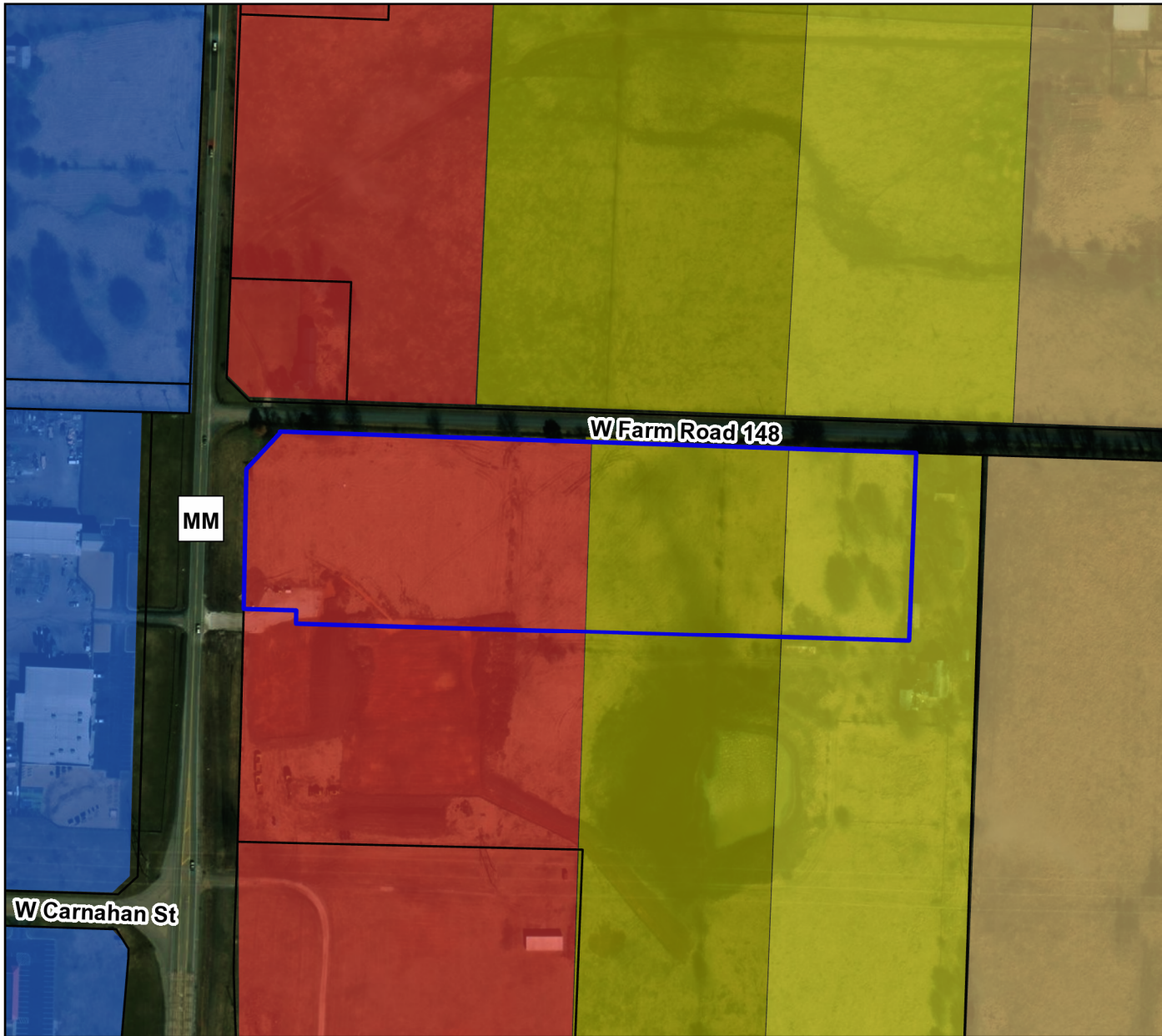
Parcel Owner: P Squared Storage LLC  
 Parcel ID: 881435200013  
 Area: 8.44 Acres  
 Existing Zoning: General Commercial (C-3); Agricultural (AG)  
 Requested Zoning: General Commercial (C-2)  
 Future Land Use Designation: Neighborhood Commercial; High Density Res.; Medium Density Res.



# REZN 21-003: P Squared Storage

## Future Land Use Map

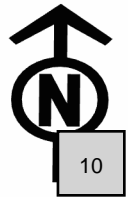
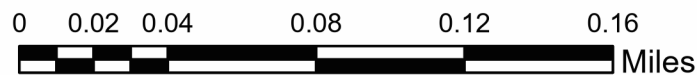
Item 2.



### Legend

- Parcels
- REZN 21-003
- Future Land Use**
- Low Density Residential
- High Density Residential
- Med Density Residential
- Main Street District
- C-1
- C-2
- M-1
- M-2
- Park
- Planned Business Park
- Public Land Use
- School Land Use

Parcel Owner: P Squared Storage LLC  
 Parcel ID: 881435200013  
 Area: 8.44 Acres  
 Existing Zoning: General Commercial (C-3); Agricultural (AG)  
 Requested Zoning: General Commercial (C-2)  
 Future Land Use Designation: Neighborhood Commercial; High Density Res.; Medium Density Res.







## EXHIBIT B

**Project/Issue Name:** **ORD 21-001.** Public Hearing and Possible Vote to Recommend the Approval of Amendments to Sections 405.020 Definitions, 405.150 C-1 Local Commercial District Regulations, and C-2 General Commercial District Regulations

**Submitted By:** BUILDS Department

**Presented By:** Karen Haynes, Planning Manager

**Date:** March 08, 2021

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### ISSUE IDENTIFICATION

Consideration to approve Amendments to Sections 405.020 Definitions, 405.150 C-1 Local Commercial District Regulations, and C-2 General Commercial District Regulations

### DISCUSSION AND ANALYSIS

The City of Republic is requesting Amendments to Sections 405.020 Definitions, 405.150 C-1 Local Commercial District Regulations, and C-2 General Commercial District Regulations to provide additional clarity to the language of the Zoning Ordinance and to facilitate growth in the City of Republic:

#### Section 405.020 Definitions:

##### Added Definitions:

- **Convenience Store:** Any building or structure used for the dispensing, sale or offering for sale at retail of any automobile fuels, which may include accessory retail sales, not to include any type of automobile related service or repair.
- **Pergola:** An outdoor accessory structure consisting of vertical posts or pillars and supporting cross-beams and without walls, forming a shaded walkway, passageway, or sitting area, not attached to another structure.

##### Revised Definitions:

- **Filling Station:** Any building, structure or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, ~~and~~ **The sale of** oils or accessories, including lubrication of automobiles and replacement ~~and~~ installation of minor parts and accessories, but not including major repair work such as motor replacement, body and fender repair or ~~spray~~

## EXHIBIT B

painting.

- **Perimeter Landscaping:** A ~~five (5)~~ six (6) foot greenspace strip which surrounds the entire ~~property premise~~, not including where a landscaped street buffer is required.
- **Premise:** Any ~~tract of~~ land, consisting of one (1) or more lots or tracts of land, under single or multiple ownership, which operates as a functional unit. When developed, a premise shall also possess one (1) or more of the following criteria:
  1. Shared parking.
  2. Common management.
  3. Common identification.
  4. Common access.
  5. Shared circulation.

### Section 405.150 C-1 Local Commercial District Regulations:

- **Section 405.150.B.6:** Convenience store, ~~filling stations.~~
  - Removed Filling Stations as a Permitted Use; an Amendment to the C-2 District Regulations is proposing Filling Stations as a Permitted Use
- **Section 405.150.B.16:** Residential uses provided such uses are located above the first floor or behind non-residential uses in a mixed-use building, so as to create a continuous non-residential facade, on the first-floor level along all street frontages.
  - Clarified residential uses are to be located only in a Mixed-Use Building
- **Section 405.150.B.20:** 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 ~~or office~~. No outside cages, kennels, fences, equipment, materials, or accessories to the business shall be stored outside or used on the premises etc. associated with livestock or other large animals shall be stored on the premises.
  - Added pet daycare.
  - Clarified the use only allows for utilizing a building and does not include any exterior uses related to the treatment or care of animals.
    - Article VIII Special Use Regulations allows for Veterinarian and similar animal care facilities to obtain a Special Use Permit in the C-2 and M Zoning Districts, which could include utilizing outside areas for the business.

### Section 4.5.160 C-2 General Commercial District Regulations:

- **Section 405.160.B.23: Filling Stations.**
  - Added Filling Stations as a Permitted Use



**EXHIBIT B**

**STAFF RECOMMENDATION**

Staff recommends the approval of the referenced Amendments.

**Section 405.150 "C-1" Local Commercial District Regulations.**  
**[Ord. No. 03-56 §1, 8-25-2003; Ord. No. 04-19 §1, 3-8-2004]**

- A. *Purpose.* The intent of the "C-1" Commercial District is to permit retail and service related business with a compatible location adjacent to similar uses.
- B. *Uses Permitted.*
1. Automobile parts and accessory stores when entirely enclosed within the building.
  2. Accessory building or use.
  3. Bar or tavern, provided that the premises of which is located not less than five hundred from the boundary of any R district, a church or similar place of worship or a public school.
  4. Bowling alley; dance halls; video game arcades; billiard parlors; roller-skating; ice-skating; or movie theaters, excluding drive-in theaters.
  5. 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.
  6. Convenience store; ~~filling stations.~~
  7. Day-care center.
  8. General retail businesses including pawn shops and second-hand stores; pet stores; print shops and photocopying establishments; restaurants including drive-in, pick-up, and drive-up facilities; doughnut shops; package liquor; book; tobacco; furniture; appliance; drug; grocery; flower; jewelry; clothing.
  9. Government buildings and associated uses.
  10. 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. **[Ord. No. 19-28, 12-10-2019]**
  11. Motel, Hotel, Inn or related place of lodging.

12. Off-street parking lot.
13. Office or office buildings including health clinics, medical doctors and dental offices; hospitals; banks; financial institutions including automatic teller machines and drive-thru facilities; accountants; real-estate; engineering; architecture and other professional service offices.
14. Personal service establishments including beauty parlors; barbershops; custom tailoring; dry cleaning and laundry pick-up; shoe repair; self-service laundromats; express or mailing offices; hearing aid and eye glass shops.
15. Private schools and studios for art, dance, drama, music or photography and private and publicly funded schools, preschools and daycare facilities.
16. Residential uses provided such uses are located above the first floor or behind 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.
17. Temporary or seasonal tents or trailers pertaining to the sale of Christmas trees, pumpkins, plants, flowers, fruits and vegetables. The sale of merchandise from traveling vendors under tents or other temporary facilities are not permitted except by issuance of a special use permit.

Temporary facilities shall not be permitted beyond a three (3) month period per year, unless permitted as a permanent structure.

18. Temporary, portable food and drink carts or stands, etc. not to include the use of tables or dining areas for the public. Temporary facilities shall not be permitted beyond a three (3) month period per year and shall further be subject to the issuance of a building permit for such uses.
  19. Undertaking establishments.
  20. 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 **or office**. No outside cages, kennels, fences, equipment, materials, **or accessories to the business shall be stored outside or used on the premises etc. associated with livestock or other large animals shall be stored 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**.

