



AGENDA

**Planning and Zoning Meeting
Municipal Court Building, 540 Civic Blvd
October 07, 2024 at 6:00 PM**

Call Meeting to Order

Approve Agenda

Approve Minutes

- 1. Draft Minutes 8/12/24.** Possible Vote to Approve Minutes from Previous Planning and Zoning Commission Meeting held August 12, 2024.

Meeting Procedures

Public Hearings

- 2. REZN 24-016.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Three Point One (3.10) Acres, located at 3155 East Sawyer Road, from Eclipse Event Center Planned Development District (PDD) to Light Industrial (M-1).
- 3. PDD 24-003.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Twenty-Eight Point Eight-Eight (28.88) Acres, located at the 7200 Block of West Farm Road 170, from Kirkwood Estates Planned Development District (PDD 23-005) to Kirkwood Estates Planned Development District Amended (PDD).
- 4. VACA 24-002.** Recommending the Approval of An Application to Vacate a Portion of ROW along East Greentree Street.
- 5. VACA 24-003.** Recommending the Approval of An Application to Vacate a Portion of ROW along East Greentree Street.
- 6. ORD 24-002.** Public Hearing and Possible Vote to Recommend Approval of Amendments to Sections of Chapter 405 Zoning Regulations.

Other Business

Citizen Participation

Community Development Department Update

Adjournment

Individuals addressing the Board 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 417-732-3101 at least three days prior to the scheduled meeting. **All meetings are tape recorded for public viewing.**



MINUTES

**Planning and Zoning Meeting
Municipal Court Building, 540 Civic Blvd
August 12, 2024 at 6:00 PM**

Call Meeting to Order

PRESENT

Commissioner John Alexander
Commissioner Van Bridges
Commissioner Brian Doubrava
Commissioner Cynthia Hyder
Commissioner Michael Mann
Commissioner Kami Means
City Council Liaison Brian Fields

ABSENT

Chairman Ransom Ellis

Approve Agenda

Motion made by Commissioner Alexander, Seconded by Commissioner Mann.
Voting Yea: Commissioner Alexander, Commissioner Bridges, Commissioner Doubrava, Commissioner Hyder, Commissioner Mann, Commissioner Means

Approve Minutes

- 1. Draft Minutes 7/8/24.** Possible Vote to Approve Minutes from Previous Planning and Zoning Commission Meeting held July 8, 2024.

Motion made by Commissioner Mann, Seconded by Commissioner Alexander.
Voting Yea: Commissioner Alexander, Commissioner Bridges, Commissioner Doubrava, Commissioner Hyder, Commissioner Mann, Commissioner Means

Meeting Procedures

Associate Planner Patrick Ruiz read the meeting procedures.

Public Hearings

- 2. REZN 24-013.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Twenty-Five (25) Acres, Located at the 1100 Block of North Main Street, from Agricultural (AG) to Medium Density Single-Family Residential (R1-M).

Staff report presented by Chris Tabor, Principal Planner.

Speakers on behalf of application: Chris Wynn



Speakers in support of application: None
Speakers in opposition of application: None

Motion made by Commissioner Mann, Seconded by Commissioner Hyder.
Voting Yea: Commissioner Alexander, Commissioner Bridges, Commissioner Doubrava,
Commissioner Hyder, Commissioner Mann, Commissioner Means

- 3. **REZN 24-014.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Zero Point Four-Six (0.46) Acres, Located at 907 North Walnut Avenue, from Light Industrial (M-1) to Multi-Family Residential (R-3).

Staff report presented by Patrick Ruiz, Associate Planner.

Speakers on behalf of application: Keith Miller
Speakers in support of application: None
Speakers in opposition of application: None

Motion made by Commissioner Mann, Seconded by Commissioner Means.
Voting Yea: Commissioner Alexander, Commissioner Bridges, Commissioner Doubrava,
Commissioner Hyder, Commissioner Mann, Commissioner Means

- 4. **REZN 24-015.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Twenty-Four Point Three-Two (24.32) Acres, Located at 1 Convoy Drive, from General Commercial (C-2) to Heavy Industrial (M-2).

Staff report presented by Chris Tabor, Principal Planner.

Speakers on behalf of application: Ricky Haase
Speakers in support of application: None
Speakers in opposition of application: None

Motion made by Commissioner Mann, Seconded by Commissioner Alexander.
Voting Yea: Commissioner Alexander, Commissioner Bridges, Commissioner Doubrava,
Commissioner Hyder, Commissioner Mann, Commissioner Means

Other Business

Citizen Participation

BUILDS Department Update

- 5. The Planning and Zoning Commission is a state mandated body that performs a very important function. P&Z 101 is an opportunity for Commissioners and BUILDS Staff to better familiarize themselves with the purpose and powers of the Planning and Zoning Commission. Each month Staff will introduce a new topic and provide a brief summary to the Commission. Depending on the given topic certain materials, supporting statutes, ordinances, and adopted documents will be provided and covered.

This months topic: Process and Procedures - Findings of Facts and Testimony Considerations.

Staff asked that the P&Z 101 topic be removed from the agenda.

Motion made by Commissioner Alexander, Seconded by Commissioner Mann.

Voting Yea: Commissioner Alexander, Commissioner Bridges, Commissioner Doubrava, Commissioner Hyder, Commissioner Mann, Commissioner Means

Adjournment

Motion made by Commissioner Mann, Seconded by Commissioner Hyder.

Voting Yea: Commissioner Alexander, Commissioner Bridges, Commissioner Doubrava, Commissioner Hyder, Commissioner Mann, Commissioner Means

Chris Tabor, Principal Planner

Ransom Ellis, Chairman



EXHIBIT A

Project/Issue Name: REZN 24-016. Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Three Point One (3.10) Acres, located at 3155 East Sawyer Road, from Eclipse Event Center Planned Development District (PDD) to Light Industrial (M-1).

Submitted By: City of Republic

Presented By: Patrick Ruiz, Associate Planner

Date: October 7, 2024

ISSUE IDENTIFICATION

The City of Republic has applied to change the Zoning Classification of approximately 3.10 acres of property located at 3155 East Sawyer Road, from Eclipse Event Center Planned Development District (PDD) to Light Industrial (M-1).

DISCUSSION AND ANALYSIS

The property subject to this Rezoning Application consists of approximately 3.10 acres of land located at 3155 E. Sawyer Rd.; the property is currently vacant but was previously the site of the Brookline South Lift Station prior to it being relocated to the West within the Hankins Farm Subdivision in 2023.

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 residential and 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.**

- **Goal:** Recognize potential infill sites as opportunities for development, while mitigating impacts to adjacent, established properties.
 - **Objective:** Support the development of vacant parcels as opportunities for densification that is harmonious with surrounding development.
- **Goal:** Support new development that is well-connected to the existing community.
 - **Objective:** Encourage development that improves and expands upon existing infrastructure.
 - **Objective:** Promote development aligning with current adopted plans of the City.



EXHIBIT A

- **Goal:** Encourage the redevelopment and integration of the former Brookline area.
 - **Objective:** Support the development of an industrial/commercial center where infrastructure and transportation exist.

The Rezoning of this parcel is consistent with City's Adopted Plans.

Compatibility with Surrounding Land Uses

The subject property is adjacent to the Hankins Farm Planned Development District (PDD) to the west, east, and north property lines. The lots within the Hankins Farm PDD, neighboring the subject property, are assigned land uses permitted in the Light Industrial (M-1) Zoning District. It is also adjacent to Light Industrial (M-1) zoned parcels to the south across East Sawyer Street.

The Light Industrial (M-1) Zoning District is intended to permit and establish regulations to provide a designated location for restricted manufacturing and related uses which are separated from dissimilar uses.

Such rezoning would be compatible with the surrounding land uses.

Capacity to Serve Potential Development and Land Use

Municipal Water and Sewer Service:

City Water and Sewer systems have capacity to serve this property if the application is approved.

The property has access to wastewater infrastructure through a 15" inch gravity sanitary sewer line that runs through the property from east to west, parallel to the floodplain, to an existing Lift Station. Effluent would travel through gravity lines to the Brookline South Lift Station, McElhaney Lift Station, and the Shuyler Creek Lift Station before being pumped through a series of force mains to the Wastewater Treatment Facility.

Water is currently available to the site through an 8" water main in close proximity to the east and a 12" water main across Sawyer Road.

The water system, named Lift Stations, and Wastewater Treatment Facility currently have capacity to serve the intended use.

Transportation:

The property has access off Sawyer Road, a Secondary Arterial class road.



EXHIBIT A

The Traffic Impact Study (TIS) requirement for this Rezoning Application has been waived; however, the City still reserves the right to conduct a TIS if the application for the site was a commercial land use in nature.

Floodplain: The subject parcel **does** contain a **Special Flood Hazard Area (SFHA/Floodplain)**; development of the parcels will require compliance with the City's Floodplain Regulations and associated ancillary permits from the Corps of Engineers for the identified blue line stream.

Sinkholes: The subject property **does not** contain an identified sinkhole.

