



## AGENDA

**Planning and Zoning Commission Meeting**  
**Municipal Court Building, 540 Civic Blvd**  
**March 07, 2022 at 6:00 PM**

**Call Meeting to Order**

**Approve Agenda**

**Approve Minutes**

- 1. Minutes Approval - 2/7/22.** Possible Vote to Approve the Minutes for the Planning and Zoning Commission Meeting on February 7, 2022.

**Meeting Procedures**

**Public Hearings**

- 2. REZN 22-001.** Public Hearing and Possible Vote to Recommend the Approval of an Application to Change the Zoning Map by Terry Carter for 0.94 Acres at 221 East US Highway 60 from Local Commercial (C-1) to General Commercial (C-2).
- 3. REZN 22-002.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Six Point Three Zero (6.30) Acres, Located at 6021 West US Highway 60, from Agricultural (AG) and Light Industrial (M-1) to Heavy Industrial (M-2)
- 4. REZN 22-005.** Public Hearing and Possible Vote to Recommend the Approval of an Application to Change the Zoning Map by Solarplex LLC for 6.02 Acres at the 4100 Block of South Farm Rod 103 Local Commercial (C-1) to General Commercial (C-2).
- 5. ORD 22-001.** Public Hearing and Possible Vote to Recommend the Approval of Amendments to Chapter 405 Zoning Regulations

**Other Business**

- 6. Vice-Chairperson Nominees.** Possible Nomination and Vote for new Vice-Chairperson.

**Citizen Participation**

**Adjournment**

**Community Development Department Update**

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 Online

February 07, 2022 at 6:00 PM

#### Call Meeting to Order

##### PRESENT

Commissioner John Alexander  
Commissioner Darran Campbell  
Commissioner Brian Doubrava  
Commissioner Ransom Ellis  
Commissioner Cynthia Hyder  
Council Liaison Garry Wilson

##### ABSENT

Commissioner Kevin Haun

#### Approve Agenda

Motion made by Commissioner Hyder, Seconded by Commissioner Doubrava.

Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava, Commissioner Ellis, Commissioner Hyder

1. Vote to Approve the Meeting Minutes from December 6, 2021.

Motion made by Commissioner Hyder, Seconded by Commissioner Campbell.

Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava, Commissioner Ellis, Commissioner Hyder

#### Meeting Procedures

##### Public Hearings

2. **REZN 21-018.** Public Hearing and Possible Vote to Recommend the Approval of an Application to Change the Zoning Map by Olde Savannah LLC for 15.09 Acres at the 6800 block of South Farm Road 89 from Agricultural (AG) to High-Density Single Family Residential (R1-H)

Motion made by Commissioner Alexander, Seconded by Commissioner Doubrava.

Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava, Commissioner Ellis, Commissioner Hyder

Speaking in Opposition: Kelly White

3. **REZN 21-019.** Public Hearing and Possible Vote to Recommend the Approval of an Application to Change the Zoning Map by Olde Savannah LLC for 7.86 Acres at the 8000 block of West Farm Road 194 from The Lakes at Shuyler Ridge Planned Development District (PDD) to High-Density Single Family Residential (R1-H)



Motion made by Commissioner Hyder, Seconded by Commissioner Alexander.  
Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava,  
Commissioner Ellis, Commissioner Hyder

Speaking in Opposition: Bryan Saunders; Steve Pulles; Peggy White

- 4. REZN 22-003.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Ten Point Two-Zero (10.20) Acres, Located at 7294 West Farm Road 144, from Agricultural (AG) to Heavy Industrial (M-2)

Motion made by Commissioner Campbell, Seconded by Commissioner Hyder.  
Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava,  
Commissioner Ellis, Commissioner Hyder

Speaking on Behalf: Ricky Haase

- 5. REZN 22-004.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Forty (40.0) Acres, Located at 3445 East Hines Street, from Medium Density Single-Family Residential (R1-M) to High Density Single-Family Residential (R1-H)

Motion made by Commissioner Campbell, Seconded by Commissioner Alexander.  
Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava,  
Commissioner Ellis, Commissioner Hyder

Speaking on Behalf: Greg Whitlow

Speaking in Opposition: Sarah Thoenen; Melissa Barton; Melissa Stogsdill

- 6. VACA 22-001.** Application to Vacate a Portion of old North Brookline Avenue

Motion made by Commissioner Doubrava, Seconded by Commissioner Hyder.  
Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava,  
Commissioner Ellis, Commissioner Hyder

Speaking on Behalf: Derek Lee

- 7. PDD 22-001.** Public Hearing and Possible Vote to Recommend the Approval of an Application to Change the Zoning Classification of Approximately Sixty-Two Point Nine Zero (62.90) Acres, Located at 2561 South State Highway MM, from Eclipse Event Center Planned Development District (PDD) to Hankins Farm Planned Development District (PDD)

Motion made by Commissioner Doubrava, Seconded by Commissioner Alexander.  
Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava,  
Commissioner Ellis, Commissioner Hyder

Speaking on Behalf: Derek Lee

- 8. PDD 22-002.** Public Hearing and Possible Vote to Recommend the Approval of an Application to Change the Zoning Classification of Approximately Twenty-Nine Point Three-Nine (29.39) Acres, Located at the 2500 Block of South State Highway MM, from General Commercial (C-2) and Agricultural (AG) to Iron Grain District Planned Development District (PDD)

Motion made by Commissioner Campbell, Seconded by Commissioner Alexander.  
Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava,  
Commissioner Ellis, Commissioner Hyder

Speaking on Behalf: Derek Lee



### Other Business

9. **SUBD-PRE 21-006:** Possible Vote to Recommend the Approval of a Preliminary Plat for Republic Industrial Subdivision, a Subdivision Consisting of Approximately 37.98 Acres Located at West Farm Road 144 and South State Highway MM.

Motion made by Commissioner Hyder, Seconded by Commissioner Campbell.

Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava, Commissioner Ellis, Commissioner Hyder

### Citizen Participation

#### Adjournment

Motion made by Commissioner Alexander, Seconded by Commissioner Doubrava.