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

**[CC 1999 §§26-27 — 26-30; Ord. No. 04-19 §1, 3-8-2004]**

- 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 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.
13. Swimming pool sales and displays.
14. Truck stops including fueling; sales; and service of commercial freight hauling vehicles.
15. 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. Radio; cable; television; or other broadcasting studios.
17. Rental and service of commercial moving vehicles; including trailers, towing equipment, construction and landscaping equipment.
18. Car wash, quick lube or place of express auto service.
19. General automotive repair establishments, excluding auto-body and painting establishments.
20. Hardware and home improvement stores, excluding the outside storage of lumber, block and associated aggregate products.
21. Farm equipment and supplies, implement sales and service, livestock and animal feed.
22. Pre-manufactured storage buildings and accessory structures display and sales.

**23. 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**.



# Chapter 405

## Zoning Regulations

Cross References — As to sign regulations, see ch. 415; as to adoption the international building and other technical codes, see ch. 500, art. i.

### Article I

#### In General

Section 405.010 **Title.**  
[CC 1999 §26-1]

This Chapter shall be known, referred to and recited as the Zoning Code of the City of Republic, Missouri.

Section 405.020 **Definitions.**  
[CC 1999 §§26-2 — 26-3, 26-132; Ord. No. 03-56 §1, 8-25-2003; Ord. No. 03-80 §1, 11-24-2003; Ord. No. 05-82 §1, 10-10-2005; Ord. No. 05-83 §1, 11-14-2005; Ord. No. 05-96 §1, App. A §1, 12-12-2005; Ord. No. 11-20 §1, 8-8-2011; Ord. No. 19-21, 11-5-2019]

- A. For the purposes of this Chapter, certain terms and words are hereby defined. Words used in the present tense shall include the future; the singular number shall include the plural and the plural the singular; the word "building" shall include the word "structure" and the word "shall" is mandatory and not directory.
- B. For the purpose of this Chapter, certain terms and words are to be used and interpreted as defined below:

#### **AGRICULTURAL PROCESSING**

The initial processing of crop-based agricultural products that is reasonably required to take place in close proximity to the site where such products are produced. Typical uses include grain mills.

#### **AGRICULTURAL SALES AND SERVICE**

A use primarily engaged in the sale or rental of farm tools and implements, feed and grain, tack, animal care products and farm supplies. This definition excludes the sale of large implements, such as tractors and combines, but includes food sales and farm machinery repair services that are accessory to the principal use.

#### **AGRICULTURE, GENERAL**

The use of land for the production of livestock, dairy products, poultry or poultry products.

#### **AGRICULTURE, LIMITED**

The use of land for the production of row crops, field crops, tree crops or timber.

**ALLEY**

All property dedicated or intended for public or private street purposes or subject to public easements therefore, and less than sixteen (16) feet in width from property line to property line.

**BASEMENT**

That enclosed part of a building having at least two (2) feet of its height below the average grade of the adjoining ground.

**BERM**

An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

**BOARDING HOUSE or LODGING HOUSE**

A building, other than a hotel or apartment hotel, where, for compensation and by pre-arrangement for definite periods, lodging, meals, or lodging and meals are provided for three (3) or more persons, but not exceeding twenty (20) persons.

**BUFFER**

Land area typically containing trees, shrubs and other plants, berms, fences or walls and used to visibly separate one (1) use from another or to block noise, lights or other nuisances.

[\[Image\]](#)

**BUILDING**

Any structure having a roof supported by columns or walls for the shelter or enclosure of persons or property.

**BUILDING, HEIGHT OF**

The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

**BULK PLANE**

A theoretical plane beginning at a lot line, or other locations as set forth in the Code and rising over an acute slope determined by an acute angle measured up from the horizontal point. The bulk plane defines the relationship between the height of a structure and the structure's setback from the lot line.

**CARPORT**

A structure open on at least two (2) sides used for the purpose of providing vehicular protection. Carports shall not be located within side or front yard setbacks.

**CLINIC**

An establishment where patients are not lodged overnight but are admitted for examination

and treatment by a group of physicians or dentists practicing medicine together.

### **CO-LOCATION**

Locating wireless communications equipment for more than one (1) provider at a single communications facility.

### **CONIFER**

Evergreen trees and shrubs that bear both seeds and pollen on dry scales arranged as a cone.

### **CONVENIENCE STORE**

**Any building or structure used for the dispensing, sale or offering for sale at retail of any automobile fuels, which may include retail sales, not to include any type of automobile related service or repair.**

### **CULTIVATED LANDSCAPE AREA**

Planted areas that are frequently maintained by mowing, irrigating, pruning, fertilizing, etc.

### **DAY CARE**

1. **FAMILY DAY CARE HOME:** A family home, occupied by the day care provider, in which family-like care is given to six (6) children or less, not related to the provider, for any part of the twenty-four (24) hour day. The maximum number of children under two (2) years of age shall be three (3).
2. **GROUP DAY CARE HOME:** A family home, occupied by the day care provider, in which family-like care is given to seven (7) but not more than ten (10) children, not related to the provider, for any part of the twenty-four (24) hour day. The maximum number of children under two (2) years of age shall be two (2) unless there is a full-time adult assistant, in which case the maximum number of children under two (2) years shall be four (4).

### **DAY CARE CENTER**

Is either:

1. A family home where more than ten (10) children are cared for, not related to the provider, for any part of the twenty-four (24) hour day, or
2. A building other than a family home in which more than four (4) children are cared for, not related to the provider, for any part of the twenty-four (24) hour day.

### **DECIDUOUS**

A plant with foliage that is shed annually.

### **DISTRICT**

A section or sections in the City of Republic within which the zoning regulations are uniform.

**DROPLINE**

A vertical line extending from the outermost branches of a tree to the ground.

**DWELLING**

A building or portion thereof designed or used exclusively for residential occupancy, but not including home trailers, mobile homes, hotels, motels, boarding houses and lodging houses, tourist courts or tourist homes.

**DWELLING, MULTIPLE**

A building designed for or occupied exclusively by more than two (2) families.

**DWELLING, SINGLE-FAMILY**

A building designed for or occupied exclusively by one (1) family.

**DWELLING, TWO-FAMILY**

A building designed for or occupied exclusively by two (2) families.

**ECOSYSTEM**

A characteristic assemblage of plant and animal life within a specific physical environment, and all interactions among species, and between species and their environment.

**ENTITY**

A natural person, corporation, professional corporation, non-profit corporation, cooperative corporation, unincorporated association, business trust, limited liability company, general or limited partnership, limited liability partnership, joint venture, or any other legal entity.

**[Ord. No. 19-28, 12-10-2019]**

**EVERGREEN**

A plant with foliage that persists and remains green year-round.

**EXTERIOR STRUCTURAL ALTERATION**

Any change in the supporting members of a building or structure such as bearing walls or partitions, columns, beams or girders that is visible from the exterior of a building or structure or any substantial change in the roof or in exterior walls of a building or structure.

**FAMILY**

The following living arrangements shall constitute a family for the purposes of this Chapter:

1. One (1) or more persons related by blood, marriage, adoption or custodial relationship living as a single housekeeping unit; or
2. Three (3) or less unrelated persons living as a single housekeeping unit; or
3. Two (2) unrelated persons, plus their biological, adopted or foster children or other minors for whom they have legally established custodial responsibility, living as a single housekeeping unit.

**FILLING STATION**

Any building, structure or land used for the dispensing, sale or offering for sale at retail of any automobile fuels, **The sale of** oils or accessories, including lubrication of automobiles and replacement **and** installation of minor parts and accessories, but not including major repair work such as motor replacement, body and fender repair or **spray** painting.

**FLOOR AREA**

The square feet of floor space within the outside line of walls and including the total of all space on all floors of a building. It does include porches, garages, or space in a basement or cellar when said basement or cellar space is used for storage or incidental uses.

**FRONTAGE**

The distance along a street line from one (1) intersecting street to another or from one (1) intersecting street to the end of a dead-end street.

**FURNISH**

To issue, sell, give, provide, lend, mail, deliver, transfer, circulate, disseminate, present, exhibit or otherwise provide.

**GARAGE, PRIVATE**

A detached building or portion of a main building housing the automobiles of the occupants of the premises.

**GARAGE, PUBLIC**

A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, storing or parking motor-driven vehicles. The term "repairing" shall not include an automotive body repair shop nor the rebuilding, dismantling or storage of wrecked or junked vehicles.

**GARAGE, STORAGE**

A building or portion thereof designed or used exclusively for term storage by pre-arrangement of motor-driven vehicles, as distinguished from daily storage furnished transients, and at which motor fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired or sold.

**GRADE**

The average level of the finished surface of the ground for buildings more than five (5) feet from a street line. For buildings closer than five (5) feet to a street line, the grade is the sidewalk elevation at the center of the building. If there is more than one (1) street, an average sidewalk elevation is to be used. If there is no sidewalk, the City Engineer shall establish the sidewalk grade.

**GROUND COVER**

Plants, other than turf grass, normally reaching an average maximum height of not more

than twenty-four (24) inches at maturity.

**GROUP HOME**

Any home in which eight (8) or fewer unrelated mentally or physically handicapped person reside and may include two (2) additional persons acting as house parents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the home.

**GUYED TOWERS**

A communication tower that is supported, in whole or in part, by guy wires and ground anchors.

**HEDGE**

A landscape barrier consisting of a continuous, dense planting of shrubs.

**HOME OCCUPATION**

Any occupation or activity which is clearly incidental and secondary to the use of the premises for dwelling purposes and which is carried on wholly within a main building or accessory building by a member(s) of a family residing on the premises.

**HOTEL**

A building in which lodging, or boarding and lodging are provided and offered to the public for compensation, and in which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all times. As such, it is open to the public in contradistinction to a boarding house, lodging house, or an apartment house which are herein separately defined.

**IMPERVIOUS, PERVIOUS SURFACE**

Any part of a lot that is covered by buildings, structures, parking areas, driveways and any other surfaces which reduce or prevent absorption of stormwater, likewise, a pervious surface is any surface that allows for the absorption of stormwater.

[\[Image\]](#)

**INSTITUTION**

A non-profit establishment for public use.

**IRRIGATION SYSTEM**

A permanent, artificial watering system designed to transport and distribute water to plants.

**LATTICE TOWER**

A guyed or self-supporting three (3) or four (4) sided, open, steel frame structure used to support telecommunications equipment.

**LOADING SPACE**

A space within the main building or on the same lot, providing for the standing, loading or unloading of trucks, having a minimum dimension of twelve (12) feet by thirty-five (35) feet and a vertical clearance of at least fourteen (14) feet.

**LODGING HOUSE or ROOMING HOUSE**

Same as "Boarding House."

**LOT**

A parcel of land occupied or intended for occupancy by a use permitted in this Chapter, including one (1) main building together with its accessory buildings, the open spaces and parking spaces required by the ordinance, and having its principal frontage upon a street or upon an officially approved place.

**LOT OF RECORD**

A lot which is part of a subdivision, the map of which has been recorded in the office of the Recorder of Deeds of the County of Greene, Missouri, or a parcel of land, the deed of which was recorded in the office of the Recorder of Deeds prior to the adoption of this Chapter.

**LOT, CORNER**

A lot abutting upon two (2) or more streets at their intersection.

**LOT, DOUBLE FRONTAGE**

A lot having a frontage on two (2) non-intersecting streets as distinguished from a corner lot.

**MANUFACTURED HOMES**

Factory-built structures; transportable in one (1) or more sections which are twenty-four (24) feet or more in width and forty-two (42) feet or more in length when assembled; designed to be occupied as a permanent single-family residential dwelling; not constructed or equipped with a permanent hitch or other device intended for the purpose of moving the structure from one place to another, other than for moving to a permanent site from the factory or distributor; has no permanently attached wheels or axles; installed on a permanent foundation; equipped with the necessary service connections; designed, manufactured, and certified to conform to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401).