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.**

Owner/Applicant
City of Republic

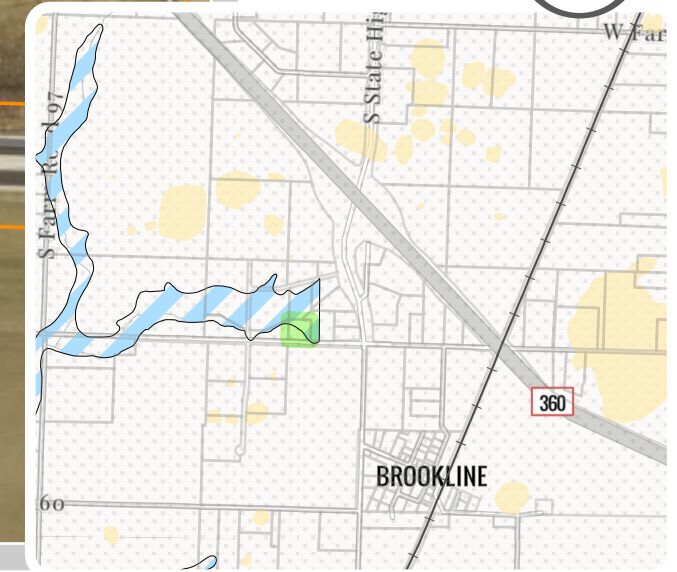
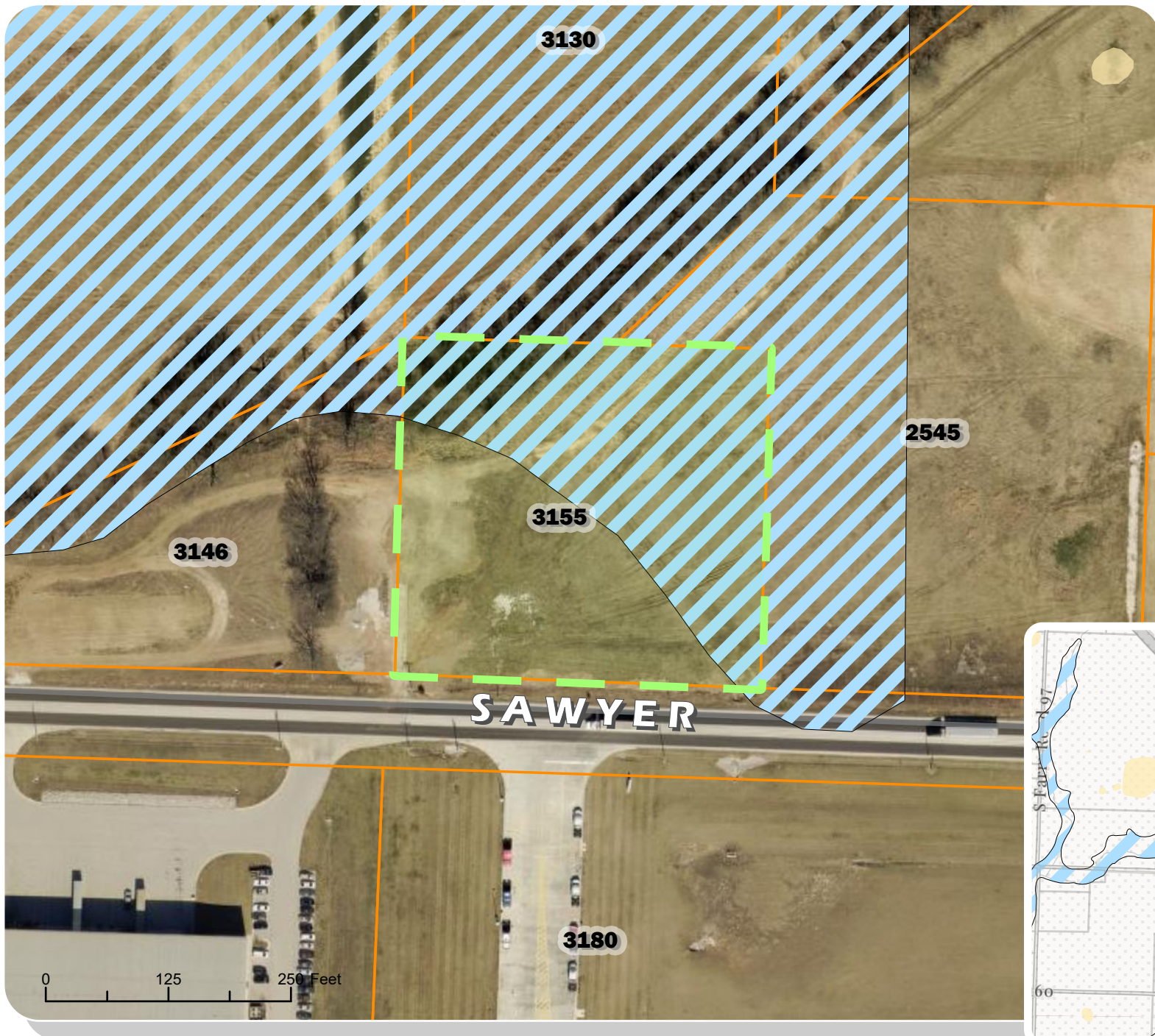
ADDRESS
3155 E. Sawyer Rd.

ZONING
ECLIPSE EVENT CENTER PDD |
REQUESTED M-1

PIN
1434400006

WARD
2

ACREAGE
3.10



3155 E. SAWYER RD.
REZN 24-016 | REZONE

	Site Extent		Sinkholes
	Out of City		Floodplain

Owner/Applicant
City of Republic

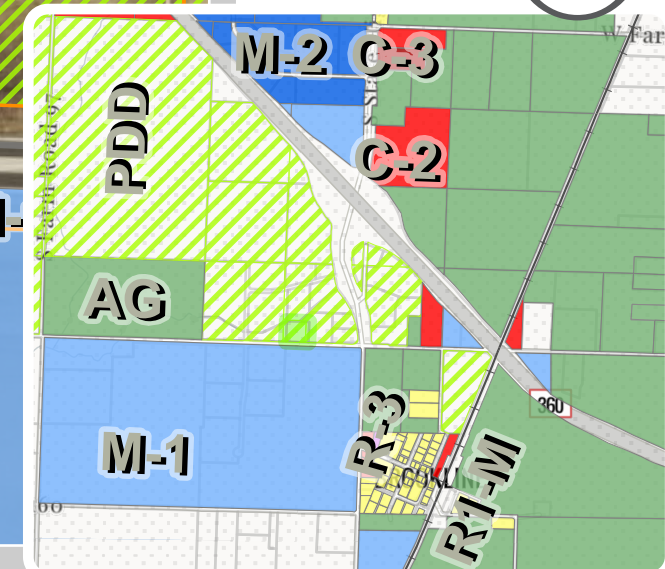
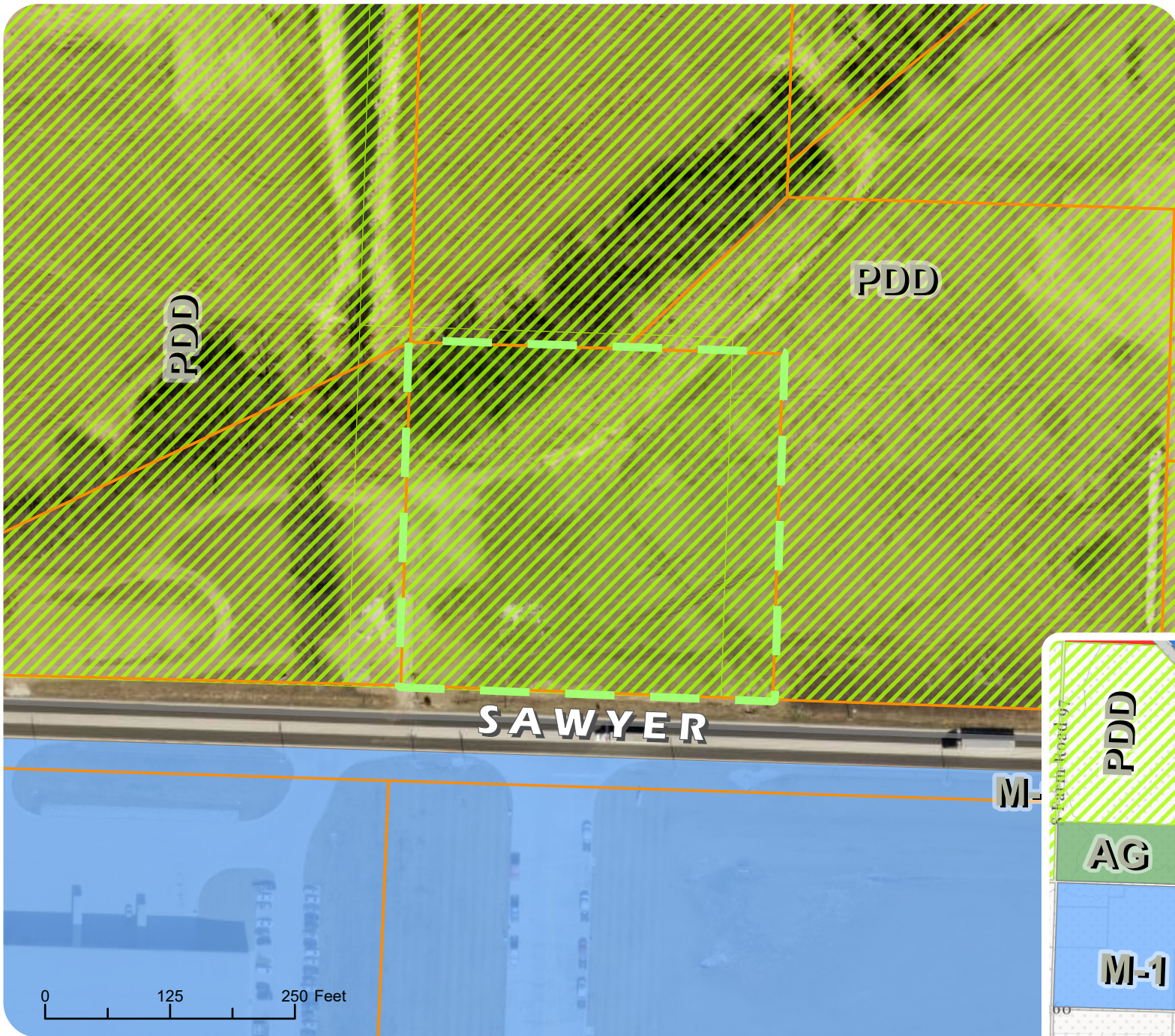
ADDRESS
3155 E. Sawyer Rd.

ZONING
ECLIPSE EVENT CENTER PDD |
REQUESTED M-1

PIN
1434400006

WARD
2

ACREAGE
3.10



3155 E. SAWYER RD.
REZN 24-016 | REZONE

-  **Site Extent**
-  **Out of City**



EXHIBIT B

Project/Issue Name: **PDD 24-003.** Public Hearing and Possible Vote to Recommend the Approval of an Application to Change the Zoning Classification of Approximately Twenty-Eight Point Eight-Eight (28.88) Acres, Located at the 7200 Block of West Farm Road 170, from Kirkwood Estates Planned Development District (PDD 23-005) to Kirkwood Estates Planned Development District Amended (PDD)

Submitted By: Kyle Kirk; Kirk Werks LLC

Presented By: Chris Tabor, BUILDS Department Principal Planner

Date: October 7, 2024

ISSUE IDENTIFICATION

Kyle Kirk and Kirk Werks, LLC have applied to change the Zoning Classification of approximately (28.88) acres of property located at the 7200 Block of West Farm Road 170 from Kirkwood Estates Planned Development District (PDD 23-005) to **Kirkwood Estates Planned Development District Amended (PDD)**.

DISCUSSION AND ANALYSIS

The property subject to this Rezoning Application is comprised of approximately **(28.88) acres** of land located at the 7200 Block of West Farm Road 170, which consists of a total of 4 parcels. The current zoning for the site is Kirkwood Estates Planned Development District (PDD 23-005). Lot 1 is the site of Kirk's Collision Center, an Auto Repair Shop, while the remaining lots are all vacant.

Applicant's Proposal

The City Council approved previous Development Plans for this site on July 26 of 2022 and October 17 of 2023, by the same applicant, that is similar in some of the use and design elements to the third proposed plan. The most substantial change to the proposed plan from the previous iterations includes a reconfiguration of the residential portion of the Development Plan. The previously approved Development Plan allowed for 50 lots (lots 7 – 56) adhering to the required standards of the Medium-Density Single-Family Residential (R1-M) Zoning District; whereas the newly proposed plan allows for 59 lots (7 – 65) adhering to the required standards of the High-Density Single-Family Residential (R1-H) Zoning District.



EXHIBIT B

Lots 1 – 6 remain as commercial use lots that will meet the City of Republic’s General Commercial (C-2) Zoning District regulations. A more thorough summary is contained in the following paragraph.

The Applicant is proposing the Rezoning of this property to a Planned Development District (PDD) that will consist of two separate uses: commercial and single-family residential. Lots 1 – 6 (10.26 acres) are designated as commercial use lots and will adhere to the City’s General Commercial (C-2) Zoning District regulations. Lots 7 – 65 (11.81 acres) are designated as residential use lots and will adhere to the City’s Single-Family High-Density Residential (R1-H) Zoning District regulations. Screening and parking requirements will be in compliance with the City of Republic’s adopted Municipal Code. The Development Plan also contains new water, sanitary sewer, and stormwater systems to support the development, the required Secondary Arterial Street (Bailey Avenue), and Local Streets to support the development.