Voting Yea: Commissioner Alexander, Commissioner Campbell, Commissioner Doubrava, Commissioner Ellis, Commissioner Hyder

---

Karen Haynes, Planning Manager

---

Ransom Ellis, Chairman

**EXHIBIT A**

**Project/Issue Name:** **REZN 22-001.** Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Zero Pointy Nine Four (0.94) Acres, Located at the 221 E US Hwy 60, from The Local Commercial (C-1) to General Commercial (C-2)

**Submitted By:** Terry Carter

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

**Date:** March 07, 2022

---

**ISSUE IDENTIFICATION**

Terry Carter has applied to change the Zoning Classification of **0.94 acres** of property located at the 221 E US Hwy 60 from **Local Commercial (C-1) to General Commercial (C-2)**.

**DISCUSSION AND ANALYSIS**

The property subject to this Rezoning Application is comprised of approximately **0.94 acres** of land located at 221 E US Hwy 60. The property is currently vacant. The Applicant intends to develop the property into a commercial development.

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**.

- **Goal:** Support market conditions to develop a greater variety of commercial options.
- **Goal:** Support new development that is well-connected to the existing community.
  - **Objective:** Promote development aligning with current adopted plans of the City.

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

The general trend of development in the vicinity of the subject property is commercial development of varying intensity.

**EXHIBIT A****Compatibility with Surrounding Land Uses**

The subject property is bordered by both Medium-Density Single Family Residential (R1-M) homes and E's Inn, zoned Local Commercial (C-1) to the north, Local Commercial (C-1) across US Hwy 60 to the south, and Dairy Queen, a Local Commercial (C-1) zoned parcel to the west.

The intent of the General Commercial (C-2) Zoning District is to permit less restrictive commercial and service-related business.

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

**Municipal Water and Sewer Service:** Water is available onsite. Sanitary sewer service is in close proximity to the site but may require main extension to serve the property. In addition, sewer will require an easement be obtained through adjacent property by the developer. The exact configuration of sanitary sewer service will be determined by the specific easement obtained as well as the eventual development pursued. These items will be more thoroughly examined upon application for a commercial building permit.

**Transportation:** The property currently has deeded access to US Hwy 60. The exact placement of that access will be at the discretion of MODOT in cooperation with the City of Republic.

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

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

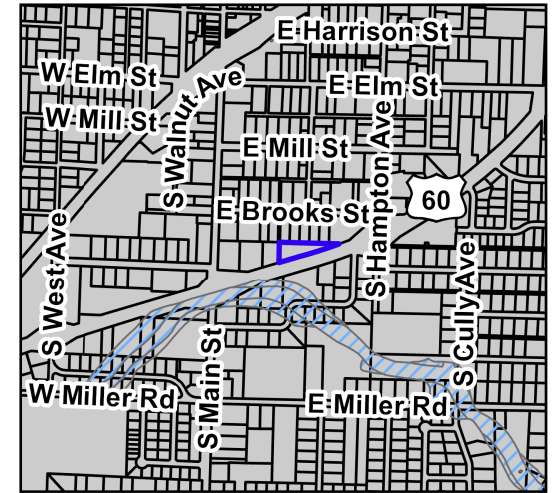
**STAFF RECOMMENDATION**

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**, generally **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 22-001: 221 US Hwy 60

Item 2.


## Vicinity Map



## Legend

-  221 E US Hwy 60
-  Parcels
-  Sinkhole
-  Floodplain

Parcel Owner: Looney Family Trust  
Parcel Address: 221 E US Hwy 60  
Area: 0.94 Acres  
Existing Zoning: Local Commercial (C-1)  
Requested Zoning: General Commercial (C-2)