**MARIJUANA or MARIHUANA**

Cannabis indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as resin extracted from the plant and marijuana-infused products. "Marijuana" or "Marihuana" do not include industrial hemp containing a crop-wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent (3/10 of 1%) on a dry weight basis, or commodities or products manufactured from industrial hemp.

**[Ord. No. 19-28, 12-10-2019]**

**MARIJUANA-INFUSED PRODUCTS**

Products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.

**[Ord. No. 19-28, 12-10-2019]**

**MATERIAL**

Anything printed or written, or any picture, drawing, photograph, motion picture film, videotape or videotape production, or pictorial representation, or any recording or transcription, or any mechanical, chemical, or electrical reproduction, or stored computer data, or anything which is or may be used as a means of communication. "Material" includes undeveloped photographs, molds, printing plates, stored computer data and other latent representational objects.

**MEDICAL MARIJUANA CULTIVATION FACILITY**

A facility licensed by the Department of Health and Senior Services or its successor agency to acquire, cultivate, process, store, transport, and sell marijuana to a medical marijuana dispensary facility, medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility.

**[Ord. No. 19-28, 12-10-2019]**

**MEDICAL MARIJUANA DISPENSARY FACILITY**

A facility licensed by the Department of Health and Senior Services, to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products, and drug paraphernalia used to administer marijuana as provided for in the Article XIV Missouri Constitution to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.

**[Ord. No. 19-28, 12-10-2019]**

**MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY**

A facility licensed by the Department of Health and Senior Services, to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.

**[Ord. No. 19-28, 12-10-2019]**

**MEDICAL MARIJUANA TESTING FACILITY**

A facility certified by the Department of Health and Senior Services, to acquire, test, certify, and transport marijuana.



**[Ord. No. 19-28, 12-10-2019]**

**MEDICAL USE**

The production, possession, delivery, distribution, transportation, or administration of marijuana or a marijuana-infused product, or drug paraphernalia used to administer marijuana or a marijuana-infused product, for the benefit of a qualifying patient to mitigate the symptoms or effects of the patient's qualifying medical condition.

**[Ord. No. 19-28, 12-10-2019]**

**MOBILE HOME**

Transportable, factory-built homes more than eight (8) feet in width and more than thirty-six (36) feet in length; designed to be occupied as a single-family residential dwelling; not placed on a permanent foundation; equipped with the necessary service connections; designed and manufactured to be transportable on its own running gear; and conforming to the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401).

**MODULAR HOME**

Factory-built, transportable dwelling unit designed to be used by itself or to be incorporated with similar units at a point of use into a modular structure to be used for single-family housing, bearing the seal of the Missouri Public Service Commission indicating compliance with the State of Missouri Standards and Regulations for Modular Homes.

**MONOPOLE TOWER**

A communication tower constructed without the use of guy wires and ground anchors and consisting of only a single pole (also known as self-supporting tower).

**MOTEL**

A building in which lodging or boarding and lodging are provided and offered to the public for compensation. As such, it is open to the public in contradistinction to a boarding house, a lodging house or an apartment house which are herein separately defined.

**MULCH**

Non-living organic and synthetic materials customarily used in landscaping design to retard erosion and retain moisture.

**NON-CONFORMING USE**

The use of land or a building, or portion thereof, which use does not conform with the use regulations of the district in which it is situated.

**OPEN SPACE**

Open space shall be interpreted to mean:

1. All areas of natural plant communities or area replanted with vegetation after construction, such as revegetated natural areas; tree, shrub, hedge or ground cover planting areas; and

lawns; and

2. Other areas allowed to be counted as open space as per the City of Republic Zoning and Design Code.

### **ORNAMENTAL TREE**

A deciduous tree planted primarily for its ornamental value or for screening purposes.

### **OVERNIGHT SHELTER**

A facility providing temporary lodging on a daily basis, with or without meals, for primarily indigent, needy, homeless or transient persons.

### **PARKING AREA**

That portion of the vehicle accommodation area set aside for the parking of one (1) vehicle.

### **PARKING SPACE**

A surfaced area, enclosed in the main building or in an accessory building, or unenclosed, having an area of not less than one hundred eighty (180) square feet exclusive of driveways, permanently reserved for the temporary storage of one (1) automobile and connected with a street or alley by a surfaced driveway which affords satisfactory ingress and egress for automobiles.

### **PERFORMANCE**

Any play, motion picture film, videotape, dance or exhibition performed before an audience of one (1) or more.

### **PERGOLA**

**An outdoor accessory structure consisting of vertical posts or pillars and supporting cross-beams and without walls, forming a shaded walkway, passageway, or sitting area, not attached to another structure.**

### **PERIMETER, LANDSCAPING**

A ~~five (5)~~six (6) foot greenspace strip which surrounds the entire ~~property~~**premise**, not including where a landscaped street buffer is required.

### **PERVIOUS SURFACE**

See "Impervious Surface."

### **PLANT COMMUNITY**

A natural association of plants that are dominated by one (1) or more prominent species, or a characteristic physical attribute.

### **PLANT SPECIES – PROHIBITED**

Those plant species which are demonstrably detrimental to native plants, native wildlife, ecosystems, or human health, safety and welfare.

**PORTABLE BUILDING**

A subordinate building less than two hundred (200) square feet, the use of which is incidental to that of the main building, dwelling or premises, which is not erected on a permanent foundation. Portable buildings shall be constructed, erected and located in a manner that provides a convenient means of relocation.

**PREMISE**

Any ~~tract of~~ land, consisting of one (1) or more lots or tracts of land, under single or multiple ownership, which operates as a functional unit. When developed, a premise shall also possess one (1) or more of the following criteria:

1. Shared parking.
2. Common management.
3. Common identification.
4. Common access.
5. Shared circulation.

**PRESERVE AREAS**

Vegetative areas required to be preserved by law.

**PROMOTE**

To manufacture, issue, sell, provide, mail, deliver, transfer, transmute, publish, distribute, circulate, disseminate, present, exhibit, or advertise, or to offer or agree to do the same, by any means including a computer.

**SCREEN**

A method of reducing the impact of noise and unsightly visual intrusions with less offensive or more harmonious elements, such as plants, berms, fences, walls or any appropriate combination thereof.

**SETBACK**

The minimum distance required between the property line and a point of the structure nearest the property line.

**SETBACK, SIDE STREET**

The minimum distance required between a point of the structure nearest the right-of-way line of a street located on the side of the structure.

**SEXUALLY ORIENTED BUSINESS**

An adult bookstore or adult video store, an adult cabaret, an adult motion picture theater, a semi-nude model studio, or a sexual encounter center as further defined by reference to the

definition of those terms as now or hereafter defined in Section 573.528, RSMo., or as may be adopted in the City Code in a manner not inconsistent with Section 573.528, RSMo.

**SHADE TREE**

A deciduous tree planted primarily for its high crown of foliage or overhead canopy.

**SHRUB**

A self-supporting woody perennial plant of low-level woody, perennials plant of low to medium height characterized by multiple stems and branches continuous from the base, usually not more than ten (10) feet in height at its maturity.

**STORAGE, PERSONAL OR SELF STORAGE**

A building or group of buildings, commonly referred to as mini-storage, consisting of individual, small, self-contained units that are available on a rental basis for the storage of business and household goods or contractor's supplies.

**STORY**

That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or, if there be no floor above it, then the space between such floor and the ceiling next above it.

**STORY, HALF**

A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half story containing independent apartments or living quarters shall be counted as a full story.

**STREET**

All property dedicated or intended for public or private street purposes or subject to public easements therefore and more than sixteen (16) feet in width from property line to property line.

**STREET LINE**

A dividing line between a lot and a contiguous street.

**STRUCTURAL ALTERATIONS**

Any change, except those required by law or ordinance, which would prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams or girders, not including openings in bearing walls as permitted by other ordinances.

**STRUCTURE**

Anything constructed or erected, the use of which requires more or less ground.

**STRUCTURES, ACCESSORY**

A structure that:

1. Is subordinate to and serves a principal structure,
2. Is subordinate in area, extent or purpose to the principal structure,
3. Contributes to the comfort, convenience or necessity of the occupants, business or industry in the principal structure,
4. Is located on the same lot as the structure.

### **TOWER or COMMUNICATION TOWER**

Any structure that is designed and constructed for the purpose of supporting one (1) or more antennas; including lattice towers, guy towers or monopole towers. This definition also includes any structure in which supporting the antenna array is not the primary purpose of the structure such as a water tower or utility pole. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. This term is not intended to describe buildings or other structures that have been constructed primarily for a purpose other than supporting one (1) or more antennas, despite the fact that such structure may currently, or in the future, actually support one (1) or more antennas, not to exceed ten (10) feet above the apex of the roof in residentially zoned districts such as: satellite dishes, television antennas and radio antennas.

### **TRAILER OR MOBILE HOME**

A vehicle used for living purposes and standing or designed to stand on wheels or rigid supports.

### **TRAILER PARK**

An area where one (1) or more trailers can be or are intended to be parked, designed or intended to be used as living facilities for one (1) or more families.

### **TREE**

Any self-supporting woody perennial plant which has a trunk diameter of two (2) inches or more and which normally attains an overall height of at least fifteen (15) feet at maturity, usually with one (1) main stem or trunk and many branches. It may appear to have several stems or trunks as in several varieties of oak.

### **UNDERSTORY**

Assemblages of natural low-level woody, herbaceous, and ground cover species which exist in the area below the canopy of trees.

### **USE**

The purpose for which land or a building is arranged, designed or intended, or for which either land or building is or may be occupied or maintained.

**VEGETATION, NATIVE**

Any plant species with a geographic distribution indigenous to all or part of the State of Missouri. Plant species which have been introduced by man are not native vegetation.

**VEHICLE ACCOMMODATION AREA**

A lot that is used by vehicles for access, circulation, parking, loading and unloading. It comprises the total of circulation areas, loading and unloading areas and parking areas.

**VIABLE**

When referring to a tree, shrub, or other type of plant, is a plant that, in the judgment of the City Planner, is capable of sustaining its own life processes, unaided by man, for a reasonable period of time.

**WHOLESALE PROMOTE**

To manufacture, issue, sell, provide, mail, deliver, transfer, transmute, publish, distribute, circulate, disseminate, or to offer or agree to do the same for purposes of resale or redistribution.

**WOODLANDS, EXISTING**

Existing trees and shrubs of a number, size and species that accomplish the same general function as new plantings.

**XERISCAPE**

Landscape methods which conserve water through the use of drought-tolerant plants and planting techniques.

**YARD**

An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

**YARD, FRONT**

A yard extending across the front of a lot and being the minimum horizontal distance between the right-of-way or property line and the main building or any projections thereof other than the projections of the usual uncovered steps, unenclosed balconies or unenclosed porches. On corner lots, multi-frontage lots, or where the front yard is otherwise unclear, the determination of the location of the front yard shall be made by the Director of Community Development or their designee.

**YARD, REAR**

A yard extending across the rear of a lot and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections

thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches.

**YARD, SIDE**

A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard, and being the minimum horizontal distance between a side lot line and the side of the main buildings or any projections thereof.



## EXHIBIT C

**Project/Issue Name:** ORD 21-002. Public Hearing and Possible Vote to Recommend the Approval of Amendments to Article IV A Planned Development District

**Submitted By:** BUILDS Department

**Presented By:** Karen Haynes, Planning Manager

**Date:** March 08, 2021

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### ISSUE IDENTIFICATION

Consideration to approve Amendments to Article IV A Planned Development District.