Specifically, the Applicant’s proposal includes the following elements:

- **Lots 1 – 6: General Commercial (C-2)**
 - Note: Compliance with the General Commercial (C-2) District Regulations
 - Total Area: 10.26 acres
 - Total Lots: 6
 - Permitted Uses: General Commercial (C-2)
- **Lots 7 – 65: High-Density Single-Family Residential (R1-H)**
 - Note: Compliance with the Medium Density Single-Family Residential District (R1-M) Regulations
 - Total Area: 11.81 acres
 - Total Lots: 59
 - Permitted Uses: Single-Family Residential
 - Density: 4.9 Dwelling Units/Acre

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 Planned Development District (PDD) Ordinance

The purpose of the Planned Development Regulations is to allow for mixed-use, unconventional, or innovative arrangements of land and public facilities, which would be difficult to develop under the conventional land use and development regulations of the City.

Planned Unit Developments must demonstrate substantial congruence with each of the following conditions in order to be considered eligible for approval:

- The proposed Development Plan shall involve a mixture or variation of land uses or densities.



EXHIBIT B

- Kirkwood Estates is a residential and commercial mixed-use development consisting of single-family and commercial lots
- The proposed Development Plan shall involve the provision of all infrastructure deemed necessary to adequately serve the potential development.
 - The Kirkwood Estates PDD Development Plan includes provisions for municipal water and sewer services, a plan for stormwater management, and the construction and dedication of a Secondary Arterial Street (Bailey Avenue), identified in the City's Major Thoroughfare Plan.
- The proposed Development Plan shall involve design elements that promote the City of Republic's Comprehensive Plan and other adopted plans of the City.
 - The City of Republic's Comprehensive and Land Use Plans promote the expansion of commercial and residential development at locations supported by the City's water, sanitary sewer, and transportation networks; the Kirkwood Estates Development can be adequately supported by the City's capacities for water, sewer, and transportation.
- 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 improvements.
 - The Kirkwood Estates Development Plan includes the construction of a Secondary Arterial City Street (Bailey Avenue) identified on the City's Major Thoroughfare Plan. The street will connect the development from East US Highway 60 to West Farm Road 170 and then to the south property line of the development.

Consistency with the Comprehensive Plan

The City's Comprehensive Plan generally encourages the expansion of residential and 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 2021 Comprehensive Plan and Land Use Plan identifies Land Use Goals and Objectives relating to development, as follows:

- **Goal:** Support market conditions to develop a greater variety of residential options
 - **Objective:** Support a variety of housing developments and styles to ensure a range of options are available
- **Goal:** Support new development that is well-connected to the existing community



EXHIBIT B

- **Objective:** Encourage development that improves and expands upon existing infrastructure
- **Objective:** Promote development aligning with current adopted plans of the City
- **Objective:** Support the development of vacant parcels as opportunities for densification that is harmonious with surrounding development
- **Goal:** Recognize potential infill sites as opportunities for development
 - **Objective:** Support the development of vacant parcels as opportunities for densification that is harmonious with surrounding development

Compatibility with Surrounding Land Uses

The subject site is surrounded by existing agricultural, commercial, and residential zoned properties and uses:

- North: East US Highway 60
- South: Greene County Agricultural
- East: Medium Density Single-Family Residential (R1-M); Greene County General Commercial
- West: Local Commercial (C-1) and General Commercial (C-2); Greene County General Commercial

The land uses permitted in the Applicant’s proposal are considered to be generally compatible with the surrounding agricultural and residential zoned properties and uses in proximity to the subject parcel.

Capacity to Serve Potential Development and Land Use

Municipal Water and Sewer Service: Portions of the proposed development are currently served by City of Republic sanitary sewer and water service; the remaining portions of the development not currently served by these utilities are in proximity to these services.

The proposed development will connect to existing gravity sanitary sewer mains in the area; the effluent will travel from the development to the McElhaney Lift Station and then to the Shuyler Creek Lift Station before being pumped to the Wastewater Treatment Facility.

The development will be served via a looped water system, connecting to existing water mains parallel to East US Highway 60 and West Farm Road 170 and to an existing water main located in the subdivision to the east. The exact location and size of the water mains required to serve the development will be determined during the infrastructure design process.

**EXHIBIT B**

The Water System, the existing Lift Stations, and the Wastewater Treatment Facility have sufficient capacity to serve the proposed development at full build-out.

Transportation: The Development Plan includes the construction and dedication of a new Secondary Arterial within the development area, known as Bailey Avenue, identified in the City's Major Thoroughfare and Transportation Plans, in addition to multiple Local Streets to serve Lots within the development.

The Applicant provided a Traffic Impact Study (TIS) Memo, reviewed by MODOT and the City of Republic, to analyze the impact of the traffic generated from the proposed development. The results of the TIS Memo indicate the development warrants a Right-In/Right-Out (RIRO) at the intersection with East US Highway 60. These improvements are required during the initial phase of construction of Bailey Avenue from West Farm Road 170 to East US Highway 60. The transportation improvements required to support the development are the responsibility of the Developer.

The City will be working with MODOT and the Applicant throughout the development process, including during construction of the required transportation improvements to support the development.

No parcel within the development will have direct access to East US Highway 60 or West Farm Road 170.

Stormwater: The Development Plan contains areas designated for stormwater retention/detention, designed to accommodate stormwater generated by the development. Additional stormwater areas and/or easements may be required through the engineering design process. The stormwater retention/detention areas, drainage easements, and all open space/common areas will be owned and maintained by the Developer and/or a Property Owners Association.

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

Sinkholes: The subject parcel **does not** contain any identified sinkholes.

All developments must include site design providing for sufficient emergency vehicle access as well as fire protection facilities (e.g. fire hydrants). **Additional elements of code compliance, evaluated at the time of infrastructure design, impacting the development of the subject property, include, but are not limited to, the City's Zoning Regulations, adopted Fire Code, and adopted Building Code.** The next steps in the process of development of the subject parcel, upon a favorable rezoning outcome, will be the development, review, and approval of an Infrastructure Permit for the construction of utility services and roads.

STAFF RECOMMENDATION



EXHIBIT B

Staff considers the **proposed Zoning Map Amendment (Rezoning to Planned Development District)** to be generally consistent with the **goals and objectives of the Comprehensive and Land Use Plans**, generally consistent with the **trend of development in the vicinity of the site**, generally **compatible with surrounding land uses**, and **able to be adequately served by municipal facilities**. Specifically, the proposed development can be adequately served by the City's municipal water and sanitary sewer services and the City's transportation network. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), Staff recommends the approval of this application.

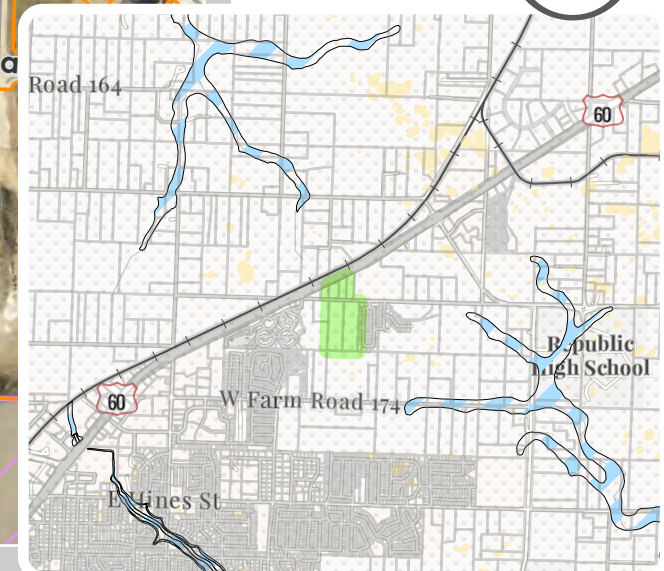
Owner/Applicant
 Kyle Kirk/Kirk Werks LLC

ADDRESS
 7200 Block of West Farm
 Road 170

ZONING
 KIRKWOOD ESTATES PDD
 (PDD 23-005) | REQUESTED
 KIRKWOOD ESTATES PDD
 AMENDED

WARD
 1

ACREAGE
 28.88



KIRKWOOD ESTATES PDD AMENDED

PDD 24-003 | PDD



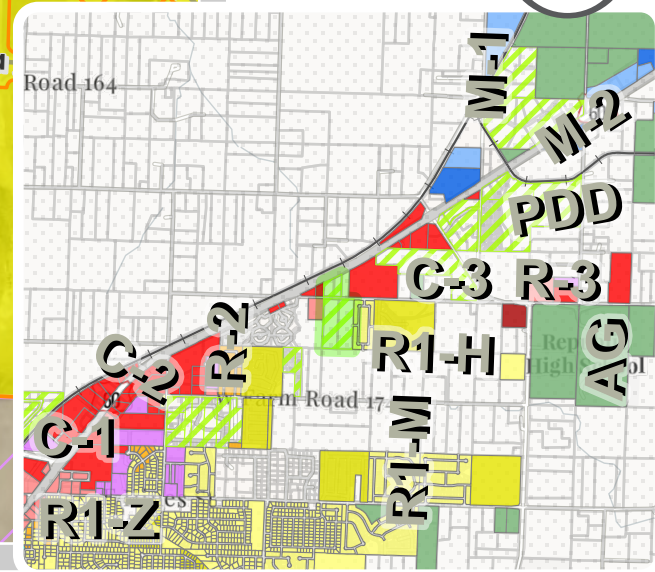
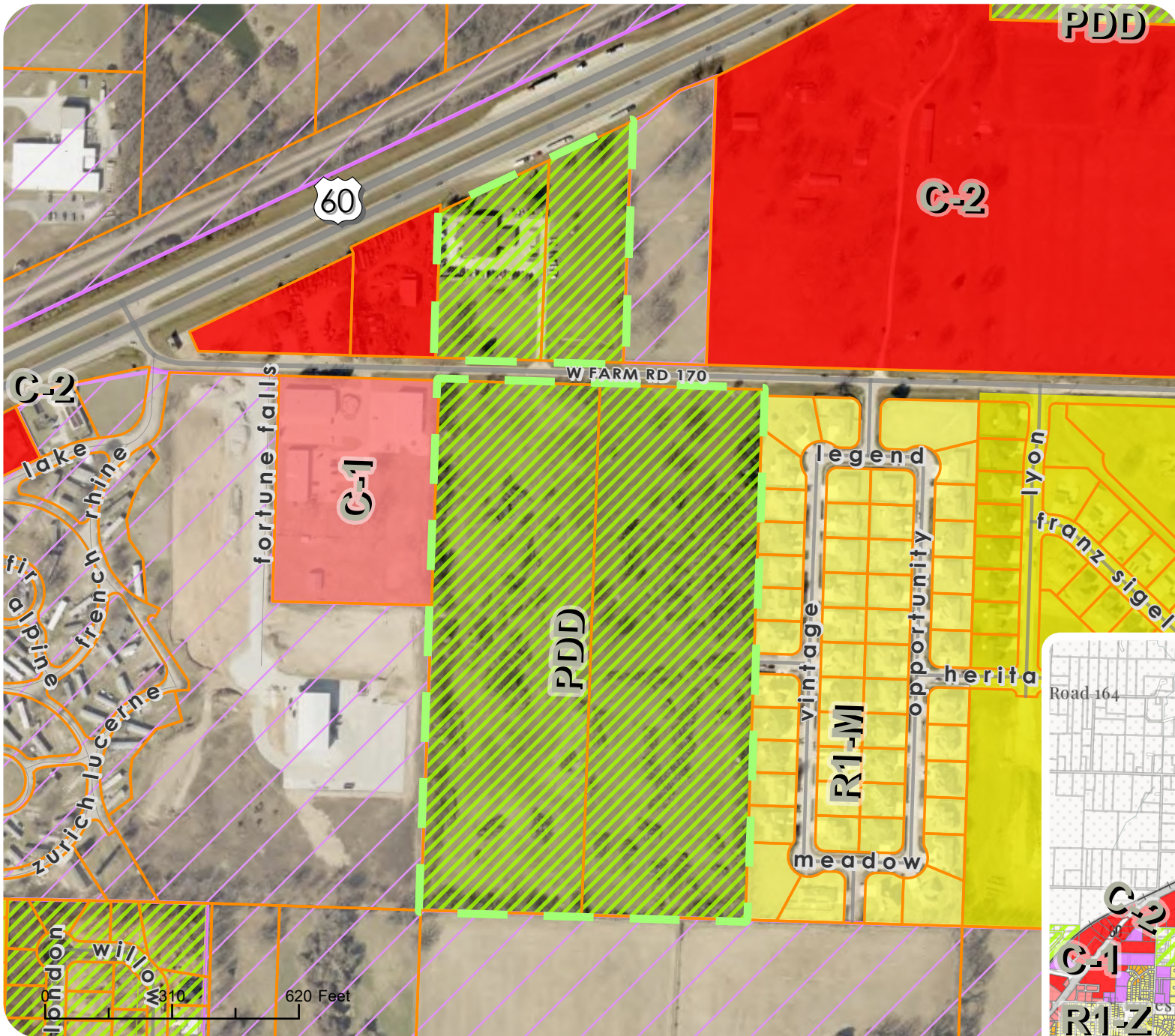
Owner/Applicant
 Kyle Kirk/Kirk Werks LLC