0 0.01 0.01 0.02 0.03 0.04  
 Miles

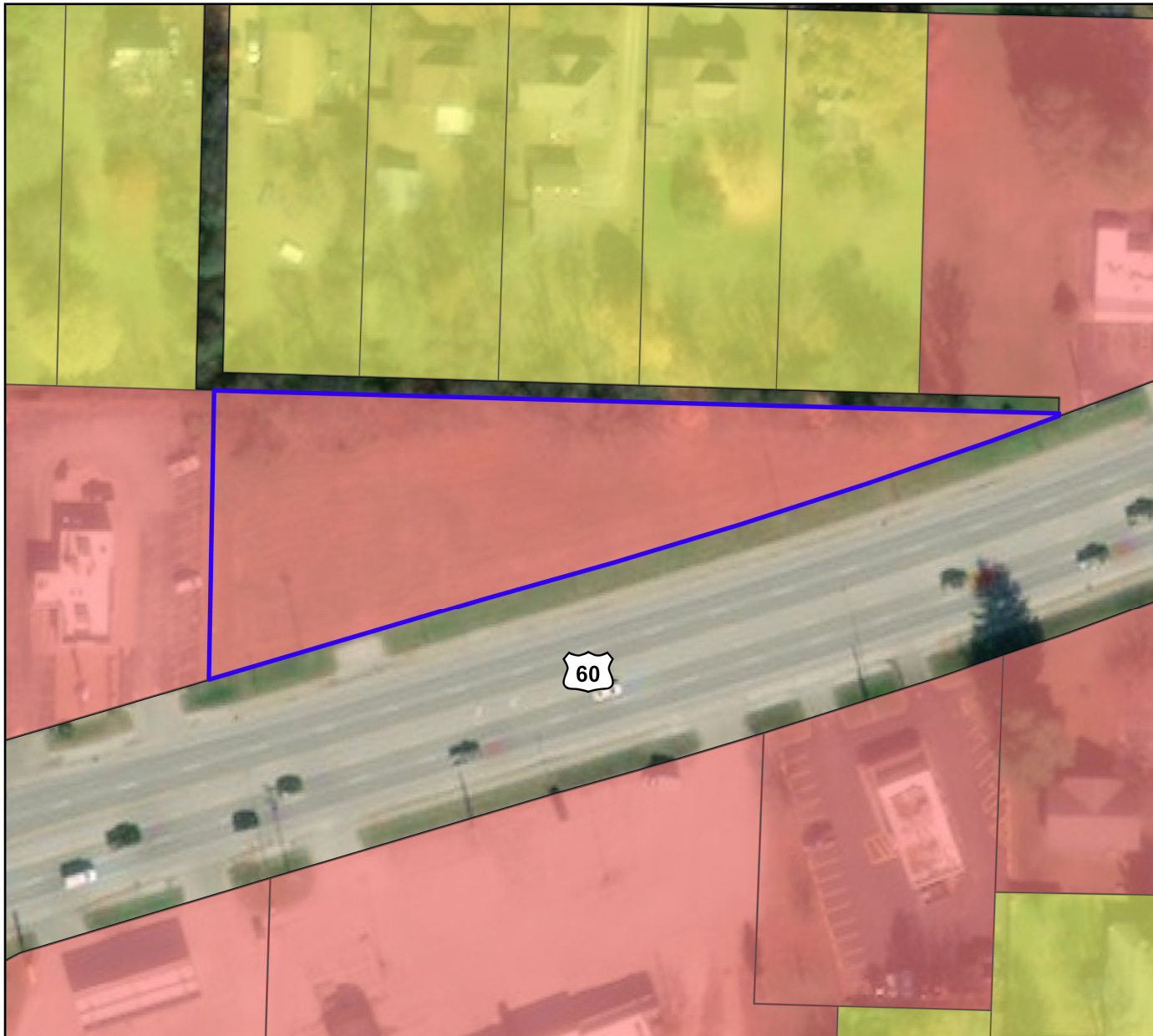




# REZN 22-001: 221 US Hwy 60

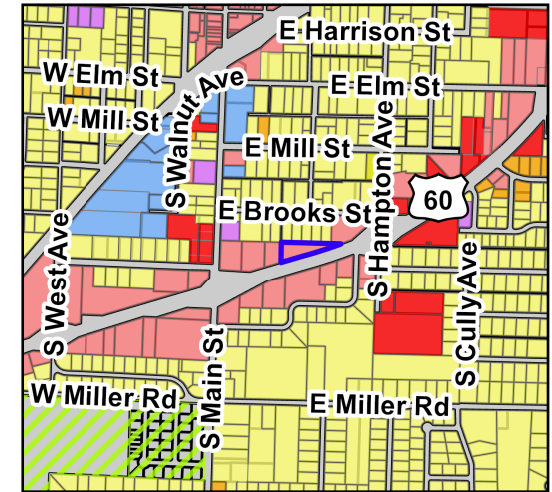
Item 2.

## Zoning Map



Parcel Owner: Looney Family Trust  
Parcel Address: 221 E US Hwy 60  
Area: 0.94 Acres  
Existing Zoning: Local Commercial (C-1)  
Requested Zoning: General Commercial (C-2)

0 0.01 0.01 0.02 0.03 0.04  
Miles



### Legend

221 E US Hwy 60

Parcels

### 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



**EXHIBIT B**

**Project/Issue Name:** REZN 22-002. Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Six Point Three Zero (6.30) Acres, Located at 6021 West US Highway 60, from Agricultural (AG) and Light Industrial (M-1) to Heavy Industrial (M-2)

**Submitted By:** Burk Bridge Co.

**Presented By:** Karen Haynes, Assistant BUILDS Administrator

**Date:** March 07, 2022

---

**ISSUE IDENTIFICATION**

Burk Bridge Co. has applied to change the Zoning Classification of approximately **6.30 acres** of property located at 6021 West US Highway 60 from Agricultural (AG) and Light Industrial (M-1) to **Heavy Industrial (M-2)**.

**DISCUSSION AND ANALYSIS**

The property subject to this Rezoning Application consists of approximately (6.30) acres of land located at 6021 West US Highway 60; the property contains two primary commercial structures that were previously used by a bridge building contractor. The Applicant intends to develop the property into a commercial development.

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 and industrial 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:** Support market conditions to develop a greater variety of commercial options
- **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

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

**EXHIBIT B**

The general trend in the vicinity of the subject property, along US Highway 60, is commercial and industrial development.

**Compatibility with Surrounding Land Uses**

The subject property is surrounded by Light Industrial (M-1) to the west, Agricultural (AG) to the north; Light Industrial (M-1) to the east, and US Highway 60 to the south.

The land uses permitted in the Heavy Manufacturing (M-2) Zoning District include a wide range of commercial and industrial uses.

**Capacity to Serve Potential Development and Land Use****Municipal Water and Sewer Service:**

Development of the property will require connecting to existing municipal water and sewer mains located parallel to US Highway 60; connections to municipal utilities will require the decommissioning of private connections.

A (12) inch water main and a (10) inch gravity sewer main are located parallel to US Highway 60. The sanitary sewer will flow from the site to the McElhaney and Shuyler Creek Lift Stations before it is pumped to the Wastewater Treatment Facility.

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

**Transportation:**

A Traffic Impact Study (TIS) was not required for the Rezoning Application, as the property currently has two commercial access points on US Highway 60, which will continue to be utilized for the proposed development. These access points will also be utilized by the two adjacent properties on either side of the subject property and are served by a (30) foot platted access easement. Development of the property will require adherence to the City's Transportation Plan, Adopted Transportation Map, and MODOT's regulations.

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

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

**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**





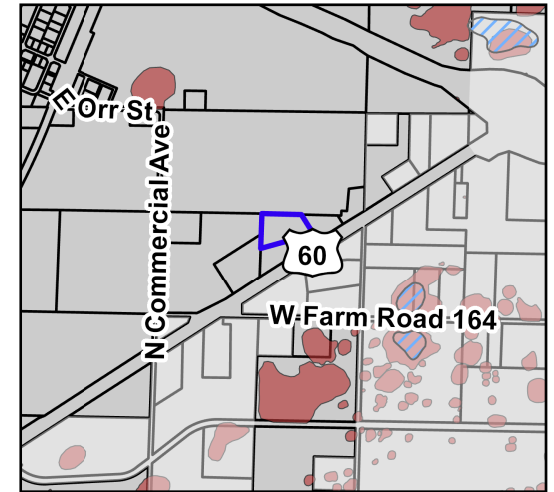
## EXHIBIT B

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 22-002: 6021 W US Hwy 60

Item 3.