### DISCUSSION AND ANALYSIS

The City of Republic is requesting Amendments to Article IV A Planned Development District (PDD) to provide additional clarity to the language of the PDD Ordinance and to facilitate growth in the City of Republic.

#### Section 405.210 Purpose and Intent

The purpose of the planned development regulations is to allow for **mixed-use**, unconventional, **or and** innovative arrangements of land uses and public facilities that, but for the provisions of these regulations, would otherwise be difficult to develop under the conventional land use and development regulations of the City. ~~It is not the intent of these regulations to provide for or facilitate the circumvention of the conventional regulations for development for the sake of mere convenience or in any other way that does not provide for a demonstrable public benefit based on the findings of the City's Planning and Zoning Commission and City Council.~~

#### Section 405.220 Applicability:

- B.1. The proposed development plan shall involve a diverse mixture or variation of land uses or densities, ~~which cannot be accomplished by following the requirements set forth for conventional development and which contains aspects of development beyond mere convenience that necessitate use of a planned development.~~
- B.3. The proposed development plan shall involve design elements that promote the City of Republic's Comprehensive Plan **and other adopted plans of the City.**





## EXHIBIT C

### Section 405.240 Development Plans:

A.5. Identification Of Other Amenities. The proposed development plan shall identify the general location and type of other planned amenities ~~intended to serve the public interest~~, a sense of community, and/or the purpose of this Article.

~~B.2. Promotion of the public interest and a sense of community.~~

~~3.2.~~ Conformity with the adopted Comprehensive Plan and other adopted plans of the City of Republic.

~~4.3.~~ The ability of the available or planned infrastructure to provide adequate service to the proposed development.

~~5.4.~~ The estimated impact of the proposed development on surrounding properties based on facts found pertaining to the purpose and intent of this Article.

~~6.5.~~ A reliable and valid estimate of the costs and benefits of the proposed development upon the community.

~~7.6.~~ The duly authorized partnership of the public and private sectors for mutual benefit.

### Section 405.250 Infrastructure Design and Construction

B.5. Conformity to the applicable minimum requirements of the City of Republic's Municipal Code of Ordinances ~~or~~ and other adopted codes or laws of the City, State, or Federal governments.

### STAFF RECOMMENDATION

Staff recommends the approval of the referenced Amendments.

## Article IV A Planned Development District

**Section 405.190 Authority.**  
**[Ord. No. 18-10, 2-13-2018]**

Upon enactment of an ordinance by the City Council repealing and replacing the prior Planned Development District procedures, a development plan for a Planned Development District may be approved in any district in the City of Republic, subject to the procedures and standards in this Article.

**Section 405.200 Application And Review Of Existing Planned Development District.**  
**[Ord. No. 18-10, 2-13-2018]**

Those Planned Development Districts that are under development at the time of enactment of this ordinance may continue to operate and develop under the processes in place immediately prior to enactment of this ordinance. The legal owner(s) of the real property or a duly authorized representative of such owner or an individual or organization with a legitimate contractual interest in the purchase of the subject real property may submit an application to the Community Development Department seeking approval to proceed with future development of the Planned Development District under the new procedures and processes contained in this Article. The request may be approved, approved with conditions or disapproved. General guidance in making a determination is to assure that a change will not negatively impact the development as initially proposed; it shall not negatively impact adjacent property; the change will comply generally with the conditions in this Article; and the proposal will be of benefit and be in line with development within the City. The procedure for amendment of a plan set forth in Section 405.270(C) may be used in making a decision on the application.

**Section 405.210 Purpose And Intent.**  
**[Ord. No. 18-10, 2-13-2018]**

The purpose of the planned development regulations is to allow for mixed-use, unconventional, or and innovative arrangements of land uses and public facilities that, but for the provisions of these regulations, would otherwise be difficult to develop under the conventional land use and development regulations of the City. ~~It is not the intent of these regulations to provide for or facilitate the circumvention of the conventional regulations for development for the sake of mere convenience or in any other way that does not provide for a demonstrable public benefit based on the findings of the City's Planning and Zoning Commission and City Council.~~

**Section 405.220 Applicability.**  
**[Ord. No. 18-10, 2-13-2018]**

- A. Eligibility To Submit An Application For A Planned Development. An application for a Planned Development shall be submitted by the legal owner(s) of the real property subject to the application, or by a duly authorized representative of such owner, or by an individual

or organization with a legitimate contractual interest in the purchase of the subject real property.

- B. Eligibility Requirements For Planned Developments — Generally. A proposal for a Planned Development shall demonstrate substantial congruence with each of the following conditions in order to be considered eligible for approval.
1. The proposed development plan shall involve a diverse mixture or variation of land uses or densities, ~~which cannot be accomplished by following the requirements set forth for conventional development and which contains aspects of development beyond mere convenience that necessitate use of a planned development.~~
  2. The proposed development plan shall involve the provision of all infrastructure deemed necessary to adequately serve the potential development.
  3. The proposed development plan shall involve design elements that promote the City of Republic's Comprehensive Plan and other adopted plans of the City.
  4. The proposed development plan shall involve design elements intended to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements.

**Section 405.230 Procedure.**

- A. Planned Developments shall proceed toward the planned improvements, subdivision, and/or marketing according to the following process:
1. Procedure For Rezoning. The applicant shall apply to have the property rezoned in accordance with the hearing process set forth in Section **405.980** of this Chapter. In addition to the legal description of the property to be rezoned, the 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 Council as allowed in this Chapter.
  2. Development Plan Review. Upon application for a rezone to Planned Development District, the Community Development Department shall arrange for the review of the development plan submitted in accordance with the requirements and provisions of Section **405.240**. The Community Development Department staff 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 800.500 of this code, shall be paid to the City at the time of submittal, to defray the cost of review.

3. **Planning And Zoning Commission Consideration.** The City's Planning and Zoning Commission will hold a public hearing concerning the application to rezone and the development plan, such hearing having been properly publicized as required for zoning amendments. The purpose of the hearing is for the Commission to find certain facts pertaining to the development plans conformity to the requirements of this Article as well the adopted plans of the City. Upon the closing of the public hearing, the Commission shall render their findings and vote to make a recommendation to the City Council concerning the approval of the proposed Planned Development District rezone and the approval of the development plan.
4. **City Council Consideration.** The City Council shall receive the findings of facts and recommendation of the Planning and Zoning Commission and will consider whether to approve the proposed Planned Development District rezone by ordinance.
5. **Rezoning And Development Plan Approval.** Upon approval of the rezoning to Planned Development District, the development plan submitted with the rezoning request shall become the general guiding document for the uses to be established in the Planned Development District. The final plat shall be in substantial conformance with the development plan.
6. **Infrastructure Design And Construction.** Approved Planned Developments 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 Republic. 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.
7. **Platting.** Upon the acceptance of the construction of all permitted infrastructure, the Planned Development District may be subdivided by the approval and recording of a final plat pursuant to the requirements and procedures of Chapter **410** of the City of Republic's Municipal Code of Ordinances.
8. **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 Planned Development 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.

**Section 405.240 Development Plans.**  
**[Ord. No. 18-10, 2-13-2018]**

- A. **Minimum Requirements.** Development plans accompanying an application for a new Planned Development District will be reviewed by City staff in order to verify satisfaction of the following minimum requirements prior to being forwarded to the Planning and Zoning Commission for consideration:
1. **Identification Of Permitted Land Uses.** All land uses to be permitted within the Planned Development shall be identified in sufficient detail with regard to density, intensity, and location of the use. In this context, "sufficient detail" means a description of the permitted land use so as to explicitly limit the use of land in a way that is meaningful for the purposes of making determinations as to whether the particular land in question may be used for a specific purpose. Overly vague or ambiguous land use descriptions that evade predictability and certainty as to what sorts of land uses may be permitted shall not be allowed.
  2. **Identification Of Circulation Elements.** The proposed development plan shall articulate a plan for the circulation of vehicle and pedestrian traffic throughout the development. The circulation plan shall include sufficient detail with regard to the general location of these elements as well as their capacities and connections to existing facilities of the same or similar purpose.
  3. **Identification Of Utility Sources.** The proposed development plan shall accurately identify the location of proposed sources and any necessary extension or expansion of utilities to serve the identified land uses. It is not the intent of this provision to require the specific design or engineering of the extension or expansion of these utilities, rather it is merely to ensure that the necessary services are available and of adequate capacity, either presently or as a result of planned expansion, to serve the proposed development.
  4. **Identification Of Transitional Elements.** The proposed development plan shall identify the general location and type of transitional elements between dissimilar or normally incompatible land uses. These transitional elements may include screens, bufferyards, or other architectural features that serve to lessen the visual, auditory, and olfactory impacts of land uses having significant differences in intensity.
  5. **Identification Of Other Amenities.** The proposed development plan shall identify the general location and type of other planned amenities ~~intended to serve the public interest~~, a sense of community, and/or the purpose of this Article.
- B. **Evaluation Criteria.** The development plans proposed for any Planned Development shall be evaluated by the City staff, the Planning and Zoning Commission, and the City Council with regard to the following criteria:

1. Satisfaction of the purpose and intent of this Article.
  - ~~2. Promotion of the public interest and a sense of community.~~
  - ~~3~~ 2. Conformity with the adopted Comprehensive Plan and other adopted plans of the City of Republic.
  - ~~4~~ 3. The ability of the available or planned infrastructure to provide adequate service to the proposed development.
  - ~~5~~ 4. The estimated impact of the proposed development on surrounding properties based on facts found pertaining to the purpose and intent of this Article.
  - ~~6~~ 5. A reliable and valid estimate of the costs and benefits of the proposed development upon the community.
  - ~~7~~ 6. The duly authorized partnership of the public and private sectors for mutual benefit.
- C. Rights/Privileges Conferred Upon Development Plan Approval. The approval of a Planned Development District by ordinance of the City Council of the City of Republic shall confer upon the applicant and any successive owners of the real property the conditional right to develop the land in accordance with the approved development plan.

**Section 405.250 Infrastructure Design And Construction.**  
**[Ord. No. 18-10, 2-13-2018]**

- A. Procedure. The design, review, and permitting of the construction of the infrastructure planned for the development shall proceed according to the provisions of Chapter **410** of the City of Republic's Municipal Code of Ordinances.
- B. Evaluation Criteria. Permits for land disturbance or construction of any improvements to the real property shall **be** not be issued except upon a determination by the Community Development Department that the designs are in substantial conformity to the approved development plan. Substantial conformity shall be determined according to the following criteria:
  1. Conformity to the arrangement and type of land uses articulated by the approved development plan.
  2. Conformity to the circulation plan articulated by the approved development plan.
  3. Conformity to the Standards and Specifications for Public Improvements.
  4. Conformity to the transitional elements articulated by the approved development plan.

5. Conformity to the applicable minimum requirements of the City of Republic's Municipal Code of Ordinances ~~or~~ and other adopted codes or laws of the City, State, or Federal governments.
6. Conformity to any other amenities or design elements articulated by the approved development plan.

If the Community Development Department determines the design of the development to not be in substantial conformity, the Community Development Director and/or their designee shall transmit such findings, in writing, to the applicant along with a statement of the specific areas found to be in non-conformity. A determination of non-conformity may be appealed to the Board of Adjustment pursuant to the provisions of Article **XII** of Chapter **405** of the City of Republic's Municipal Code of Ordinances.

- C. Amendments To The Plan. Minor amendments to the development plan shall be submitted for staff review and approval. If staff determines that the changes are a substantial change to the development plan then the matter may be referred to Council to approve, amend or deny the proposed changes. Amendments to the approved development plan may be forward to the Planning and Zoning Commission and City Council according to the same procedure for original adoption.