ADDRESS
 7200 Block of West Farm
 Road 170

ZONING
 KIRKWOOD ESTATES PDD
 (PDD 23-005) | REQUESTED
 KIRKWOOD ESTATES PDD
 AMENDED

WARD
 1

ACREAGE
 28.88



KIRKWOOD ESTATES PDD AMENDED
PDD 24-003 | PDD

- Site Extent**
- Out of City**

ZONING REGULATIONS, USES, AND HEIGHT & AREA REQUIREMENTS

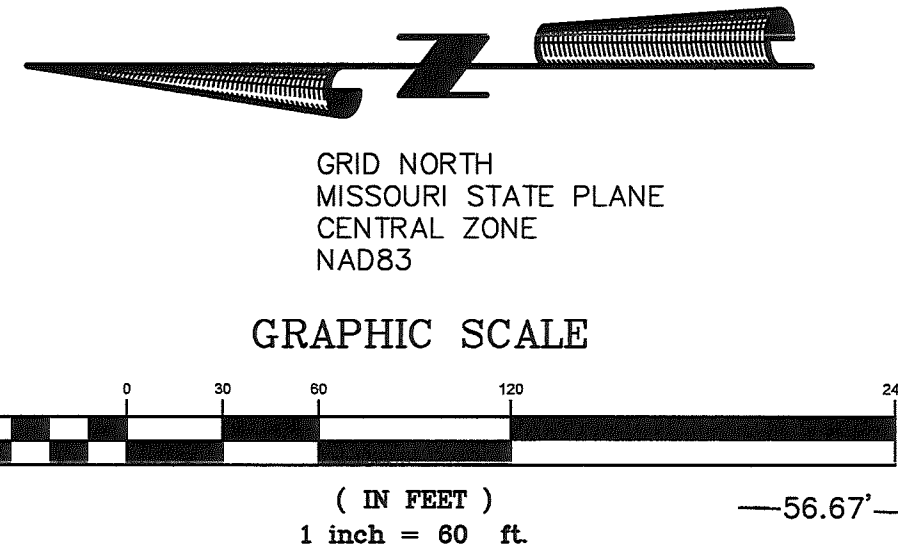
Table with 3 columns: Requirement, C-2, R1-H. Rows include Minimum Lot Size, Front Setback, Rear Setback, Side Street Setback, Interior Yard Setback, etc.

(B) The minimum interior side or rear yard setback shall be as established in Section 405.540 unless the premises is located adjacent to a residential zoning district...

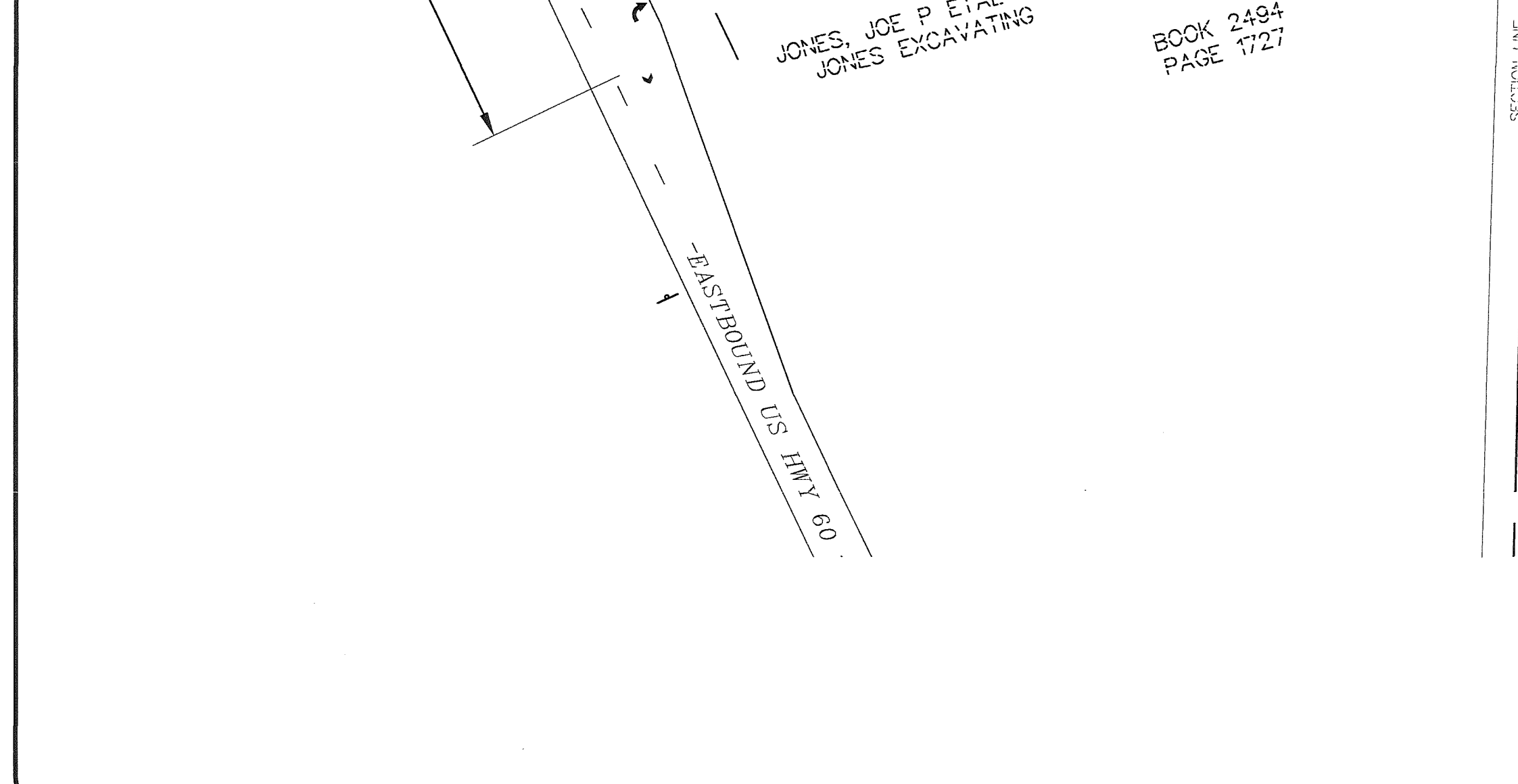
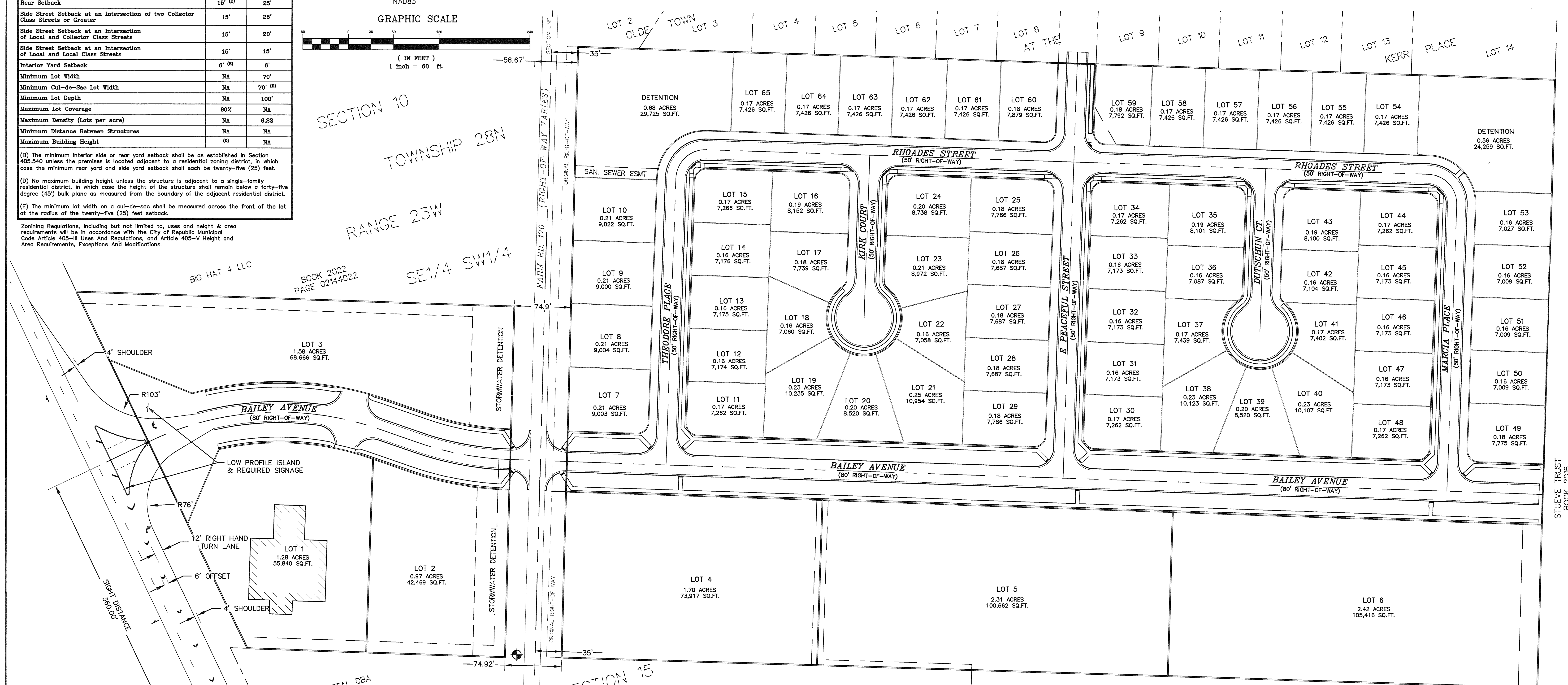
(D) No maximum building height unless the structure is adjacent to a single-family residential district, in which case the height of the structure shall remain below a forty-five degree (45°) bulk plane...

(E) The minimum lot width on a cul-de-sac shall be measured across the front of the lot at the radius of the twenty-five (25) feet setback.

Zoning Regulations, including but not limited to, uses and height & area requirements will be in accordance with the City of Republic Municipal Code Article 405-III Uses And Regulations, and Article 405-V Height and Area Requirements, Exceptions And Modifications.