## Vicinity Map



## Legend

- Parcels
- Sinkhole
- Floodplain
- 6021 W US Hwy 60

Parcel Owner: Burk Bridge Company  
Parcel Address: 6021 West US Hwy 60  
Area: 6.3 Acres  
Existing Zoning: Agricultural (AG); Light Manufacturing (M-1)  
Requested Zoning: Heavy Manufacturing (M-2)

0 0.02 0.04 0.08 0.12 0.16  
 Miles

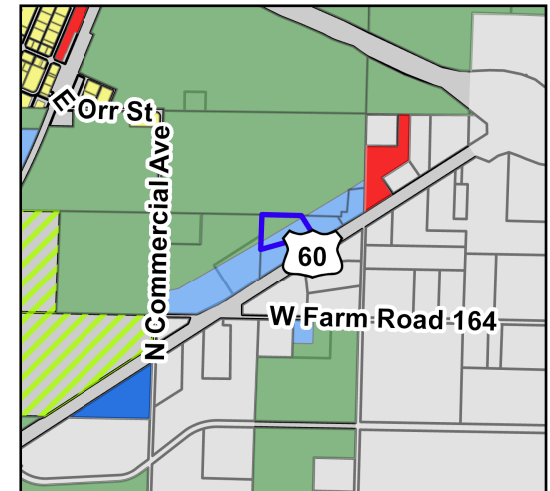




# REZN 22-002: 6021 W US Hwy 60

Item 3.

## Zoning Map



### Legend

6021 W US Hwy 60

Parcels

### 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

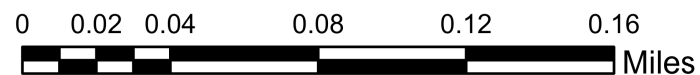
R1-H Single Family High Density

R1-Z Zero Lot Line Residential

R-2 Two-family Residential

R-3 Multi-family Residential

Parcel Owner: Burk Bridge Company  
Parcel Address: 6021 West US Hwy 60  
Area: 6.3 Acres  
Existing Zoning: Agricultural (AG); Light Manufacturing (M-1)  
Requested Zoning: Heavy Manufacturing (M-2)



**EXHIBIT C**

**Project/Issue Name:** REZN 22-005. Public Hearing and Possible Vote to Recommend the Approval of An Application to Change the Zoning Classification of Approximately Six Point Zero-Two (6.02) Acres, Located at the 4100 Block of South Farm Road 103, from Local Commercial (C-1) to General Commercial (C-2)

**Submitted By:** Solarplex, LLC

**Presented By:** Karen Haynes, Assistant BUILDS Administrator

**Date:** March 07, 2022

---

**ISSUE IDENTIFICATION**

Solarplex LLC has applied to change the Zoning Classification of approximately **6.02 acres** of property located in the 4100 Block of South Farm Road 103 from Local Commercial (C-1) to **General Commercial (C-2)**.

**DISCUSSION AND ANALYSIS**

The property subject to this Rezoning Application consists of approximately (6.02) acres of land located in the 4100 Block of South Farm Road 103; the property is currently vacant. The Applicant intends to develop the property into a commercial development.

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**.

- **Goal:** Support market conditions to develop a greater variety of commercial options
- **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

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

**EXHIBIT C**

The general trend in the vicinity of the subject property, along West Republic Road, is commercial and residential development.

**Compatibility with Surrounding Land Uses**

The subject property is surrounded by Local Commercial (C-1) to the west, Multi-Family Residential (R-3) to the north; Greene County Agricultural to the east, and Agricultural (AG) to the south.

The land uses permitted in the General Commercial (C-2) Zoning District include a variety of commercial uses, including Contractor Offices.

**Capacity to Serve Potential Development and Land Use****Municipal Water and Sewer Service:**

Development of the property will require connecting to existing municipal water and sewer mains located adjacent and through the property; no existing private utilities exist on the parcel.

A (12) inch water main runs parallel to West Republic Road and may need to be extended depending on the area of development on the parcel; a (15) inch gravity sewer main runs through the southwest corner of the property. The sanitary sewer will flow from the site to the McElhaney and Shuyler Creek Lift Stations before it is pumped to the Wastewater Treatment Facility.

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

**Transportation:**

A Traffic Impact Study (TIS) was not required for the Rezoning Application, as the property will be accessed only from South Farm Road 103; the BUILDS Department will coordinate driveway access review during the Building Permitting Process with Greene County Highway Department. Development of the property will require adherence to the City's Transportation Plan and Adopted Transportation Map.

**Floodplain:** The subject parcel **does** contain any areas of Special Flood Hazard Area (Floodplain); development of the property will require compliance with the City's Floodplain Ordinance.

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

**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**



## EXHIBIT C

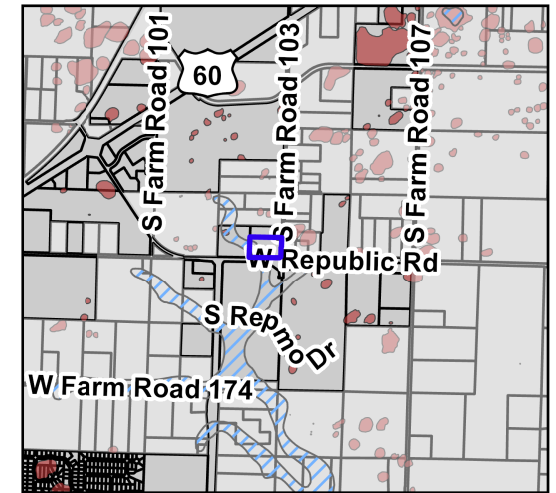
vicinity of the site, compatible with surrounding land uses, and able to be adequately served by municipal facilities. Based upon this analysis (performed without the benefit of evidence and testimony of a public hearing), **Staff recommends the approval of this application.**




# REZN 22-005: 4100 Block S FR 103

Item 4.