**Section 405.260 Platting.**  
**[Ord. No. 18-10, 2-13-2018]**

- A. Tentative Plat Approval. The Development Plan reviewed by the Planning and Zoning Commission and approved by the City Council may serve as a preliminary plat. If a more specific and detailed preliminary plat is required by either the Community Development Director or the applicant, such preliminary plat shall conform to the requirements of Article **III** of Chapter **410** and shall be reviewed and approved by City Council.
  1. If phased construction is not planned, the construction and final platting shall be completed within 4 years of the date of approval of the development plan.
  2. If phased construction is planned, the construction and final platting of the first phase shall be completed within 2 years of the date of approval of the development plan. If the first phase has been constructed and a final plat issued, subsequent phases may be submitted covering portions of the approved development plan; provided, however, that all phases of the development plan and final platting must be completed within 8 years of the date of approval of the development plan.
  3. If the development plan and final platting have not been completed within the timeline set in this Section, then the development plan shall be resubmitted to the City for extension and approval in accordance with the provisions of Section 410.150 hereof. If an extension and

approval is not granted, the original development plan approval shall be null and void. It shall not be the responsibility of the City to notify the applicant of an expired development plan.

- B. Final Plat Approval. Upon the satisfactory completion of the construction of all required infrastructure and other site elements or amenities, or else by the security of the same by an appropriate financial surety, the applicant may submit a final plat document in accordance with the provisions of Chapter **410** of the City of Republic's Municipal Code of Ordinances.





## EXHIBIT D

**Project/Issue Name:** ORD 21-003. Public Hearing and Possible Vote to Recommend the Approval of Amendments to Section 415 Sign Regulations

**Submitted By:** BUILDS Department

**Presented By:** Chris Tabor, Principal Planner

**Date:** March 08, 2021

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### ISSUE IDENTIFICATION

Consideration to approve Amendments to Chapter 415 Sign Regulations

### DISCUSSION AND ANALYSIS

The City of Republic is requesting Amendments to Chapter 415 Sign Regulations in order to provide a more comprehensive ordinance that clarifies City rules and regulations while placing the community in a better position to receive and respond to the needs of new businesses.

Please note that many of the changes made by this amendment are covered only generally by reference in the following section, "Housekeeping Items." More substantial changes, as well as all changes to Section 415.020 Definitions, have been noted separately by their designated sections.

#### Section 415 Housekeeping Items

- A number of the alterations made throughout the ordinance concern the need to modernize language, correct existing errors, or clarify meaning.

#### Section 415.020 Definitions

##### Added Definitions

- **Animated/Animation:** Refers to the employment of physical motion, the illusion of motion, or light or color changes created through mechanical or electrical means.

##### Revised Definitions

- **Attached Sign (Sign, Wall):** Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, engraved on, etched on, or supported by any part of a building's wall, awning, canopy, marquee, parapet, sunshield, window, door or similar item.

## EXHIBIT D

**Such a sign may not extend beyond any further than eighteen (18) inches from the connected structure nor extend beyond the edge of the wall to which it is attached.**

- **Business Area:** Any district designated under Chapter 405 of the Republic City Code for office, commercial or industrial use, **including Planned Development Districts whose development plans contain districts with similar purpose(s).**
- **City Building Inspector:** The City ~~Building~~ Inspector of the City of Republic, Missouri, or his/her designated representative of the Community Development Department.
- **Directional Sign:** A ~~pole-freestanding~~ or monument sign, located on private property, which directs vehicular traffic. The sign may display arrows, words or other symbols to indicate the direction of the facilities. No goods or services for sale may be listed.
- **Effective Area:** The surface area enclosed by the minimum imaginary arrangement of three-dimensional geometric figures ~~or combination of contiguous rectangles, composed of vertical and horizontal lines~~ which fully contain all extremities ~~extreme limits of the copy on a~~ the sign. ~~This rectangle, or combination of contiguous rectangles, is to be calculated from an orthographic projection of the sign viewed horizontally. The viewpoint for an orthographic projection shall be rotated horizontally around the sign to give the largest rectangle. For flat signs, this viewpoint is opposite a corner. If elements of the sign are movable or flexible, as a flag or string of lights, the measurement shall be taken when the elements are fully extended and parallel to the plane of view. The sign seen from this viewpoint is then enclosed within the smallest plane of view. The sign seen from this viewpoint is then enclosed within the smallest rectangle, or combination of contiguous rectangles, which fully contains the sign. The area of the rectangle, or combination of contiguous rectangles, is the "effective area" of the sign. A combination of contiguous rectangles may be used with more than one (1) surface containing copy.~~
- **Flags:** A construction of fabric, plastic or paper depicting through symbols, characters, design or letters a nation, or political subdivision ~~or business~~ when hung, without frame, from a ~~staff or~~ pole.
- **Setback:** The horizontal distance between the curb-property line and a vertical projection from that portion of the sign nearest the curb-property line.
- **Sign, Freestanding:** A type of detached sign which is supported by one (1) or more uprights, poles or braces affixed to the ground, not attached to the principal building or structure. The bottom of the sign face shall be no closer than eight (8) feet from the ground below the sign except where alternative height and distance of signage from grade have been specified.

**EXHIBIT D**

- **Sign, Monument:** A **type of detached** sign supported by the ground, not attached to the principal building or structure, where the bottom edge of the sign is on or in the ground.
- **Sign, Projecting:** Any sign which is attached to and projects **more than eighteen (18) inches** from a surface or building face.

**Section 415.030 Exempt Signs**

- Exempt Signs
  - **415.030.A** – Removed the following exemptions
    - Banner Signs
    - Directional Signs
  - **415.030.A.10.g** – Clarified language to match its intention that each sign may be four square feet.
    - Attached incidental sign, which pertains to goods, products, services or facilities that are available on the premises where the sign is located, but only tangentially related to the main activities or purpose of the business, not exceeding **a total of** four (4) square feet in effective area per business.
  - **415.030.A.12** – Added specifications for Menu board signs to
    - Clarified that such signs may be for the service of walk-up customers
    - Set restrictions on number of menu board signs based on walk-up service windows and drive thru lanes
      - 1 per each.
    - Clarified size allowance for menu board signs that facilitate double-faced signage
      - Maximum of 60 Sq Ft per side

**Section 415.080 For Signs in Business Areas**

- **415.080.B – General Provisions**
  - Commercial signs may not locate within 25 feet of a non-business area
- **415.080.B – Detached Signs**
  - Maximum height changed from 25 feet to 40 feet. This amendment is designed to provide more options to businesses desiring greater visibility in a growing marketplace
  - Prohibits signs from encroaching upon an easement

**Section 415.110 Directional Signs**

- New guidelines provide clarification on the purpose of directional signage, allowable height and area, and how such signs interact with the greater sign ordinance.



**EXHIBIT D**

**STAFF RECOMMENDATION**

Staff recommends the approval of the referenced Amendments.

# Chapter 415

## Sign Regulations

### Section 415.010 **Purpose.** [CC 1999 §26-110]

- A. This Chapter provides standards for the erection and maintenance of signs. All signs shall be erected and maintained in accordance with these standards. The general purpose of these standards is to promote, preserve and protect the health, safety, general welfare, convenience and enjoyment of the public and to preserve and protect the aesthetic quality of the City of Republic, and to achieve the following:
1. *Safety.* To promote the safety of persons and property by providing that signs:
    - a. Do not create a hazard due to collapse, fire, collision, decay, abandonment or other safety considerations; and
    - b. Do not create traffic hazards by confusing or distracting motorists.
  2. *Landscape quality and preservation.* To protect the public welfare and to enhance the appearance and economy of the City, by providing that signs:
    - a. Do not interfere with scenic views;
    - b. Do not constitute a nuisance to occupancy of adjacent property by their brightness, size, height or movement;
    - c. Do not negatively affect the City's tourism industry;
    - d. Do not create or worsen visual clutter or visual blight;
    - e. Do otherwise protect and preserve a quality landscape in the City; and
    - f. Do otherwise enhance the appearance and economy of the City.

### Section 415.020 **Definitions.** [CC 1999 §26-111; Ord. No. 04-71 §1, 12-27-2004; Ord. No. 05-23 §1, 3-28-2005]

As used in this Chapter, the following words, terms and phrases shall have the meanings respectively ascribed to them by this Section:

#### **ANIMATED/ANIMATION**

**Refers to the employment of physical motion, the illusion of motion, or light or color**

**changes created through mechanical or electrical means.**

**ATTACHED SIGN (SIGN, WALL)**

Any sign substantially and permanently attached to, applied on, structurally connected to, painted on, engraved on, etched on, or supported by any part of a building's wall, awning, canopy, marquee, parapet, sunshield, ~~window~~, door or similar item. **Such a sign may not extend beyond any further than eighteen (18) inches from the connected structure nor extend beyond the edge of the wall to which it is attached.**

**ATTENTION ATTRACTING DEVICES**

Any animated, mechanical or stuffed item designed to promote, advertise, demonstrate or call attention to any commercial, office, retail or service business or activity.

**BANNER**

A sign made of fabric or any other non-rigid material with no enclosing framework.

**BUILDING CODE**

The Building Code of the City of Republic, Missouri, together with any related Code(s) adopted by the City, and any regulations adopted in conformance therewith.

**BUSINESS AREA**

Any district designated under Chapter **405** of the Republic City Code for office, commercial or industrial use-, **including within the boundaries of areas of similar purpose as they are delineated within Planned Development Districts.**

**CITY BUILDING INSPECTOR**

The City ~~Building~~ Inspector of the City of Republic, Missouri, or his/her designated representative of the Community Development Department.

**[Ord. No. 16-23 § 1, 11-28-2016]**

**COMMERCIAL**

Relating to the sale of goods or services.

**COPY**

The letters, figures, characters, representations, pictures or wording on a sign, including any identification, description, symbol, trademark, object, design logo, illustration or device illuminated or non-illuminated which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem or painting designed to advertise, communicate, identify or convey information.

**DIRECTIONAL SIGN**

A ~~pole~~-**freestanding** or monument sign, located on private property, which directs vehicular traffic. The sign may display arrows, words or other symbols to indicate the direction of the

facilities. No goods or services for sale may be listed.

### **EFFECTIVE AREA**

The **surface** area enclosed by the minimum imaginary **arrangement of three-dimensional geometric figures** ~~or combination of contiguous rectangles, composed of vertical and horizontal lines~~ which fully contain all ~~extremities~~ **extreme limits of the copy on a** the sign. ~~This rectangle, or combination of contiguous rectangles, is to be calculated from an orthographic projection of the sign viewed horizontally. The viewpoint for an orthographic projection shall be rotated horizontally around the sign to give the largest rectangle. For flat signs, this viewpoint is opposite a corner. If elements of the sign are movable or flexible, as a flag or string of lights, the measurement shall be taken when the elements are fully extended and parallel to the plane of view. The sign seen from this viewpoint is then enclosed within the smallest plane of view. The sign seen from this viewpoint is then enclosed within the smallest rectangle, or combination of contiguous rectangles, which fully contains the sign. The area of the rectangle, or combination of contiguous rectangles, is the "effective area" of the sign. A combination of contiguous rectangles may be used with more than one (1) surface containing copy.~~

### **ERECT**

Attach, alter, build, construct, reconstruct, enlarge or move.

### **FLAGS**

A construction of fabric, plastic or paper depicting through symbols, characters, design or letters a **nation** or political subdivision ~~or business~~ when hung, without frame, from a **staff** ~~or~~ pole.

### **FLASHING LIGHT**

A continuously intermittent light or sequential light; but not including animation or lighting changes which change the copy of a sign.