DEVELOPMENT PLAN AMENDED KIRKWOOD ESTATES



DEVELOPMENT NOTES table with columns for Zoning Districts, Street Classifications, General, Sidewalks, and 10' Utility Easement.

GENERAL NOTE: Compliance with Greene County Stormwater Regulations required per Section 410.650.F General Provisions, Coordination With Other Jurisdictions

Landscaping, Screening, and Bufferyards table with columns for Landscaped Area Requirements, Screening Requirements, and Zoning of Subject Lot.

Prepared by WILSON SURVEYING CO., INC. SURVEYING/ENGINEERING/LAND PLANNING (417)-522-7870. Includes contact info and a professional seal.

MARY BROWN BOOK 2011 PAGE 527-11
STUEVE TRUST BOOK 2006 PAGE 8032-16



EXHIBIT C

Project/Issue Name: VACA 24-002. Recommending the Approval of An Application to Vacate a Portion of ROW along E Greentree St

Submitted By: BUILDS Department

Presented By: Chris Tabor, Principal Planner

Date: October 7, 2024

ISSUE IDENTIFICATION

The BUILDS Department is requesting the vacation of approximately (1,920) square feet of Right-of-Way along East Greentree Street.

DISCUSSION AND ANALYSIS

The BUILDS Department is requesting the vacation of approximately (1,920) square feet of East Greentree Street. The alignment of the street was redesigned prior to being constructed in Wilson’s Valley Phase II. The resulting redesign of the street required reconfiguration of the existing Right-of-Way (ROW) dedicated in Wilson’s Valley Phase I. The vacation will account for the new ROW that was dedicated in the Wilson’s Valley Phase II Final Plat.

The vacated portion of the road will be returned to the adjacent property owner and is anticipated to be incorporated into the Common Area for Wilson’s Valley Phase I.

STAFF RECOMMENDATION

The BUILDS Department recommends approval of the requested Street Vacation.

EXHIBIT A

A part of the platted public right-of-way of Greentree Street in Wilson’s Valley Phase 1, recorded in Plat Book AAA at Page 921 in the Greene County Recorder’s Office, in the City of Republic, Greene County, Missouri, more particularly described as follows:

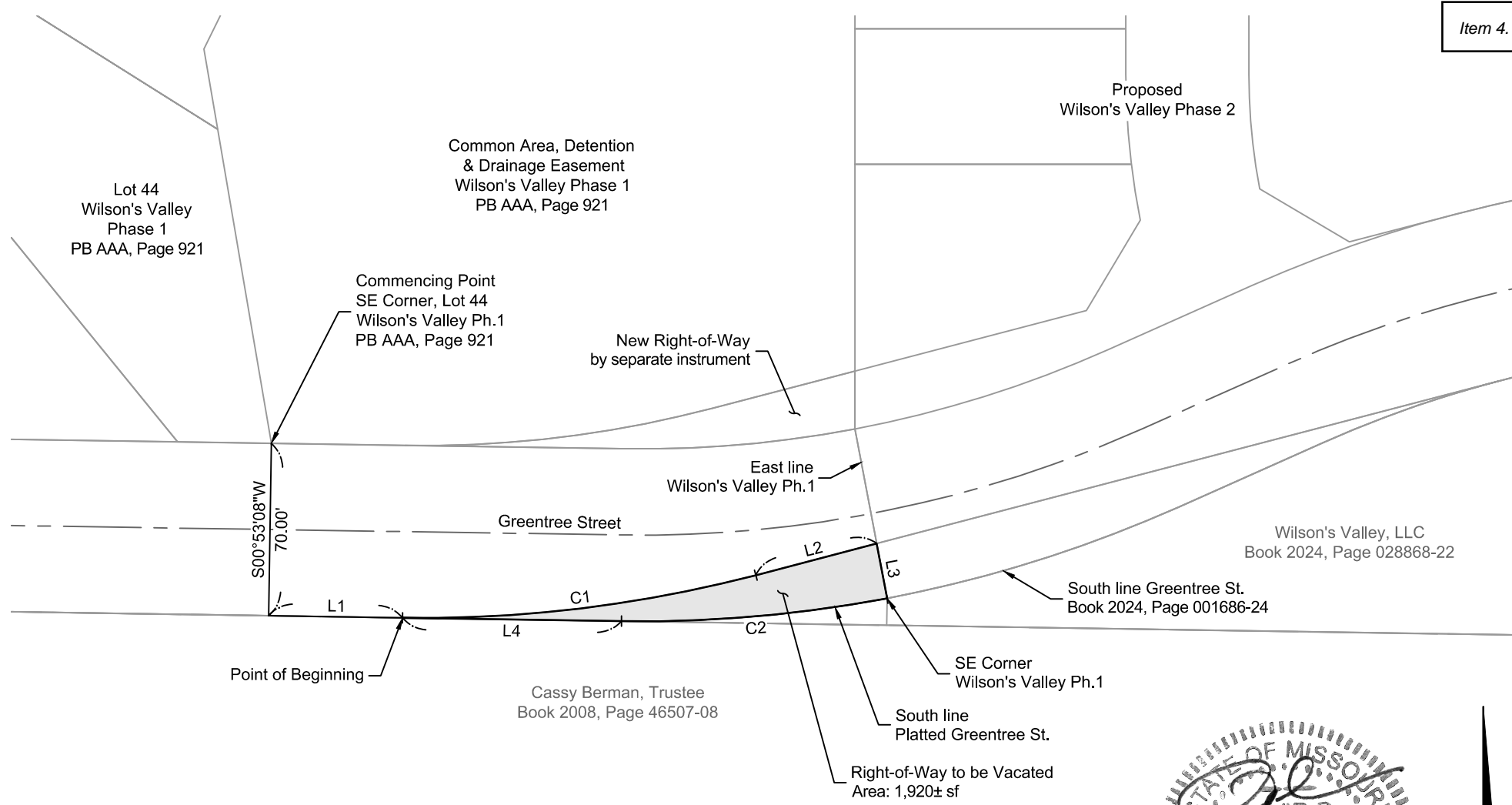
COMMENCING at the Southeast corner of Lot 44 in said plat; thence S00°53’08”W, a distance of 70.00 feet, to a point on the South line of said platted Greentree Street; thence S89°06’52”E, along said South right-of-way line, a distance of 54.38 feet for a POINT OF BEGINNING; thence along a tangent curve to the left, having a radius of 535.00 feet, an arc length of 144.99 feet, central angle of 15°31’41”, and a chord distance of 144.55 feet, which bears N83°07’17”E; thence N75°21’27”E, a distance of 50.71 feet to a point on the East line of said plat boundary; thence S10°43’35”E, along said East line, a distance of 22.62 feet, to the Southeast corner of said plat boundary, and the South line of said platted Greentree Street; thence along said right-of-way line, and a non-tangent curve to the right, having a radius of 535.00 feet, an arc length of 108.43 feet, a central angle of 11°36’43”, and a chord distance of 108.24 feet, which bears N85°04’46”E; thence N89°06’52”E, continuing along said right-of-way line, a distance of 88.95 feet to the POINT OF BEGINNING.

Containing 1,920 square feet, more or less and subject to any easements and restrictions of record.

Prepared by: Olsson, Inc.
Survey MO Certificate of Authority #LC366
550 St. Louis Street
Springfield MO 65806
Tel 417.890.8802
Prepared for: City of Republic, MO
Project No.: 021-05396

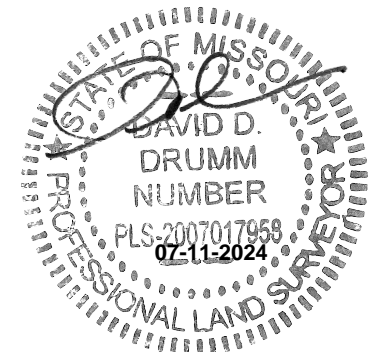


Digitally signed by David D. Drumm
Date: 2024.07.11 06:54:00-05'00'



LINE TABLE		
#	Direction	Length
L1	S89°06'52"E	54.38'
L2	N75°21'27"E	50.71'
L3	S10°43'35"E	22.62'
L4	N89°06'52"W	88.95'

CURVE TABLE						
#	Radius	Length	Delta	Chord	Chord Bearing	
C1	535.00'	144.99'	15°31'41"	144.55'	N83°07'17"E	
C2	535.00'	108.43'	11°36'43"	108.24'	S85°04'46"W	



Digitally signed by
N Drumm
 Date: 2024.0
 06:53:40-05
 N.T.S.

This sketch is not a boundary survey. It is intended to show the configuration of a proposed right-of-way. It should not be used to locate property lines and does not meet the Standards for Property Boundary Surveys.

PROJECT NO: 021-05396
 DRAWN BY: CDA
 DATE: 07.05.2024

**GREENTREE STREET RIGHT-OF-WAY VACATION
 REPUBLIC, GREENE COUNTY, MISSOURI**

olsson
 Olsson, Inc. Survey MO
 Certificate of Authority #LC366
 550 St. Louis Street
 Springfield, MO 65806
 TEL 417.890.8802 FAX 417.890.8805

EXHIBIT
 21



EXHIBIT D

Project/Issue Name: VACA 24-002. Recommending the Approval of An Application to Vacate a Portion of ROW along E Greentree St

Submitted By: BUILDS Department

Presented By: Chris Tabor, Principal Planner

Date: October 7, 2024

ISSUE IDENTIFICATION

The BUILDS Department is requesting the vacation of approximately (3,586) square feet of Right-of-Way along East Greentree Street.

DISCUSSION AND ANALYSIS

The BUILDS Department is requesting the vacation of approximately (3,586) square feet of East Greentree Street. The alignment of the street was redesigned prior to being constructed in Wilson’s Valley Phase II. The resulting redesign of the street required reconfiguration of the existing Right-of-Way (ROW) dedicated by a separate ROW instrument in Book 2024, Page 001686-24. The vacation will account for the new ROW that was dedicated in the Wilson’s Valley Phase II Final Plat.

The vacated portion of the road will be returned to the adjacent property owner and is anticipated to be incorporated into the Common Area for Wilson’s Valley Phase I.

STAFF RECOMMENDATION

The BUILDS Department recommends approval of the requested Street Vacation.