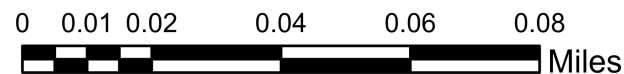
## Vicinity Map



## Legend

-  Solarplex
-  Parcels
-  Sinkhole
-  Floodplain

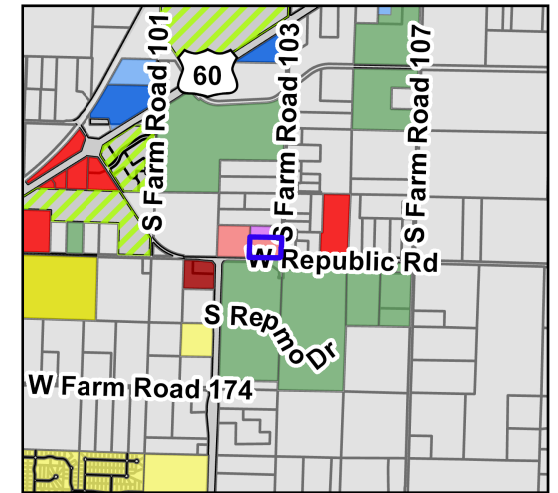
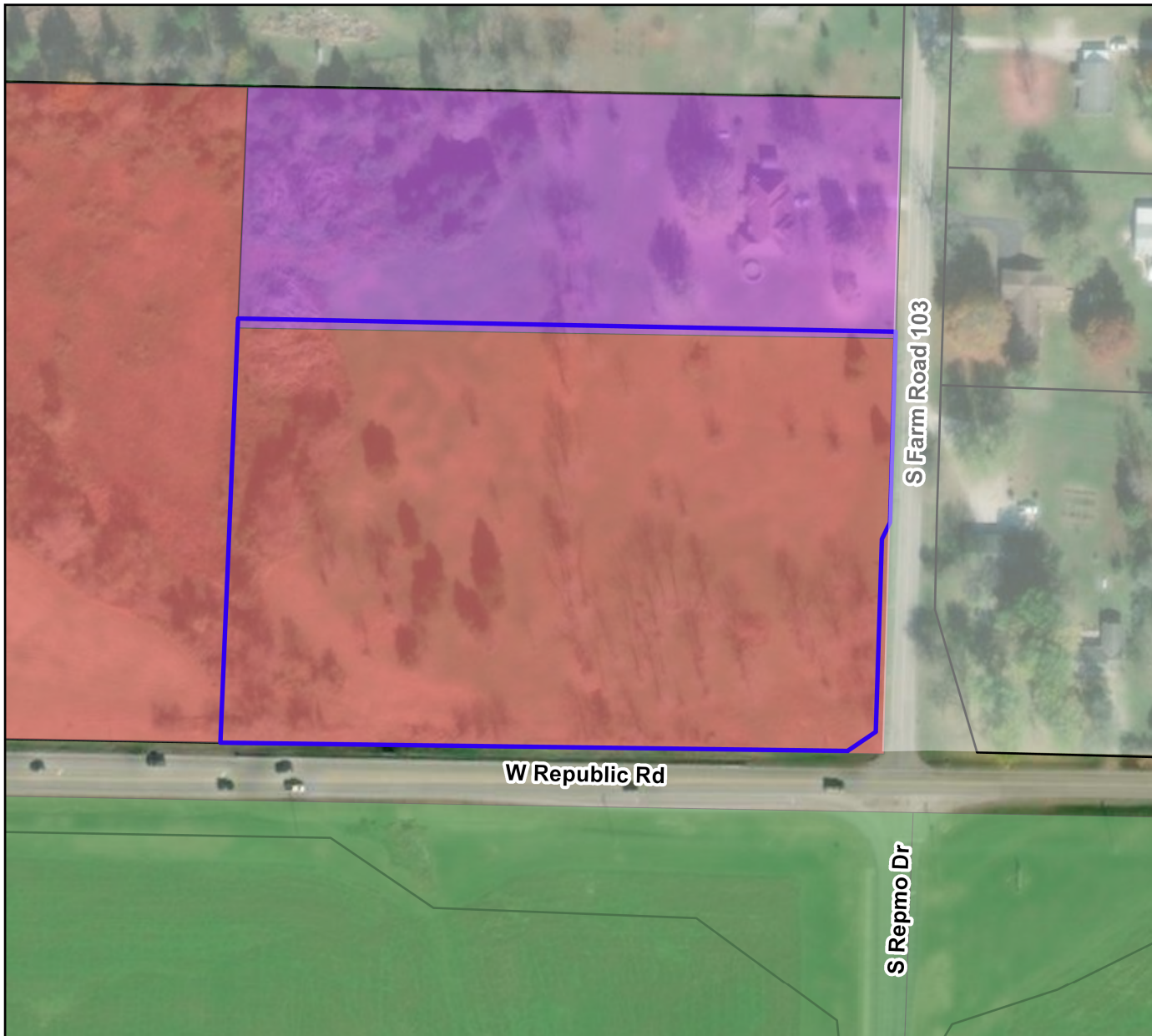
Parcel Owner: Solarplex LLC  
Parcel Address: 4100 Block of South Farm Road 103  
Area: 6.02 Acres  
Existing Zoning: Local Commercial (C-1)  
Requested Zoning: General Commercial (C-2)



# REZN 22-005: 4100 Block S FR 103

Item 4.

## Zoning Map



### Legend

Solarplex

Parcels

### 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

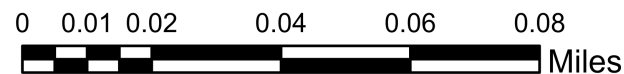
R1-H Single Family High Density

R1-Z Zero Lot Line Residential

R-2 Two-family Residential

R-3 Multi-family Residential

Parcel Owner: Solarplex LLC  
Parcel Address: 4100 Block of South Farm Road 103  
Area: 6.02 Acres  
Existing Zoning: Local Commercial (C-1)  
Requested Zoning: General Commercial (C-2)





**EXHIBIT D**

**Project/Issue Name:** **ORD 22-001.** Public Hearing and Possible Vote to Recommend the Approval of Amendments to Chapter 405 Zoning Regulations

**Submitted By:** BUILDS Department

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

**Date:** March 7, 2022

---

**ISSUE IDENTIFICATION**

Consideration to approve Amendments to Chapter 405 Zoning Regulations

**DISCUSSION AND ANALYSIS**

The City of Republic is requesting Amendments to Chapter 405 Zoning Regulations– specifically to Sections 405.020 Definitions, 405.150 “C-1” Local Commercial District Regulations, 405.160 “C-2” General Commercial District Regulations, 405.165 “C-3” General Commercial District Regulations, and Chapter 405 Article – V Height and Area Requirements, Exceptions and Modifications.