### **FRONTAGE, BUILDING**

The wall of the building that faces the street abutting the property. If the building is located on a corner at an angle facing two (2) streets, the frontage shall be the wall of the building which faces the street with the highest average daily traffic count.

### **IDEOLOGICAL AND NON-COMMERCIAL SIGN**

A sign which does not name or advertise a product, service or business but only expresses a viewpoint, non-commercial message, opinion or idea. This includes commemorative plaques, historic markers, holiday decorations, political signs, political or fraternal flags or emblems, or protective signs which are commonly associated with safeguarding the permitted uses of a premises including, but not limited to "vicious dog", "no trespassing", "neighborhood watch" and "authorized parking only".

### **LOT**

A parcel of land under one (1) ownership designated as a separate and distinct tract and identified by a tract or lot number or symbol in a duly approved subdivision plat of record.

### **MENU BOARD**

An on-premise sign utilized by the public patronizing a drive-through business as to a bill of fare or other products or services.

### **NON-BUSINESS AREA**

Any area within a residential zoning district, including areas therein where legal non-residential uses are present.

### **NON-COMMERCIAL**

Relating to a public service, religion, charity, idea or similar item.

### **OFF-PREMISES SIGN**

A sign structure advertising an establishment, merchandise, service or entertainment which is not sold, produced, manufactured or furnished at the property on which said sign is located, e.g. "billboards", "outdoor advertising" or "off-site sign".

### **ON-PREMISES SIGN**

A sign which pertains to the use of the premises on which it is located and maintained.

### **PERMANENT SIGN**

Any wall or monument sign or other sign which is intended remain displayed.

### **PERSON**

Any individual, corporation, association, firm, partnership, institution or other legal entity, singular or plural.

### **PREMISES**

Any tract of land, consisting of one (1) or more lots, under single or multiple ownership, which operates as a functional unit. When developed, a premises shall also possess one (1) or more of the following criteria:

1. Shared parking.
2. Common management.
3. Common identification.
4. Common access.
5. Shared circulation.

### **SETBACK**

The horizontal distance between the ~~curb~~ property line and a vertical projection from that



portion of the sign nearest the ~~curb~~-property line.

## **SIGN**

Any object principally designed to convey a message, including sign structure and decorative cover. Examples of signs include, but are not limited to: message boards, changeable copy boards, pennants, flags, billboards, and streamers.

## **SIGN, DETACHED**

A sign not attached to or painted on a building, but which is permanently affixed to the ground, otherwise known as a monument or freestanding sign. A sign attached to a flat surface such as a fence or a wall not a part of a building shall be considered a detached sign.

## **SIGN, FREESTANDING**

A type of detached sign which is supported by one (1) or more uprights, poles or braces affixed to the ground, not attached to the principal building or structure. The bottom of the sign face shall be no closer than eight (8) feet from the ground below the sign except where alternative height and distance of signage from grade have been specified.

## **SIGN, MONUMENT**

A type of detached sign supported by the ground, not attached to the principal building or structure, where the bottom edge of the sign is on or in the ground.

## **SIGN, PROJECTING**

Any sign which is attached to and projects more than eighteen (18) inches from a surface or building face.

## **SIGN, ROOF**

Any sign erected upon, against or directly above a roof.

## **SIGN STRUCTURE**

Any structure which supports, has supported, or is designed to support a sign, including any decorative cover, exclusive of any copy.

## **SIGN, WALL**

Any sign in a parallel plane to and attached, installed, painted, engraved or etched upon a structure's wall, awning, canopy, marquee, parapet, sunshield, window, door or similar item.

## **STP URBAN SYSTEM**

Surface Transportation Program (Urban System) is a network of roads and highways that qualify for Federal aid under the Inter-modal Surface Transportation Efficiency Act.

## **STREET GRADE**

The highest altitude of the street vertically under any portion of the sign or its supports.

## **USE**

The purpose for which a building, lot, sign or other structure is arranged, intended,

designed, occupied or maintained.

**Section 415.030 Exempt Signs.**

**[CC 1999 §26-112; Ord. No. 99-42 §1, 9-27-1999; Ord. No. 04-64 §1, 10-11-2004; Ord. No. 08-67 §1, 9-8-2008]**

- A. The following signs shall not require the issuance of a sign permit but must be in conformance with all other sign regulations and the Building Code. These signs are allowed in addition to all other signs allowed under this Chapter.
1. *Address numbers.*
    - a. Address numbers for each residential building and business address numbers not exceeding one (1) square foot in effective areas per character, and one (1) name plate not exceeding two (2) square feet in effective area per dwelling unit or business. All address numbers and name plates shall be attached signs, except as follows:
    - b. If a building is more than one hundred (100) feet from the street, its address numbers may be detached.
  - ~~2. *Banner signs. One (1) banner sign per business premises, which is not over thirty-six (36) square feet in effective area.*~~
  - ~~3. *Directional signs. Detached on premises directional signs which do not exceed five (5) square feet in effective area. Any logo, business name, product, or service identification, or other advertising shall not exceed twenty percent (20%) of the effective area. No part of the sign shall exceed four (4) feet in height above street grade or four (4) feet in height above the lowest level of the ground under the sign if elevation of premises at sign location is more than twelve (12) inches above street grade, excluding berms or other landscaping features.*~~
  - ~~42. *Election signs.* Any sign erected for an election campaign, provided that said sign is removed ten (10) days after election is final.~~
  - ~~53. *Flags.* Flags of any nation, State or political subdivision provided:~~
    - a. If the flag is flown from a flagpole, such flagpole shall be a minimum of four (4) times the length of the flag but shall not exceed over sixty (60) feet in height from finished grade.
  - ~~64. *Government sign.* Any sign erected or maintained by or for any agency of government pursuant to and in discharge of any governmental function or required or authorized by law, ordinance or governmental regulations; or any sign erected in cooperation with the City or other government agency for the purpose of promoting the City or community.~~

- 75.** *Holiday decorations.* Holiday decorations in season.
- 86.** *Internal signs.* Any on-premises sign, the copy of which cannot be viewed from a street right-of-way or adjoining property.
- 97.** *Neighborhood identification sign.* A detached sign, masonry wall, landscaping or other similar material or features which are combined to form a display for neighborhood or tract identification, provided that the legend of such display shall consist of only the neighborhood, tract name or historic district.
- 108.** *Real estate sale, lease and construction signs.* One (1) detached or attached non-illuminated temporary on-premise and/or off-premise sign each pertaining to the construction, sale or lease of real estate. Such sign shall not exceed thirty-two (32) square feet in effective area in business areas and not to exceed four (4) square feet in effective area in non-business areas. One (1) additional sign shall be permitted in both business and non-business areas if the premises on which they are located either has at least two hundred fifty (250) feet of frontage, contains more than five (5) acres, or has frontage on more than one (1) street. All such signs shall be removed within seven (7) days after the closing of the sale or lease.
- 119.** *Vehicular signs.* Any sign permanently attached to a motor vehicle which is traveling or lawfully parked where the primary purpose of such parking is not the display of any sign. This definition shall not include signs in transit to a site of permanent use.
- 1210.** *Miscellaneous exempt signs.*
- a. A sign located on machinery or equipment which is necessary or customary to the business, including such devices as gasoline pumps or vending machines, which does not increase the size of the surface area or alter the shape of the machine or equipment.
  - b. Private street or road name signs.
  - c. "No trespassing", "no dumping", "no loitering" and like signs not exceeding one (1) square foot.
  - d. Signs warning the public of the existence of danger, but containing no advertising material, to be removed upon subsidence of the danger for which warning is being given and not exceeding one (1) square foot in effective area.
  - e. A sign on facilities located in City parks which provides information that is incidental to a sponsored activity such as scoreboards, time clocks, benches or signs in concession stands.
  - f. A detached or attached temporary sign not exceeding thirty-two (32) square feet in background area advertising drives or events of a civic, philanthropic, educational,

religious, political or similar nature, provided that said sign is posted only during said drive or event for no more than sixty (60) days per year and is removed within twenty-four (24) hours after an event.

- g. Attached incidental sign, which pertains to goods, products, services or facilities that are available on the premises where the sign is located, but only tangentially related to the main activities or purpose of the business, not exceeding ~~a total of~~ four (4) square feet in effective area per business.

~~1311.~~ *Personal property sales, moving sales, garage sales or yard sales signs.* Posting of such signs shall not be permitted more than one (1) day prior to the sale and must be removed by the last day of the sale. Posting of such signs shall be permitted on public property, including right-of-way, and shall be further governed by Sections **415.050** and **415.060**.

~~1412.~~ *Menu board signs ~~in drive-thru facilities.~~*

- a. ~~Shall be located at the rear fifty percent (50%) of the principal building; and~~ **Shall be allowed in a business area at a rate of:**
  - i. One menu board per drive thru lane.**
  - ii. One menu board per ordering window not serving a drive thru lane.**
- b. Shall ~~have a sign envelope that does~~ not exceed sixty (60) square feet in area **on any one side containing copy**; and
- c. Shall be limited to internally lit indirect lighting

**Section 415.040 Exempt Operations.**  
[CC 1999 §26-113]

- A. The following operations shall not require the issuance of a sign permit:
  1. Changing of the copy describing products or services on an existing permitted sign which is specifically designed for the use of manually or automatically changeable copy including billboard panels and posters; but not including changes in the **materials**, structure, size, placement or location of the sign.
  2. Maintenance, including repainting, refurbishing, cleaning or other normal repair of a sign not involving structural changes.

**Section 415.050 General Sign Provisions.**  
[CC 1999 §26-114; Ord. No. 10-26 §2, 6-14-2010]

- A. The provisions of this Section shall apply to all signs in the City, without regard to their

classification as a business or non-business sign.

- B. *General Provisions.* All signs are prohibited except as allowed by this Chapter.
1. *Public areas.* No sign other than a government sign shall be allowed, which is located within or projects over any public property, including rights-of-way, except where the building is located on or within three (3) feet of the property line. No such signs are allowed in the right-of-way of any thoroughfare designated as part of the STP Urban System. In no instance shall signs project beyond a vertical plane two (2) feet inside the curb line from any building and the bottom of said sign shall not be less than ten (10) feet above the highest level of the ground under the sign at the sign's lowest point.
  2. *Parking spaces.* No sign shall occupy a parking space necessary to satisfy minimum off-street parking requirements.
  3. *Sign illumination.* Illuminated signs shall be designed, located and constructed to eliminate or significantly reduce glare and shall not increase the lighting intensity upon adjoining premises not under the same ownership and control.
  4. *Sign condition.* No person shall maintain or allow to be maintained on any premises owned or controlled by that person any dangerous or defective sign. All signs, together with all their supports, braces, connections or anchors, shall be kept in good repair. Unsafe signs, damaged or deteriorated signs or signs in danger of breaking apart or falling shall be removed or repaired by their owner. Any fading, chipping, peeling or flaking of paint, plastic or glass; or any mechanical, electrical or structural defect shall be corrected upon written notice by the Republic Community Development Department. **[Ord. No. 16-23 § 1, 11-28-2016]**
  5. *Compliance with Building Codes.* All signs shall be erected or affixed and maintained in compliance with the Republic Building Code.
  6. *Signs at street intersections.* Signs may be erected in the street intersection sight triangles; however, any sign must be at least ten (10) feet above street grade except for supports, which may not exceed one (1) foot in width or diameter or be spaced less than ten (10) feet apart from any other stationary object. Sight triangles shall be established in accordance with Table 405.910. The Community Development Department may require additional triangle area for clear sight and safety as determined by a traffic study for special conditions. **[Ord. No. 16-23 § 1, 11-28-2016]**
  7. *Signs at street/driveway intersections.*
    - a. Signs may be erected in the street/driveway sight triangles, however, any sign must be at least ten (10) feet above street grade except for supports, which may not exceed one (1) foot

in width or diameter or be spaced less than ten (10) feet apart from any other stationary object.