EXHIBIT A

A part of the platted public right-of-way of Greentree Street in Wilson’s Valley Phase 1, recorded in Plat Book AAA at Page 921 in the Greene County Recorder’s Office, in the City of Republic, Greene County, Missouri, more particularly described as follows:

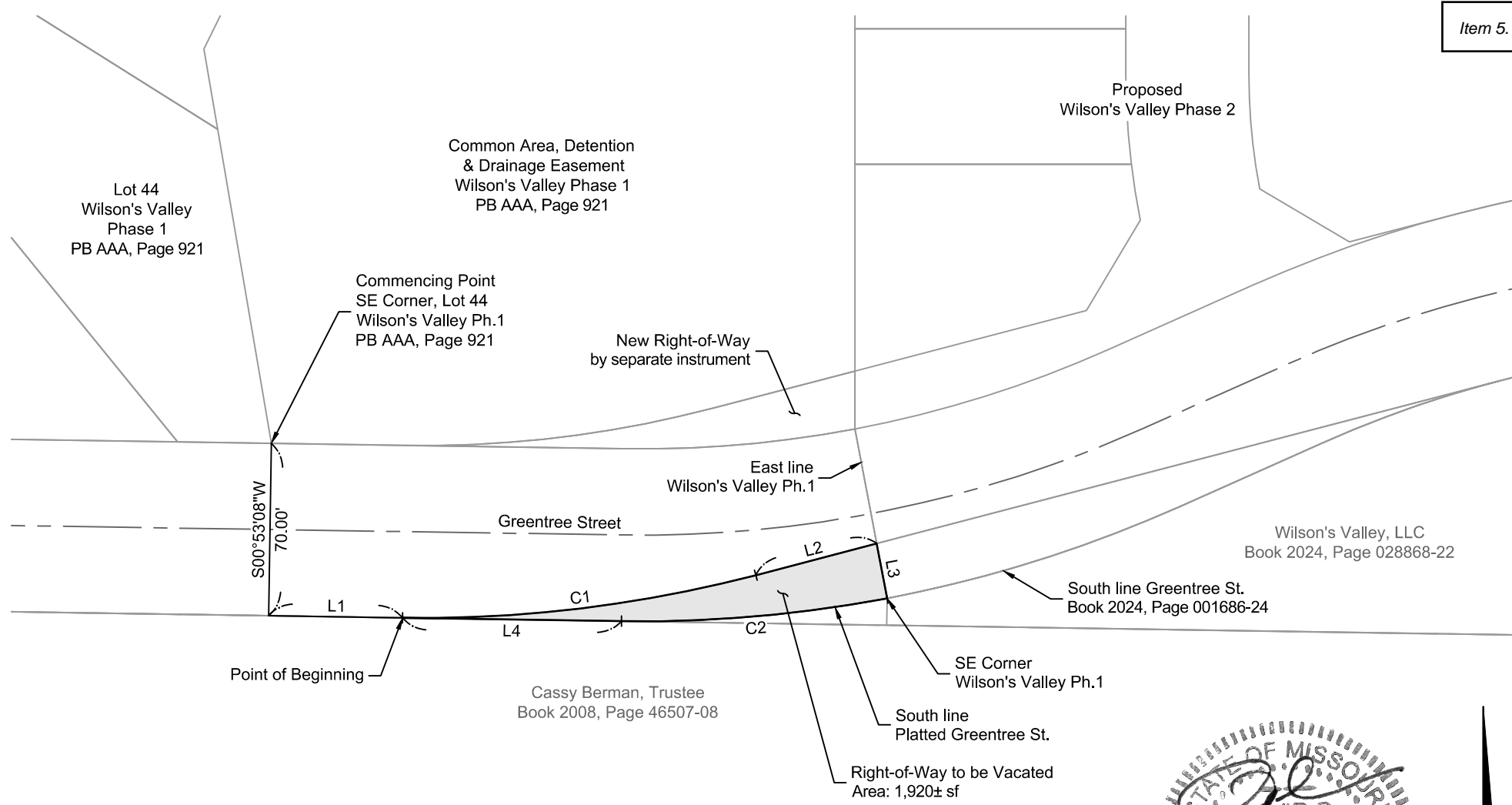
COMMENCING at the Southeast corner of Lot 44 in said plat; thence S00°53’08”W, a distance of 70.00 feet, to a point on the South line of said platted Greentree Street; thence S89°06’52”E, along said South right-of-way line, a distance of 54.38 feet for a POINT OF BEGINNING; thence along a tangent curve to the left, having a radius of 535.00 feet, an arc length of 144.99 feet, central angle of 15°31’41”, and a chord distance of 144.55 feet, which bears N83°07’17”E; thence N75°21’27”E, a distance of 50.71 feet to a point on the East line of said plat boundary; thence S10°43’35”E, along said East line, a distance of 22.62 feet, to the Southeast corner of said plat boundary, and the South line of said platted Greentree Street; thence along said right-of-way line, and a non-tangent curve to the right, having a radius of 535.00 feet, an arc length of 108.43 feet, a central angle of 11°36’43”, and a chord distance of 108.24 feet, which bears N85°04’46”E; thence N89°06’52”E, continuing along said right-of-way line, a distance of 88.95 feet to the POINT OF BEGINNING.

Containing 1,920 square feet, more or less and subject to any easements and restrictions of record.

Prepared by: Olsson, Inc.
Survey MO Certificate of Authority #LC366
550 St. Louis Street
Springfield MO 65806
Tel 417.890.8802
Prepared for: City of Republic, MO
Project No.: 021-05396



Digitally signed by David D. Drumm
Date: 2024.07.11 06:54:00-05'00'



LINE TABLE		
#	Direction	Length
L1	S89°06'52"E	54.38'
L2	N75°21'27"E	50.71'
L3	S10°43'35"E	22.62'
L4	N89°06'52"W	88.95'

CURVE TABLE						
#	Radius	Length	Delta	Chord	Chord Bearing	
C1	535.00'	144.99'	15°31'41"	144.55'	N83°07'17"E	
C2	535.00'	108.43'	11°36'43"	108.24'	S85°04'46"W	



Digitally signed by David D. Drumm
 Date: 2024.07.06:53:40-05
 N.T.S.

This sketch is not a boundary survey. It is intended to show the configuration of a proposed right-of-way. It should not be used to locate property lines and does not meet the Standards for Property Boundary Surveys.

PROJECT NO: 021-05396
 DRAWN BY: CDA
 DATE: 07.05.2024

**GREENTREE STREET RIGHT-OF-WAY VACATION
 REPUBLIC, GREENE COUNTY, MISSOURI**

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EXHIBIT
 24



EXHIBIT E

Project/Issue Name: **ORD 24-002.** Public Hearing and Possible Vote to Recommend the Approval of Amendments to Sections of Chapter 405 Zoning Regulations.

Submitted By: BUILDS Department

Presented By: Patrick Ruiz, Associate Planner

Date: October 7, 2024

ISSUE IDENTIFICATION

Consideration to approve Amendments that specifically relates to **Section 405.148 “MSD” Main Street District** and additional Sections that generally regulates such district in Chapter 405 Zoning Regulations.

DISCUSSION AND ANALYSIS

The City of Republic is requesting Amendments to Chapter 405 Zoning Regulations– specifically to **Section 405.148 “MSD” Main Street District** and additional Sections that generally regulates such district. Additional Sections being considered for Amendments are called out in the following Articles:

- Article 405-II Destination Of Districts And General District Regulations Section 405.030,
- Article 405-V Height And Area Requirements, Exceptions And Modifications Sections 405.540 and 405.545,
- Article 405-VI Off-Street Parking And Loading Requirements Section 405.570,
- Article 405-VII Additional District Provisions Section 405.620 and,
- Article 405-X Landscaping And Screening Sections 405.750, 405.770, and 405.810

In general, implementing a new Zoning District is needed when two challenges are presented within a defined geographical area. Those challenges would include when existing uses and structures are unable to conform to the present Zoning Regulations and future development to the existing Zoning District standards, offered in the Republic Municipal Code, would drastically change the unique character of the area. The proposed Main Street District Amendments address both challenges for Downtown Republic and specifically outline the following:

- **Intent.**
 - Implement a district that accommodates mixed-used developments normally found in a downtown area such as those that include retail, office, and residential uses.
- **Physical Character.**



EXHIBIT E

- Provide a Zoning District that conforms with existing structures in the downtown area while providing flexibility for future development.
- Providing a district that promotes an active streetscape with a pedestrian friendly shopping environment by limiting off-street parking requirements and requiring construction and/or preservation of new and existing sidewalk.
- Preserve the existing character of the downtown area by allowing buildings to abut up to the public right-of-way by eliminating certain setback requirements and limiting landscaping buffering.
- **Update existing related regulations.**
 - Ensure new exterior lighting, off-street parking, or landscaping is provided in accordance with the standards and regulations of the Republic Municipal Code.
 - Require screening for new developments to reduce the amount of nuisances to adjacent properties with less intense zoning designations.
- **Delineate Downtown Area.**
 - Centered around the Main Street Corridor.
 - Delineated by the following streets: Anderson Street, Walnut Avenue, Pine Avenue, and Elm Street.

Lastly, amendments that do not directly relate to the Main Street District (MSD) were included to ensure clarity of future enforcement regarding the Zoning Regulations for future developments and existing uses.

STAFF RECOMMENDATION

Staff recommends the approval of the referenced Amendments in the outlined Sections.

405.030 Districts Enumerated

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

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

405.148 "MSD" Main Street District

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

~~and is intended to allow multi-story buildings with office and residential uses above the ground floor level. In addition, the district is intended to allow flexibility from the conventional development standards found elsewhere in the City.~~

B. *Uses Permitted.*

1. Furniture and home furnishings stores.
2. Electronics and appliance stores.
3. Food and beverage stores.
4. Health and personal care stores.
5. Clothing and clothing accessories stores.
6. Sporting goods, hobby and music stores.
7. General merchandise stores.
8. Miscellaneous store retailers such as florists, office supplies, stationery stores and gift stores, novelty stores, souvenir stores, used merchandise stores, pet and pet supply stores, art dealers.

9. Publishing industries.

~~10. Motion Picture Theaters~~

~~11. Broadcasting stations~~

10. Finance and insurance offices.

11. Real estate, rental and leasing services.

12. Professional, scientific and technical services.

13. Administrative and support services.

14. Educational services.

15. Health care and social assistance.

16. Performing arts.

17. Museums, historical sites and similar institutions.

18. Food services and drinking places.

19. Personal and laundry services.

20. Religious, grantmaking, civic, professional and similar organizations.

21. Executive, legislative and other general government support.

22. Postal services.

23. Public parks and playgrounds, including public recreation or service buildings and publicly-owned swimming pools.

24. Parking lots, garages, and similar facilities for off-street parking.
25. Residential uses provided such uses are located above the first floor non-residential uses in a single attached mixed-use building, so as to create a continuous non-residential facade, on the first-floor level along all street frontages.
26. Comprehensive marijuana dispensary facility as defined in Article XIV Section 2 of the Missouri Constitution and by the Missouri Department of Health and Senior Services (or its successor) with a valid license issued by the Missouri Department of Health and Senior Services (or its successor) and complying with the rules and regulations of the Missouri Department of Health and Senior Services and City ordinances.
27. Medical marijuana dispensary facility as defined in Article XIV Section 1 of the Missouri Constitution and by the Missouri Department of Health and Senior Services (or its successor) with a valid license issued by the Missouri Department of Health and Senior Services (or its successor) and complying with the rules and regulations of the Missouri Department of Health and Senior Services and City ordinances. [Ord. No. 19-28, 12-10-2019]
28. Microbusiness dispensary facility as defined in Article XIV Section 2 of the Missouri Constitution and by the Missouri Department of Health and Senior Services (or its successor) with a valid license issued by the Missouri Department of Health and Senior Services (or its successor) and complying with the rules and regulations of the Missouri Department of Health and Senior Services and City ordinances.
29. Auction sales and flea markets entirely within enclosed buildings.
30. Veterinarian, dog grooming, boarding, pet daycare, or similar place of animal care, provided that only treatment or care be given to animals kept within the building. No outside cages, kennels, fences, equipment, materials, or accessories to the business shall be stored outside or used on the premises.
- C. *Height And Area Regulations.* The height and area regulations set forth in Article V shall be observed.
- D. *Design Standards.*
1. *Parking and loading requirements.* Off-street parking and loading spaces shall be provided in accordance with the requirements for specific uses set forth in Article VI.
 2. *Landscaping and open space regulations.* Landscaping and open space regulations shall be provided in accordance with the requirements for specific uses set forth in Article X.
 3. *Screening and bufferyard requirements.* Screening and bufferyard requirements shall be provided in accordance with the requirements for specific uses set forth in Article XI.