Together these amendments serve two purposes.

1. The permittance of Bars and Taverns in the C-1, C-2, and C-3 zoning districts.
2. General cleanup of the ordinance as necessary to ensure clarity and concision.

***405.020 Definitions***

Adding definition within 405.020: **Bar or Tavern – Any building or structure devoted primarily to the selling serving or dispensing and drinking of malt, vinous, or other alcoholic beverages in which the serving of food may occur incidental to the consumption of such alcoholic beverages. May include the brewing, distilling, or vintning of products so long as said products are retailed onsite and are not intended for wholesale.**

The definition allows for the manufacturing and sale of alcohol for sale on the premises.

***405.150 “C-1” Local Commercial Zoning District Regulations***

Removing text within 405.150.B Uses Permitted: ~~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.~~

**EXHIBIT D**

The necessary restrictions on alcohol sales and distribution are present in Chapter 600 Alcoholic Beverages. Regulations regarding alcohol should remain relegated to the single, most appropriate area of the Municipal Code.

***405.160 “C-2” General Commercial District Regulations***

Altering text within 405.160.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~~ take into consideration the adjacency of residential uses restricted.

This change is intended to clarify unclear language as well as reflect the application of the district as practiced.

***405.165 “C-3” General Commercial District Regulations***

Adding text within 405.165.B Uses Permitted:

43. 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.

**44. Bar or tavern*****405-V Height And Area Requirements, Exceptions, And Modifications***

Altering references in the chart to ensure that they match up with changes made in a previous amendment.

**STAFF RECOMMENDATION**

Staff recommends the approval of the referenced Amendment.

## **405.020 Definitions**

1. 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.
2. 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.

### **BAR OR TAVERN**

Any building or structure devoted primarily to the selling, serving or dispensing and drinking of malt, vinous, or other alcoholic beverages in which the serving of food may occur incidental to the consumption of such alcoholic beverages. May include the brewing, distilling, or vintning of products so long as said products are retailed onsite and are not intended for wholesale.

### **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**

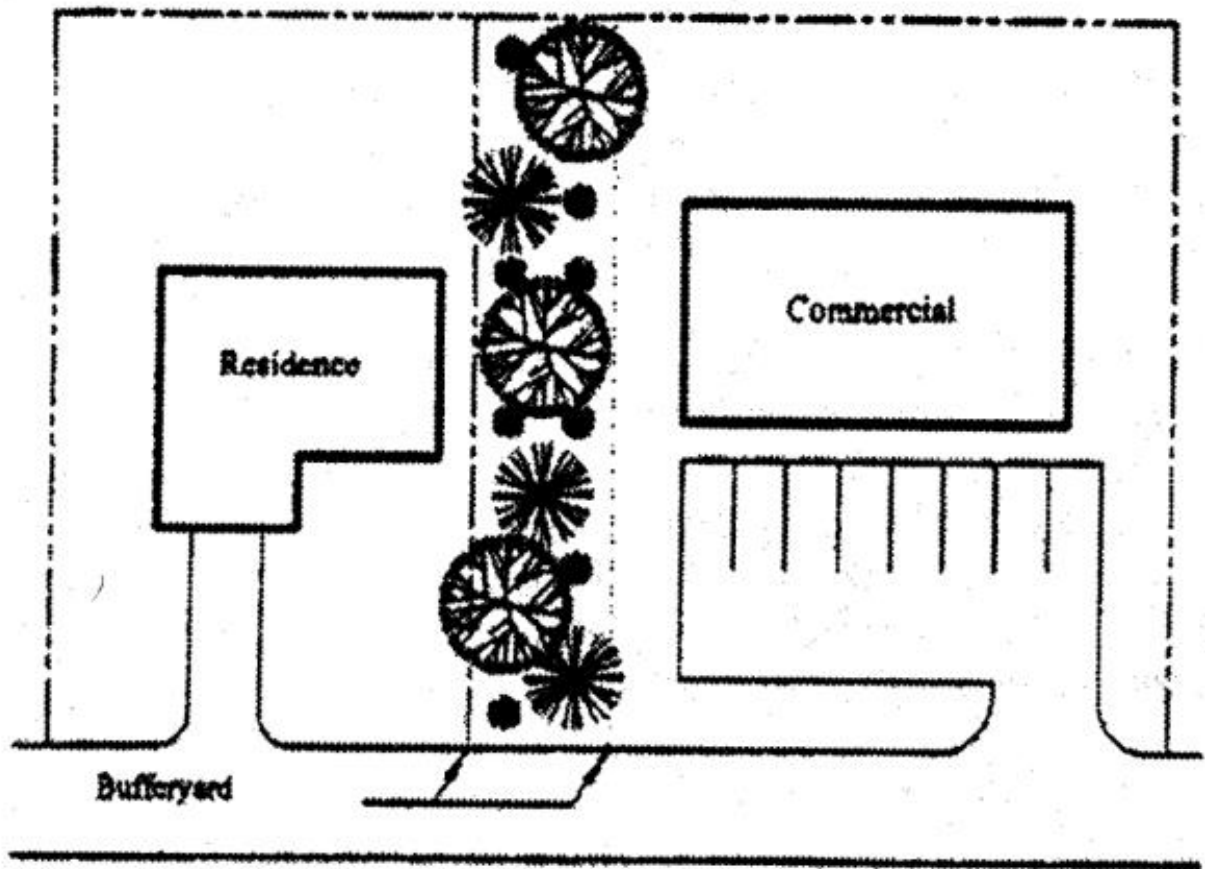
An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

### **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.

**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:

3. 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
4. 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:

5. One (1) or more persons related by blood, marriage, adoption or custodial relationship living as a single housekeeping unit; or
6. Three (3) or less unrelated persons living as a single housekeeping unit; or
7. 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 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**