- b. A street/driveway sight triangle is formed by the intersection of a public or private street and a driveway (see Figure 415.050) where the triangle area is that area encompassed within two (2) intersecting lines formed by the edge of the pavement, curb, roadway or projection thereof and extending forty (40) feet down the street from the right edge of the driveway when standing in the driveway facing the street, and extending eleven (11) feet from the edge of the street extending up the driveway pavement, and a third (3rd) imaginary line connecting the extremities of the other two (2) without overlaying the pavement. On the left side of the driveway, the triangle shall be measured by measuring sixty-five (65) feet down the street pavement from the edge of the driveway and measuring eleven (11) feet down the driveway pavement from the edge of the street, and an imaginary third (3rd) straight line connecting the extremities of the other two (2) without overlaying the pavement. (See Figure 415.050)[\[Image\]](#)

#### FIGURE 415.050

8. *Ideological or non-commercial signs.* Any sign permitted under this Chapter may contain ideological or non-commercial copy in lieu of any other copy.

#### Section 415.060 **Prohibited Signs.** [CC 1999 §26-115]

A. The following signs are prohibited, which:

- ~~1.~~ ~~Concern unlawful activity;~~
- ~~21.~~ Operate or employ any motion picture projection in conjunction with any advertisements;
- ~~32.~~ Employ any searchlights, strobe lights, balloons or similar attention ~~getting-attracting~~ devices;
- ~~43.~~ May be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle by reason of their size, location, movement, content, coloring, or manner of illumination;
- ~~54.~~ Hide from the view of those to whom the device is directed, any traffic or street sign or signal or similar device;
- ~~65.~~ Are temporary, except as specifically allowed in this Code;
- ~~76.~~ Signs other than those specifically allowed by Section 415.030(10) that are capable of being carried, wheeled or moved from one location to another;

- 87.** Signs which are attached to any tree, fence, branch, another sign or utility pole except warning signs issued and properly posted by the utility company.

**Section 415.070 Temporary Banners.**  
**[CC 1999 §26-116; Ord. No. 04-71 §1, 12-27-2004]**

*A. Temporary Banners Permitted.*

1. Except as otherwise exempted in Section **415.030**, or provided in this Section, temporary banners may only be used in a business area.
- ~~2. In non-business areas, each premises may display one (1) temporary banner not exceeding four (4) square feet in effective area for up to seven (7) consecutive days twice each calendar year.~~

*B. General Provisions.*

1. The effective area shall not exceed thirty-five (35) square feet.
2. All temporary banners shall be attached ~~banners~~ **to a permanent structure.**
3. Each business may display one (1) attached temporary banner as set forth below.

*C. Temporary Banners — Duration Of Display.*

1. A business or premises shall be allowed to display a temporary banner for not more than thirty (30) days per display period and **for a total of** not more than ninety (90) days per calendar year.
2. No temporary banner shall be displayed without obtaining a new permit before each display period.
3. In business areas, a temporary business with a valid business license and a temporary building permit may apply for and obtain a **special temporary sign** permit which would allow the use of a temporary banner for the period of **time outlined by** the **building temporary sign** permit. ~~Such a banner must be attached to a temporary or permanent structure and may not exceed thirty two (32) square feet in effective area.~~

- D. Temporary Banners — Emergency Uses.* In the event a sign or business is substantially damaged through fire, flood, act of God, insurrection, riot or similar emergency beyond the control of the business owner or occupant, a temporary banner shall be allowed for a period of time not to exceed sixty (60) days, unless the time period is extended by the Community Development Department for a continuing hardship. **[Ord. No. 16-23 § 1, 11-28-2016]**

Section 415.080 **Provisions For Signs in Business Areas.**

[CC 1999 §26-117; Ord. No. 99-42 §1, 9-27-1999; Ord. No. 04-71 §1, 12-27-2004; Ord. No. 05-23 §1, 3-28-2005; Ord. No. 07-20 §1, 4-9-2007; Ord. No. 08-18 §1, 2-25-2008; Ord. No. 08-67 §1, 9-8-2008]

A. *General Provisions.* These provisions shall apply to all permanent signs in business areas as defined in this Chapter.

1. A sign in a business area shall ~~conform to regulations for a sign in a non-business area if the sign is within~~ **be further than** twenty-five (25) feet ~~of from~~ a non-business area.
2. Flashing lights or animation on signs in business areas shall be placed at least ten (10) feet above street grade.
3. Both on-premises or off-premises signs are allowed in general commercial and less restrictive zoning districts. Only on-premises signs are allowed in more restrictive districts. Off-premises detached signs shall conform to the standards for on-premises **detached** signs, with the following exceptions:
  - a. Off-premises detached signs shall maintain a minimum front yard setback of twenty-five (25) feet. [Ord. No. 15-19 §1, 8-10-2015]
  - b. Off-premises detached signs shall maintain a maximum radius of one thousand five hundred (1,500) feet between all other off-premises detached signs. Off-premises detached signs shall maintain a maximum height of forty (40) feet and a maximum effective area of four hundred (400) square feet. [Ord. No. 15-19 §1, 8-10-2015]
  - c. Off-premises detached signs are prohibited within one hundred twenty-five (125) feet of a non-business area.
4. Sign regulations enforced by the Missouri Highway and Transportation Commission along the primary highway system in the City shall take precedence over any less restrictive requirements of this Chapter.
5. ~~All heights specified in this Code shall be measured from street grade at a point perpendicular to facing street unless otherwise specified.~~

B. *Detached Signs.* Detached signs are allowed in business areas.

1. A premises ~~fronting on a collector street~~ **with frontage along a given street** shall be allowed a detached sign with an effective area determined by adding fifty (50) square feet to a ratio of one (1) square foot of effective area per lineal foot of frontage along the ~~collector~~ **given** street.



2. Each premises shall be allowed one (1) permanent detached on-premises or off-premises sign. Premises with frontage on more than one (1) street shall be permitted to have one (1) additional on-premises sign per side.
3. Premises which have more than four hundred twenty-five (425) feet of frontage along a street may have one (1) additional detached sign for each additional four hundred twenty-five (425) feet of frontage or fraction thereof, provided a minimum of three hundred (300) feet of separation is maintained between signs on a given premises.
4. The maximum effective area for any detached business sign shall be three hundred (300) square feet.
5. Each detached sign shall not exceed a maximum height of ~~twenty five (25)~~ **forty (40)** feet.
6. A minimum setback of ten (10) feet will be required from the property line for monument signs and a minimum setback of five (5) feet from the property line for freestanding signs.

**7. No portion of the sign or its supporting apparatus shall encroach upon an easement.**

- C. *Attached Signs.* Attached signs are allowed in business areas in accordance with the following provisions:
1. Each business shall be allowed an attached sign. In the event the business does not front on a street, it shall be allowed signage as if it fronted on a local street. ~~The attached sign shall not extend any further than eighteen (18) inches from any part of the structure, i.e. awning, canopy, door, marquee, parapet, sunshield, wall or similar item. Attached signs do not include signs on the inside or outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, these shall be subject to total square footage limitations. An attached sign shall not extend beyond the wall edge.~~
  2. The total effective area of all wall signs allowed for a business shall be calculated **in the following manner:** ~~based upon the lineal footage of each wall having frontage on a street. If the business has frontage on any street other than a local street, the effective area shall not exceed three (3) square feet per lineal foot of the wall length. If the business has frontage on a local street, the effective area shall not exceed one-half (1/2) square foot per lineal foot of the wall length.~~
    - a. **One-half (1/2) square foot will be allotted per lineal foot of the building's wall length along a local street.**
    - b. **Three (3) square feet will be allotted per lineal foot of the building's wall length along a street with classification of collector, secondary arterial, primary arterial, or highway.**

3. A premises may have a roof sign only if it does not have a detached or projecting sign. No part of the sign shall extend beyond any wall. The methodology used to determine the effective area allowed for detached signs shall be used to calculate the effective area allowed for roof signs.
  4. A business may have a projecting sign only if it does not have a roof sign or a maximum number or allowable detached signs for that premises. Where a business frontage would allow the use of two (2) or more detached signs, a projecting sign may be substituted for one (1) of the detached signs. Projecting signs shall have a minimum clearance of ten (10) feet above the highest level of the ground under the sign at the sign's lowest point and shall not exceed twenty (20) square feet in effective area.
  5. Each premises containing more than one (1) business shall reserve one (1) detached sign to identify either the entire premises, or businesses located there, desiring to be identified, unless otherwise approved by the Community Development Department. **[Ord. No. 16-23 § 1, 11-28-2016]**
- D. Menu board signs shall be governed by the provisions of Section **415.030** paragraph (14).
- E. Commercial subdivision signs shall:
1. Be limited to one (1) subdivision sign per entrance.
  2. Not exceed an effective area of three hundred (300) square feet.
  3. Not exceed a height of twenty-five (25) feet.
  4. Comply with all other applicable provisions of the sign ordinance (i.e., "Intersection Clear Sight Triangle").
  5. Be limited to displaying the names of companies located in the subdivision and no advertising matter shall be allowed on the sign.
  6. Not supersede any other detached signs allowed within this Section.
  7. Be placed in a sign easement.
  8. Have a minimum setback of ten (10) feet from the property line for a monument sign and a minimum setback of five (5) feet from the property line for freestanding sign.
  9. A sign permit is required for any commercial subdivision sign.
  - ~~10. Sign shall not be in sight triangle.~~

Section 415.090 **Provisions For Signs in Non-Business Areas.**  
 [CC 1999 §26-118]

A. *Single-Family And Two-Family Residential Districts.* These provisions shall apply to all permanent signs in non-business areas:

1. Dwelling units in single-family or two-family zoning districts shall be allowed to utilize any non-business sign described in Section **415.030**, Exempt Signs. Home occupations, as defined in Section **405.020**, and as allowed in Article **III** of Chapter **405** of this Title, shall be allowed one (1) on-premises detached sign, such sign shall not exceed five (5) square feet in effective area and four (4) feet in height. ~~No off-premises signs shall be allowed other than those specifically allowed by Section **415.070**, Temporary Signs.~~
2. Wall signs shall not be permitted. ~~however, this does not include signs on the inside or outside of windows except that any signs on the outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, shall not exceed five (5) square feet in effective area.~~
3. Flashing lights and animation are not allowed ~~except as seasonal decorations.~~

B. *Detached Signs.* Detached signs are allowed in non-business areas as follows:

1. Each premises containing a multi-family use or legal non-conforming use shall be allowed one (1) detached sign. Premises with more than seven hundred fifty (750) feet of frontage along a public street may have one (1) additional detached sign, provided a minimum of three hundred (300) feet of separation is maintained between signs, and a minimum setback of twenty-five (25) feet from adjacent property line is maintained for both signs.
2. A minimum front yard setback of ten (10) feet is required of all detached signs. No detached sign shall exceed thirty-two (32) square feet in effective area or eight (8) feet in height.