4. *Sign regulations.* Sign regulations shall be provided in accordance with the requirements for specific uses set forth in Chapter **415**.
5. *Additional district provisions.* Additional provisions relating to exterior lighting, accessory buildings, stormwater regulations and access are provided in Article **VII**.
6. Preservation and/or Construction of existing/new sidewalk, meeting minimum City standards, shall be maintained and/or provided when development of a vacant lot or expansion of the footprint of an existing structure occurs.

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

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

[Ord. No. 06-58 §1, 8-14-2006]

405.540 Height And Area Regulations Established -- Chart

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

	A G	R1- 4L	R1- 4M	R1- 4H	R1- MH	R1- 4Z	R-2	R-3	MSD	C-1	C-2	C-3	M-1	M-2
Min. Lot Size	3 ac re s	12,0 00 s.f.	9,00 0 s.f.	7,00 0 s.f.	6,000 s.f.	5,00 0 s.f.	10, 000 s.f.	2,5 00 s.f.	--	--	--	--	--	--
Front Setback	25 '	25'	25'	25'	25'	25'	25'	15'	-- ^(H)	15'	15'	15'	15'	15'
Rear Setback	25 '	25'	25'	25'	25'	25'	25'	15'	-- (D)(H)	15' (B)	15' (B)	15' (B)	15' (C)	15' (C)
Side Street Setback at an Intersection of two Collector Class Streets or Greater	25 '	25'	25'	25'	25'	25'	25'	15'	-- (E)(H)	15'	15'	15'	15'	15'
Side Street Setback at an Intersection of two Local and Collector Class Streets	20 '	20'	20'	20'	25'	25'	25'	15'	-- (E)(H)	15'	15'	15'	15'	15'

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

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

[Ord. No. 03-56 §1, 8-25-2003; Ord. No. 04-19 §1, 3-8-2004; Ord. No. 04-64 §1, 10-11-2004; Ord. No. 07-38 §1, 5-29-2007; Ord. No. 17-06 § 1, 1-17-2017]

405.545 Height And Area Exceptions And Conditions

- A. The dwelling unit shall be placed on one (1) interior side property line with a zero (0) setback and the dwelling unit setback on the other interior side property line shall be a minimum of ten (10) feet, excluding the connecting elements such as fences, walls and trellises, but including covered porches, patios and storage spaces which are part of the principal structure. Non-zero lot line dwelling units shall comply with the interior side yard setbacks of the appropriate single-family residential district.
- B. The minimum interior side or rear yard setback shall be as established in Section **405.540** unless the premises is located adjacent to a residential zoning district, in which case the minimum rear yard and/or side yard setback shall each be twenty-five (25) feet.
- C. The minimum interior side or rear yard setback shall be as established in Section **405.540** unless the premises is located adjacent to a residential zoning district, in which case the minimum rear yard and/or side yard setback shall each be thirty-five (35) feet in a "M-1" District; and fifty (50) feet in a "M-2" District.

- D. The minimum interior side or rear yard setback shall be as established in Section 405.540 unless the premises is located adjacent to a residential zoning district, in which case the minimum rear yard and/or side yard setback shall each be fifteen (15) feet.
- E. The minimum side street setback shall be as established in Section 405.540 unless the development is located within a sight visibility triangle, in which case the minimum side street setback shall be determined by the City Traffic Engineer.
- F. No maximum building height unless the structure is adjacent to a single-family residential district, in which case the height of the structure shall remain below a forty-five degree (45°) bulk plane as measured from the boundary of the adjacent residential district.
- G. The minimum lot width on a cul-de-sac shall be measured across the front of the lot at the radius of the twenty-five (25) feet setback.
- H. Sidewalks located within the Main Street District (MSD) must be preserved to maintain the character of the Downtown area. Structures must be setback far enough from property lines to preserve existing sidewalk line.
- I. The maximum density for the Multi-Family Residential District (R-3) shall be determined by dwelling units per acre.
- J. Property with a Principal Structure constructed prior to November 5th, 2024, shall be exempt from this standard.

[Ord. No. 03-56 §1, 8-25-2003; Ord. No. 04-19 §1, 3-8-2004; Ord. No. 07-38 §1, 5-29-2007]

405.570 Generally

- A. At the time of erection of a new structure, or at the time of enlargement or change in use of an existing structure within any district in the City, the minimum off-street parking or loading spaces shall be provided as established below:
 1. *Automotive sales and service; new and used motor vehicles, mobile homes, trailers, and rental establishments.* One (1) parking space for each four hundred (400) square feet of enclosed total building floor area, plus one (1) parking space for each three thousand (3,000) square feet of open sales or lot area.
 2. *Automotive washing establishments and car washes.* Queuing spaces for waiting automobiles equal to two (2) times the maximum capacity for each wash rack, measured by the greatest number of automobiles undergoing some phase of laundering at the same time plus one (1) parking space for each two (2) employees.
 3. *Bowling alley.* Five (5) parking spaces for each alley.
 4. *Business, professional or public office building, studio, bank, medical or dental clinic.* Three (3) parking spaces plus one (1) additional parking space for each four hundred (400) square feet of floor area over one thousand (1,000) square feet.

5. *Church or temple.* One (1) parking space for each eight (8) seats in the main auditorium.
6. *Commercial or light manufacturing office/warehouse space, or self-storage for purposes solely related to dispatching work, clerical work or personal storage not related to retail sales or other uses indicated elsewhere.* Three (3) parking spaces plus one (1) parking space for each employee employed therein.
7. *Community center, library, museum or art gallery.* Ten (10) parking spaces plus one (1) additional space for each three hundred (300) square feet of floor area in excess of two thousand (2,000) feet.
8. *Dance or gymnastics studio, dance hall, assembly or exhibition hall without fixed seats.* One (1) parking space for each five (5) persons based upon designed maximum occupancy.
9. *Dance or gymnastics studio, dance hall, assembly or exhibition hall with fixed seats.* One (1) parking space for each five (5) seats.
10. *Furniture or appliance store, hardware store, wholesale establishments, machinery or equipment sales and service, clothing or shoe repair or service shop.* Two (2) parking spaces plus one (1) additional parking space for each three hundred (300) square feet of floor area over one thousand (1,000) feet.
11. *Gas station, convenience stores or similar retail/service establishment.* One (1) parking space for each three hundred fifty (350) square feet of total building floor area plus one (1) parking space for each three (3) seats of on-site seating, but not less than ten (10) parking spaces shall be provided. Service area at gas pumps shall not be counted as parking spaces.
12. *Golf club.* One (1) parking space for each five (5) members.
13. *High schools, colleges, universities or trade schools.* One (1) parking space for each employee, plus two (2) parking spaces for each three (3) commuting students during the greatest attendance period. All parking for additional uses shall be calculated separately.
14. *Hospital.* One (1) parking space for each four (4) beds.
15. *Hotel.* One (1) parking space for each three (3) sleeping rooms or suites plus one (1) parking space for each two hundred (200) square feet of commercial floor area contained therein.
16. *Manufacturing or industrial establishment, research or testing laboratory, creamery, bottling plant, warehouse or similar establishment.* One (1) parking space for every two (2) employees on the maximum working shift plus parking space to accommodate all trucks and other vehicles used in connection therewith.
17. *Mortuary or funeral home.* One (1) parking space for each fifty (50) square feet of floor space in slumber rooms, parlors or individual funeral service rooms.

18. *Printing or plumbing shop or similar service establishment.* One (1) parking space for each three (3) persons employed therein.
19. *Private club or lodge.* One (1) parking space for every ten (10) members.
20. *Restaurant, nightclub, cafe or similar recreation or amusement establishment.* One (1) parking space for each one hundred (100) square feet of floor area.
21. *Retail store or personal service establishment, except as otherwise specified herein.* One (1) parking space for each two hundred (200) square feet of floor area.
22. *Rooming house or boarding house.* One (1) parking space for each two (2) sleeping rooms.
23. *Sanatorium, convalescent home, nursing home or assisted care facility, not including retirement communities.* One (1) parking space for each three (3) beds, plus one (1) for each two (2) employees on the longest shift.
24. *School (except high school or college).* One (1) parking space for each ten (10) seats in the auditorium or main assembly room, or one (1) parking space for each classroom, whichever is greater.
25. *Sports arena, stadium or gymnasium (except school).* One (1) parking space for each five (5) seats or seating spaces.
26. *Theater or auditorium (except school).* One (1) parking space for each five (5) seats or bench seating spaces.
27. *Tourist home or motel.* One (1) parking space for each sleeping room or suite.

B. Exceptions

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

[CC 1999 §26-51; Ord. No. 04-19 §1, 3-8-2004]

405.620 Exterior Lighting Standards

- A. To reduce the spillover of light and glare on operators of motor vehicles, pedestrians, and land uses in the proximity of the light source. This section is not intended to apply to public street lighting, signs, seasonal displays or emergency warning lights.
 1. The following exterior lighting standards shall apply specifically to:
 - a. *Outdoor recreational uses.* Ball Diamonds, Playing Fields and Tennis Courts lights shall have limited hours of operation and the lights for said use shall not remain on continuously at all times.

- b. *Private outdoor lights.* Private outdoor lights installed by a public utility on private property for security purposes, provided the installation of is approved by all property owners of residential property from the light source can be viewed directly.
 - c. *"R-3", "MSD", "C-1", "C-2", "M-1" and "M-2" zoning districts.* Exterior lighting for multi-family, commercial or industrial uses are permitted provided that direct illumination from any light source does not cause illumination in excess of one-half (0.5) lumens per square foot in any adjacent residential district.
2. The following exterior lighting standards are required of all exterior lighting.
- a. The light source or luminaire for all exterior lighting shall have a cutoff so that the bare light bulb, lamp or light source is completely shielded from the direct view of an observer at ground level at a property line adjacent to a public right-of-way or property zoned residential or, if a bufferyard is required, at the interior bufferyard line.
 - b. No flickering or flashing lights shall be permitted.
 - c. Light sources or luminaires shall not be located within bufferyard areas except on pedestrian walkways.

405.750 Applicability

- A. All new structures, buildings and parking lots must comply with the landscaping and screening standards of this Article.
- B. If an addition is proposed to a building; an additional building is proposed for a lot; or if an expansion is proposed to an existing parking lot, the existing and expanded parking lot shall comply with the provisions of this Article.
- C. *Exceptions.*
 - 1. Previously approved developments which have been given a permit to begin construction.
 - 2. Additions to existing structures that are under ten percent (10%) of the gross floor area of the existing structure or five thousand (5,000) square feet, whichever is less.
 - 3. Subdivisions that include a mix of commercial and industrial zoning that were developed in a coordinated fashion with the intent to mix uses and zoning without the need to buffer and screen between these uses, such as a business park development. This exception shall not apply to situations in which a local commercial, commercial office, or residential district adjoins an industrial district.
 - 4. An application for alternative landscaping schemes is justified only when one (1) or more of the following conditions apply. In such a case, the applicant shall describe in a letter to the Community Development Department which of the requirements set forth in this Article will be met with modifications, which project

conditions justify using alternatives and how the proposed measures equal or exceed normal compliance. The request will be evaluated on a case-by-case basis. [Ord. No. 16-23 § 1, 11-28-2016]

- a. The site involves space limitations or unusually shaped parcels.
 - b. Topography, soil, vegetation, or other site conditions are such that full compliance is impossible or impractical.
 - c. Safety considerations require a change.
5. Landscaping, screening and bufferyard standards shall apply to all applicable situations, regardless of requests from adjoining property owners to omit the same.
 6. Main Street District (MSD) – Property with a Principal Structure constructed prior to November 5th, 2024, shall be exempt from Article 405-X Landscaping And Screening.
 7. Main Street District (MSD) – Property with this zoning designation is exempt from Section 405.770 Landscaped Area Requirements (B)(1)(2).