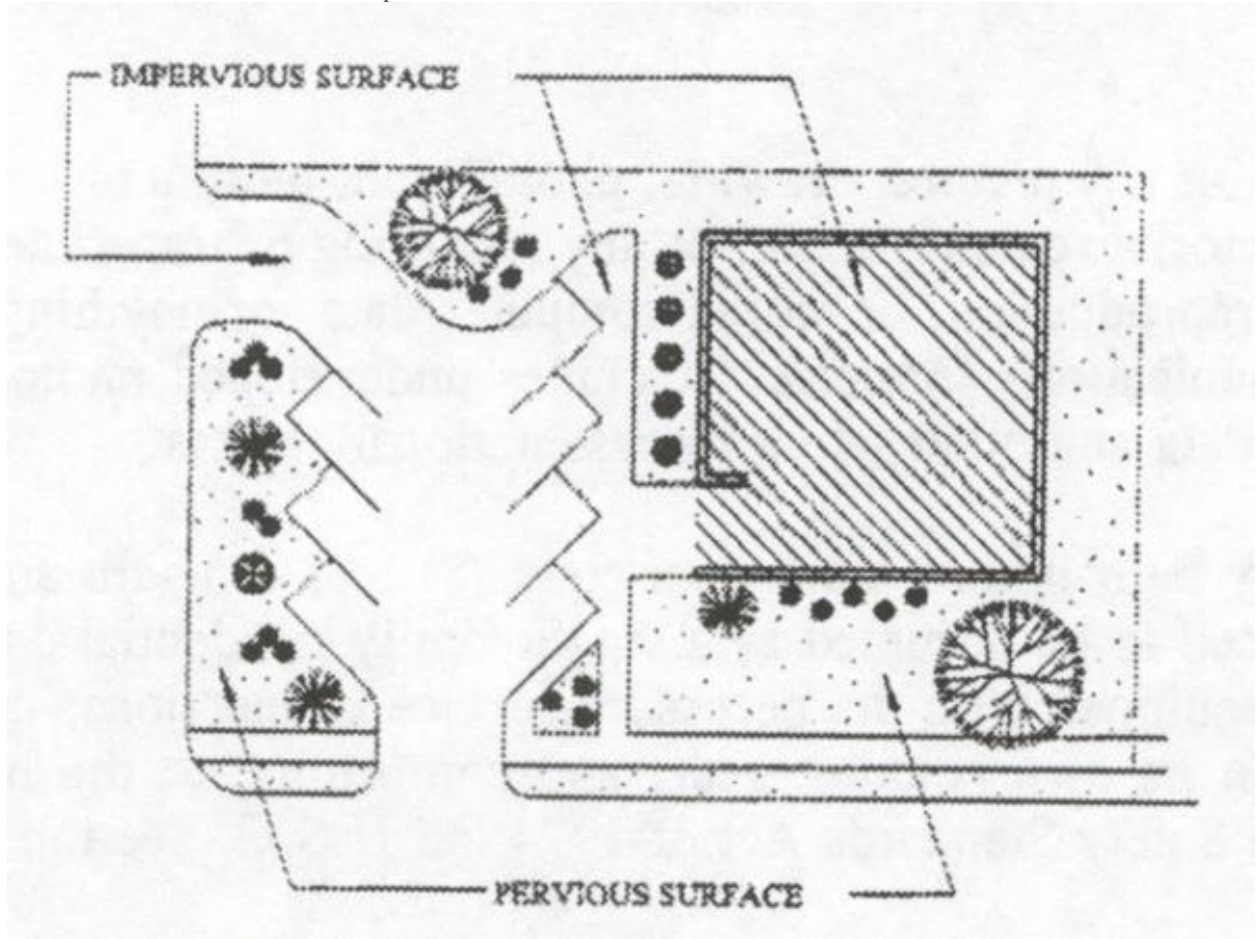
A building in which lodging, or boarding and lodging are provided and offered to the public for compensation, and in which ingress and egress to and from all rooms are made through an inside



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.



### **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:

8. 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
9. 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 six (6) foot greenspace strip which surrounds the entire 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 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:

10. Shared parking.
11. Common management.
12. Common identification.
13. Common access.
14. 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:

15. Is subordinate to and serves a principal structure,
16. Is subordinate in area, extent or purpose to the principal structure,
17. Contributes to the comfort, convenience or necessity of the occupants, business or industry in the principal structure,
18. 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.

[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]



## **405.150 "C-1" Local Commercial District Regulations**

1. *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.
2. *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.
  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. No outside cages, kennels, fences, equipment, materials, or accessories to the business shall be stored outside or used on the premises.
3. *Height And Area Regulations.* The height and area regulations set forth in Article V shall be observed.
4. *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.

[Ord. No. 03-56 §1, 8-25-2003; Ord. No. 04-19 §1, 3-8-2004]

## **405.160 "C-2" General Commercial District Regulations**

1. *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~~ take into consideration the adjacency of residential uses ~~restricted~~.
2. *Uses Permitted.*
  1. Any use permitted in the "C-1" Commercial District, without restriction as to the 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. Swimming pool sales and displays.
  13. Truck stops including fueling; sales; and service of commercial freight hauling vehicles.
  14. 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.
  15. Radio; cable; television; or other broadcasting studios.
  16. Rental and service of commercial moving vehicles; including trailers, towing equipment, construction and landscaping equipment.
  17. Car wash, quick lube or place of express auto service.
  18. General automotive repair establishments, excluding auto-body and painting establishments.
  19. Hardware and home improvement stores, excluding the outside storage of lumber, block and associated aggregate products.
  20. Farm equipment and supplies, implement sales and service, livestock and animal feed.
  21. Pre-manufactured storage buildings and accessory structures display and sales.
  22. Filling stations.
3. *Height And Area Regulations.* The height and area regulations set forth in Article **V** shall be observed.
4. *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**.