C. *Attached Signs.* Attached signs are allowed in non-business areas as follows:

Each premises containing a multi-family use or legal non-conforming use shall be allowed one (1) wall sign per wall, which shall ~~extend no further than eighteen (18) inches from the wall. The sign may contain the name and logo of the establishment, business or use and nothing else. Wall signs do not include signs on the inside or outside of windows except that any signs on the outside of the window, which do any advertising beyond merely identifying the business and giving the times it is open, shall~~ be subject to total square footage limitations. A wall sign shall not project beyond the wall edge. The total effective area of all wall signs allowed for a business shall be calculated based upon street frontage and whether or not the premises has a detached sign. Where a premises has no detached sign, the total effective area of all wall signs shall not

exceed one (1) square foot per linear foot of the wall length along the street or streets upon which the business fronts. Where a premises has a detached sign, the total effective area of all wall signs shall not exceed one-half (½) square foot per lineal foot of the wall length along the street or streets upon which the business fronts.

**Section 415.100 Legal Non-Conforming Signs.**  
**[CC 1999 §26-119]**

- A. *Non-Conforming Signs.* The sign for a legal non-conforming use shall be a legal non-conforming sign if the sign:
1. Was erected or attached prior to the adoption of this Chapter,
  2. Is on-premise, and
  3. Would have been legal if the use had been located in the most restrictive zoning district where the use is allowed by right.
- B. *Continuation Of Legal Non-Conforming Signs.* Any sign which was lawfully erected or affixed prior to such time as it came within the purview of this Chapter and which sign complied with all regulations in force at the time it was erected or affixed, but which fails to conform to all applicable regulations and restrictions of this Chapter, shall be considered a legal non-conforming sign. A legal non-conforming sign may be continued and shall be maintained in good condition, but shall not be:
1. Structurally altered (except to meet safety requirements) so as to prolong the life of the sign;
  2. Altered so as to increase the degree of non-conformity of the sign;
  3. Expanded;
  4. Re-established after damage or destruction of seventy-five percent (75%) of the value (tax value, if listed for tax purposes) or more of the non-conforming sign.
- C. *Abandoned Or Discontinued.* Abandonment or discontinuance occurs whenever:
1. The sign for a continuous period of three (3) months or more advertises services or products no longer available to the traveling public because the services or products have been discontinued or cannot be obtained at the destination or by the directions indicated on the sign; or
  2. The sign for a continuous period of three (3) months or longer is maintained without an advertising message. The following signs are signs maintained without an advertising message:

- a. A sign with a message which is partially obliterated so as not to identify a particular service or product;
- b. A sign which is blank or painted out;
- c. A sign with a message consisting solely of the name of the sign owner on any part of the sign.

**Section 415.110 Directional Signs.**  
**[CC 1999 §26-120]**

~~On-premises detached directional signs in excess of five (5) square feet in effective area shall be allowed in any area, provided such signs do not name or advertise any product, service or business, and the total allowable effective area of detached signs on the premises is not exceeded. A site plan locating all detached signs, including existing and proposed directional or instructional signs, shall be required prior to issuance of a sign permit.~~

**Directional signs shall:**

- A. Serve to guide circulation for the premises of either vehicular or foot traffic.**
- B. Not exceed four (4) feet in height above the ground under the sign.**
- C. Adhere to the guidelines of on-premises detached signs with the following exceptions:**
  - 1. Directional signs do not count towards the total number of detached signs allowed for the premises.**
  - 2. The effective area of directional signage does not contribute to the total effective area allowed for detached signs on the premises unless:**
    - a. The effective area of a given directional sign is greater than ten (10) square feet or**
    - b. Nonessential copy (such as a logo, business name, product, or service identification) occupies greater than 50% of the effective area of a given directional sign.**

**Section 415.120 Commercial Sign Overlay Districts.**  
**[CC 1999 §26-121; Ord. No. 08-18 §1, 2-25-2008]**

- A. Purpose. The purpose of the Commercial Sign Overlay Districts is to permit on-premises detached signs in proximity to the intersection of major highways and expressways, freeways or interstates. Larger and taller on-premises detached signs are deemed appropriate in these areas due to the orientation of the commercial activity located at these intersections.
1. *Highway Overlay District.* All signs located on a highway in a commercial district shall conform to Section **415.080**, Provisions for Signs in Business Areas, except for the

following:

- a. Property located within a one thousand two hundred (1,200) feet radius from the center of the intersection of the rights-of-way of U.S. Highway 60 and State Highway 174.
  - b. Property located within a one thousand two hundred (1,200) feet radius from the center of the intersection of the rights-of-way of U.S. Highway 60 and State Highway M.
  - c. The maximum effective area for any on-premises detached sign in a Highway Overlay District shall be three hundred (300) square feet and shall have a maximum height of thirty-five (35) feet.
2. *Expressway Overlay District.* All signs located in an Expressway Overlay District shall conform to Section **415.080**, Provisions for Signs in Business Areas, except for the following:
- a. Property located within a radius of one thousand five hundred (1,500) feet from the center of the intersection of the rights-of-way of U.S. Highway 60 or Sunshine Street and James River Freeway, Brookline Avenue or State Highway MM and James River Freeway or State Highway MM and I-44.
  - b. The maximum effective area for any on-premises detached sign in an Expressway Overlay District shall be four hundred (400) square feet and shall have a maximum height of sixty (60) feet.
3. *Railroad Overlay District.* Due to the restricted view caused by the railroad overpass and elevated road bed located near the intersection of U.S. Highway 60 and State Highway 174, a sign allowed by paragraph (1) and located on the west side of the railroad right-of-way within the radius described in paragraph (1)(a) shall have a maximum height of sixty (60) feet.
4. A premises that has any portion of the premises located within the radius established in paragraphs (1), (2) or (3) is authorized to have located on any portion of the premises the sign allowed under this Section so long as not otherwise prohibited by this Code.

**Section 415.130 Sign Permits and Inspections.**  
**[CC 1999 §26-122]**

**A. Permits Required. [Ord. No. 16-23 § 1, 11-28-2016]**

1. Except as otherwise provided in this Code, it shall be unlawful for any person to erect, repair, improve, maintain, convert or manufacture any sign or cause the same to be done without first obtaining a sign permit for each such sign from the Community Development Department. In connection with the sign permit, an application fee shall be charged, upon

receipt of an application for a sign permit. No sign permit shall be issued except to a person licensed to do business in the City or to a person exempt from the City licensing provisions.

2. Every sign permit issued by the Community Development Department shall become null and void if work on the sign is not commenced within one hundred eighty (180) days from the date of such permit. If work authorized by such permit is suspended or abandoned for ninety (90) days after the work is commenced, the sign shall be considered abandoned unless a new permit shall be first obtained to proceed with the work on the sign, provided that no changes have been made in the original plans.
- B. *License.* No person shall perform any work or service for any person or for any government entity in connection with the erection, repair, improvement, maintenance, conversion or manufacture of any sign in the City, or any work or service in connection with causing any such work to be done, unless such person shall first have obtained a business license and paid the license fees provided for by the City, or shall be represented by a duly licensed person.
- C. *Application For Permit.* Application for a permit shall be made to the Community Development Department upon a form provided by the City and shall be accompanied by such information as may be required to ensure compliance with all appropriate laws and regulations of the City including, but not limited to: **[Ord. No. 16-23 § 1, 11-28-2016]**
1. Name, address and business license number of permit application.
  2. Name and address of owner of sign.
  3. Name and address of the owner and the occupant of the premises where the sign is located or to be located.
  4. Name and address of architect and or engineer responsible for design (see latest building code adopted by the City, as established in Chapter **500**).

~~Drawings shall require a seal by an architect or an engineer when the sign is a roof sign, or the surface is twenty (20) feet or more from grade, or when the structural integrity of the sign is questioned.~~

5. Clear and legible drawings with description showing the precise location of the sign which is the subject of the permit and all other existing signs on the same premises or as otherwise specified by the Community Development Department.
6. Drawings showing the dimensions, construction supports, sizes, materials of the sign, and method of attachment and character of structural members to which attachment is to be made.

7. The Community Development Department shall issue a permit for work to be done on a sign when an application therefore has been properly made and the sign complies with all appropriate laws and regulations of the City.

**8. Drawings shall require a seal by an architect or an engineer when the sign is a detached sign, projecting sign, or roof sign, or as determined necessary by the Community Development Director.**

**9. Any prerequisite for drawings requiring a seal by an architect or an engineer may be waived by the Community Development Director as determined on an per case basis.**

**10. In such circumstances as those warranting the licensure of a sign by the Missouri Highway and Transportation Commission said license must be provided to the Community Development Department at the time that application is made.**

D. *Denial Or Revocation.* [Ord. No. 16-23 § 1, 11-28-2016]

1. The Community Development Department may, in writing, suspend, deny or revoke a permit issued under provisions of this Section whenever the permit is issued on the basis of a misstatement of fact, fraud or non-compliance with the Chapter.
2. When a sign permit is denied by the Community Development Department, written notice shall be given of the denial to the applicant, together with a brief written statement of the reason for the denial. Such denials shall have referenced the Section of the Sign Code or other pertinent Code used as a standard for the basis of denial.

Section 415.140 **Enforcement and Penalty.**  
[CC 1999 §26-123]

- A. *Removal Of Signs By The City.* The Community Development Department shall identify any signs that are illegal or endanger the public safety such as an abandoned, dangerous or materially, electrically or structurally defective sign or a sign for which no permit has been issued. [Ord. No. 16-23 § 1, 11-28-2016]
- B. *Revocation Of Permits, Utilities And City License.* Whenever the Community Development Department has ordered a person to correct a violation and when such violation has not been corrected within the time specified by such order, thereafter, the Community Development Department may institute an administrative action to revoke any and all permits issued by the City under which the activity is conducted, occupancy permits and the right to receive utilities for the activity of the building or structure wherein the activity is conducted. [Ord. No. 16-23 § 1, 11-28-2016]



- C. *Penalty For Violation.* If a person violates this Chapter or if a notice of a violation is not complied with within the time specified by the Community Development Department, then the Department may cause a Municipal Court summons to be issued and the Department may also request the City Attorney to institute the appropriate legal proceedings to obtain an injunction to restrain, correct or abate such violation or to require removal or termination of the unlawful use of the building or structure in violation of the provisions of this Code or of any order or direction made pursuant thereto. **[Ord. No. 16-23 § 1, 11-28-2016]**
- D. *Prosecution Of Violation.* Any person violating any of the provisions of the Building Code, or this Chapter, or failing to comply with any order issued pursuant to any Section thereof, or who shall erect, construct, alter or repair a sign in violation of an approved plan or directive of the Community Development Department or of a permit issued under the provisions of this Chapter shall be guilty of a violation of a municipal ordinance and upon conviction thereof shall be punished as provided by Missouri law, except the court shall hear evidence concerning the economic value of continuing the violation and shall assess a fine sufficient in the court's judgment to deter a continuation of the violation. Each day that a violation continues, after service of notice as provided for in this Chapter, and filing of charges in Municipal Court, shall be deemed a separate offense. Notice as required above shall not be required in order to prosecute a person for a violation of any provision of this Chapter. **[Ord. No. 16-23 § 1, 11-28-2016]**
- E. *Abatement Of Violation.* The imposition of the penalties herein prescribed shall not prevent the City Attorney from instituting appropriate action to prevent unlawful construction or to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or use of building or structure in or about any premises in violation of this Chapter.
- F. *Responsibility.* Any person who shall occupy the premises when the sign is erected or attached as lessee or licensed operator shall be jointly and severally responsible for compliance with the provisions of this Chapter in the same manner as the owner of the sign and of the premises.

**Section 415.150 Conflicts and Savings.**  
**[CC 1999 §26-124]**

- A. If the provisions of this Chapter conflict with other ordinances or regulations, the more stringent limitation or requirement shall govern or prevail to the extent of the conflict.
- B. If any Section, Subsection, sentence, clause or provision of this Chapter is held invalid, the remainder of this Chapter shall not be affected by such invalidity.