405.770 Landscaped Area Requirements

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

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

B. *Placement Of Landscaped Areas.* Landscaping in the following areas shall be provided:

1. Landscaped area a minimum of six (6) feet in width along street frontages; and
2. Landscaped area a minimum of six (6) feet in width along all perimeter property lines. This required landscape area may be utilized in conjunction with the screening requirements of this Article. This requirement does not apply to single-family detached dwellings.
3. Plantings shall not be placed within the required sight triangle at the intersection of any public thoroughfare or private driveway with a public thoroughfare according to the table below.

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

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

405.810 Screening Requirements

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

Types of Screening required

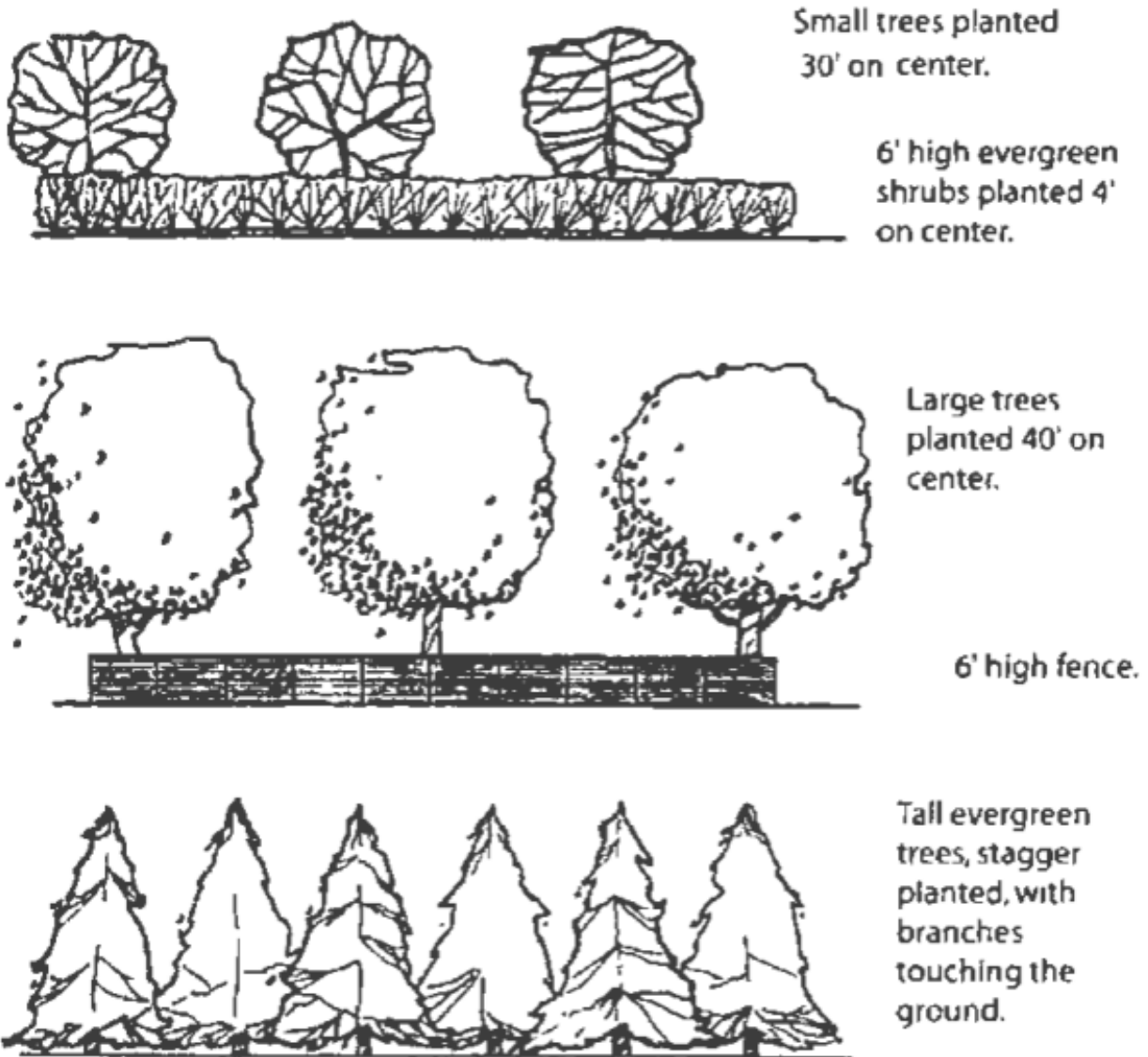
Zoning of Subject Lot	Zoning of Adjacent Lot														
	AG	R1-L	R1-M	R1-H	R1-Z	R-2	R-3	MH	C-0	MSD	C-1	C-2	C-3	M-1	M-2
AG	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R1-L	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
R1-M	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a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

C-0	B	A	A	A	A	A	A	A	n/a	<u>n/a</u>	n/a	n/a	n/a	n/a	n/a
<u>MSD</u>	<u>B</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>	<u>n/a</u>
C-1	B	A	A	A	A	A	A	A	C	<u>C</u>	n/a	n/a	n/a	n/a	n/a
C-2	B	A	A	A	A	A	A	A	C	<u>C</u>	C	n/a	n/a	n/a	n/a
C-3	B	A	A	A	A	A	A	A	B	<u>C</u>	C	C	n/a	n/a	n/a
M-1	B	A	A	A	A	A	A	A	B	<u>B</u>	B	B	C	n/a	n/a
M-2	B	A	A	A	A	A	A	A	A	<u>A</u>	A	A	A	B	n/a

C. Types of Screens.

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

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



2. *Semi-opaque screen, Type B.* The semi-opaque screen is intended to partially block visual contact between uses and create a strong impression of the separation of spaces.
- Height.* Type B screens must be opaque from the ground to a height of three (3) feet, with intermittent visual obstructions to a height of at least twelve (12) feet.
 - Materials and installation.*

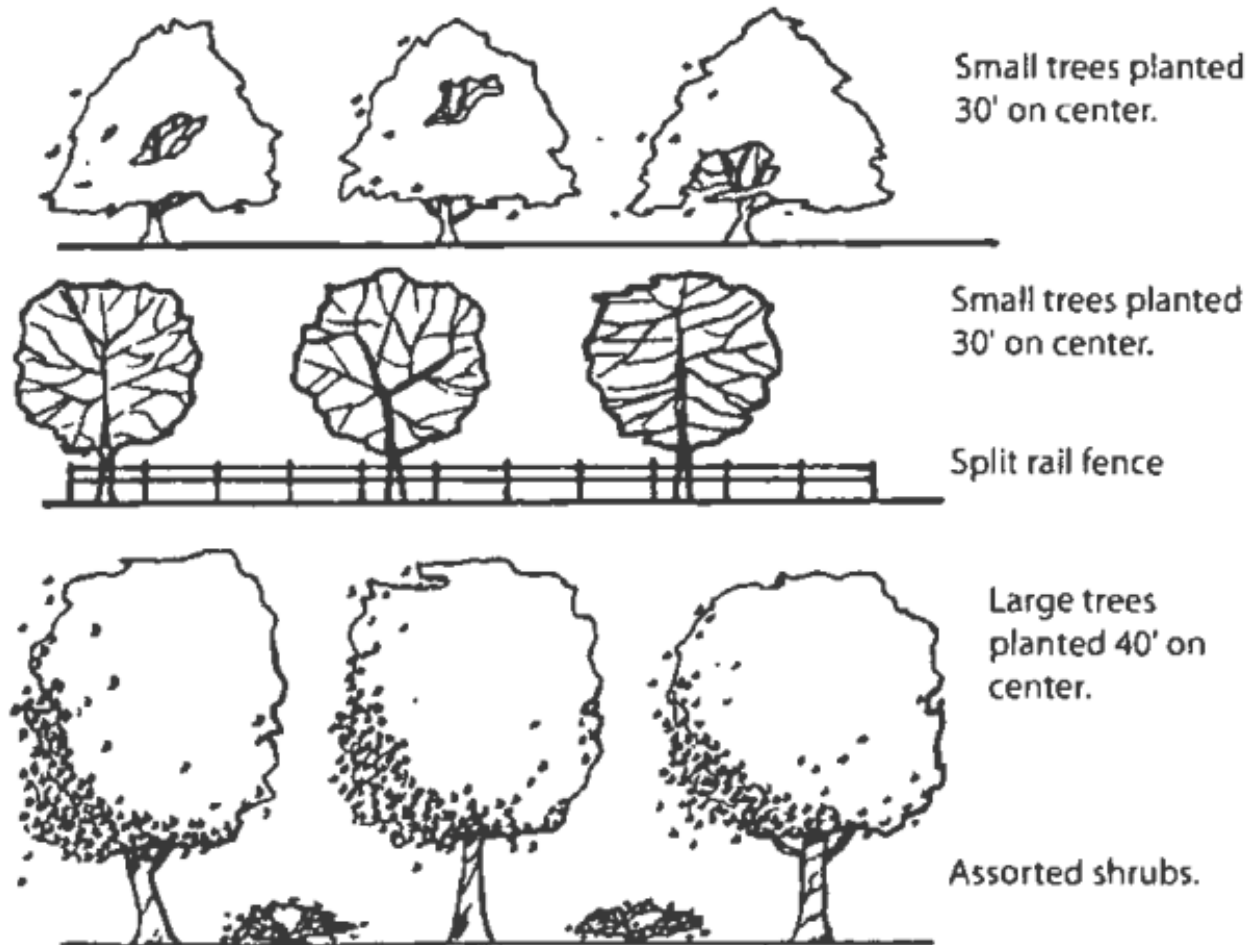
- (1) The semi-opaque screen may be composed of a wall, vinyl/wood fence, landscaped earth berm, planted vegetation or existing vegetation.
 - (2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of foliage of the subject species or field observation of existing vegetation.
 - (3) At maturity, the portion of intermittent visual obstructions may not contain any completely unobstructed openings more than ten (10) feet wide. The zone of intermittent visual obstruction may contain deciduous plants.
 - (4) Planting areas for the placement of these screens must be a minimum of five (5) feet wide.
- c. *Example.* Suggested planting patterns that will achieve this standard are included in the following diagram. See Section **430.080** for lists of suggested plant materials.



3. *Broken screen, Type C.* The broken screen is intended to create the impression of a separation of spaces without necessarily eliminating visual contact between the spaces.
 - a. *Height.* Type C screens must be composed of intermittent visual obstructions from the ground to a height of at least twelve (12) feet.
 - b. *Materials.*
 - (1) The broken screen may be composed of a wall, vinyl/wood fence, landscaped earth berm, planted vegetation or existing vegetation.
 - (2) Compliance of planted vegetative screens or natural vegetation will be judged on the basis of the average mature height and density of the foliage of the subject species or field observation of existing vegetation. The screen may contain deciduous plants.

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

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



4. *Location of screens.* Screening required by this Section must be located along the common lot line(s) of adjacent uses. Where uses are separated by an intervening right-of-way, screening is not required. In its review of a site plan, the Community Development Department may require the location or dimensions to be modified to better achieve the desired level of screening on a particular site. **[Ord. No. 16-23 § 1, 11-28-2016]**

[Ord. No. 15-21 §1, 8-10-2015]