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

**405.165 "C-3" General Commercial District**

1. *Intent.* The zoning of property as "C-3" is intended to provide for retail and wholesale sales and services with only minor restrictions.
2. *Uses Permitted.*
  1. Residential building construction.
  2. Heavy and civil engineering construction.
  3. Specialty trade contractors.
  4. Merchant wholesalers, durable goods.
  5. Merchant wholesalers non-durable goods.
  6. Motor vehicle and parts dealers.
  7. Furniture and home furnishings stores.
  8. Electronics and appliance stores.
  9. Building material and garden equipment and supplies dealers.
  10. Food and beverage stores.
  11. Health and personal care stores.
  12. Gasoline stations.
  13. Clothing and clothing accessories stores.
  14. Sporting goods, hobby and music stores.
  15. General merchandise stores.
  16. Miscellaneous store retailers such as florists, office supplies, stationery, gift stores, novelty and souvenir stores, used merchandise stores, pet and pet supplies stores, art dealers, manufactured home dealers, tobacco stores.
  17. Non-store retailers.
  18. Truck transportation.
  19. Transit and ground passenger transportation.
  20. Support activities for transportation.
  21. Postal service.
  22. Couriers and messengers.
  23. Publishing industries.
  24. Motion picture and sound recording industries.
  25. Broadcasting.
  26. Internet publishing and broadcasting.
  27. Telecommunications.
  28. Internet service providers.
  29. Finance and insurance offices.
  30. Real estate, rental and leasing.
  31. Professional, scientific and technical services.
  32. Management of companies and enterprises.
  33. Administrative and support services.
  34. Educational services.
  35. Health care and social assistance.
  36. Arts, entertainment and recreation.
  37. Accommodation and food services.
  38. Repair and maintenance.
  39. Personal and laundry services.
  40. Religious, grantmaking, civic, professional and similar organizations.
  41. Executive, legislative and other general government services.
  42. 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]

43. 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.
44. Bar or tavern
3. *Height And Area Regulations.* The height and area regulations set forth in Article V shall be observed.
4. *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.
5. *Site Plan Review.* Development in the "C-3" District shall be subject to site plan review requirements and procedures.

[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.

**CITY OF REPUBLIC HEIGHT AND AREA REGULATIONS CHART [Ord. No. 17-06 § 1, 1-17-2017]**

	AG	R-1L	R-1M	R-1H	R1-MH	R-1Z	R-2	R-3	C-1	C-2	C-3	M-1	M-2
Min. Lot Size	3 acres	12,000 s.f.	9,000 s.f.	7,000 s.f.	6,000 s.f.	5,000 s.f.	10,000 s.f.	2,500 s.f.	--	--	--	--	--
Front Setback	25'	25'	25'	25'	25'	25'	25'	15'	15'	15'	15'	15'	15'
Rear Setback	25'	25'	25'	25'	25'	25'	25'	15'	15' (BF)	15' (BF)	15' (BF)	15' (CG)	30' (CG)
Side Street Setback at an Intersection of two Collector Class Streets or Greater	25'	25'	25'	25'	25'	25'	25'	15'	15'	15'	15'	15'	15'
Side Street Setback at an Intersection of Local and Collector Class Streets	20'	20'	20'	20'	25'	25'	25'	15'	15'	15'	15'	15'	15'
Side Street Setback at an Intersection of Local and Local Class Streets.	15'	15'	15'	15'	25'	25'	25'	15'	15'	15'	15'	15'	15'
Interior Side Yard Setback	6'	6'	6'	6'	6'	0' (A4D)	6'	15' (BF)	6' (BF)	6' (BF)	6' (BF)	15' (CG)	15' (CG)
Min. Lot Width	100'	100'	80'	70'	60'	45'	85'	70'	--	--	--	--	--

Min. Cul-de-sac Lot Width	60'	80' (EJ)	70' (EJ)	60' (EJ)	40' (EJ)	40' (EJ)	80' (EJ)	60' (EJ)	--	--	--	--	--
Min. Lot Depth	200'	110'	100'	90'	80'	100'	100'	100'	--	--	--	--	--
Max. Lot Coverage	--	--	--	--	--	--	--	80%	90%	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	--	--	--	--	--
Min. Distance Between Structures	--	--	--	--	--	--	--	15'	--	--	--	--	--
Max. Building Height	--	--	--	--	--	--	--	--	(DH)	(DH)	(DH)	(DH)	(DH)

**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]

#### HISTORY

Amended by Ord. [21-66](#) on 11/4/2021

#### **405.545 Height And Area Exceptions And Conditions** [Edit](#)

1. 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.
2. 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 side yard setback shall each be twenty-five (25) feet.
3. 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 side yard setback shall each be thirty-five (35) feet in a "M-1" District; and fifty (50) feet in a "M-2" District.
4. 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.
5. 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.

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



## HISTORY

Amended by Ord. [21-66](#) on 11/4/2021

**405.550 Generally** [Edit](#)

1. Where a lot of record at the time of the effective date of this ordinance has less area or width than herewith required in the district in which it is located, said lot may nonetheless be used for a single-family dwelling use permitted in the district in which it is located.
2. Where a use is permitted in a less restrictive district in which the property is zoned, the use shall be subject to the area regulations of similar and appropriate districts. Determination of which shall be based on use and the closest lot size, without exceeding the minimum requirements for that district. When single-family is permitted, the area regulations for the "R1-M" shall apply.
3. Minimum lot width on a cul-de-sac shall be measured at the building setback as established in Section **405.540**.

**405.560 Height Limitations** [Edit](#)

1. The height limitations of this Chapter shall not apply to:
  1. Church spires.
  2. Belfries.
  3. Monuments.
  4. Water towers.
  5. Tanks.
  6. Fire towers.
  7. Stage towers
  8. Cooling towers.
  9. Ornamental towers and spires below fifty (50) feet in height.
  10. Radio and television towers, antennae or aerials below fifty (50) feet in height.
  11. Chimneys.
  12. Elevator bulkheads.
  13. Smoke stacks.
  14. Conveyors.
  15. Flagpoles.
  16. Communication towers shall comply with the regulations set forth in Section **405.170(B)(8)**.
2. Public, semi-public or public service buildings, hospitals, institutions or schools, when permitted in a district, may be erected to a height not exceeding sixty (60) feet, and churches may be erected to a height not exceeding seventy-five (75) feet when the required side and rear yards are each increased by at least one (1) foot for each one (1) foot of additional building height above the height limit otherwise provided in the district in which the building is located.
3. Buildings that are to be used for storage purposes only may exceed the maximum number of stories that are permitted in the district in which they are located, but such buildings shall not exceed the number of feet of building height permitted in such district.

[CC 1999 §26-44]