

BILL NO. 23-083

ORDINANCE NO. 4645

Introduced by Alderman Russell Rost

AN ORDINANCE APPROVING AND ESTABLISHING A RAILROAD OVERLAY DISTRICT WITHIN THE CITY OF UNION MISSOURI AND ESTABLISHING THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF UNION, MISSOURI, AS FOLLOWS:

SECTION 1. The Board of Aldermen, City of Union, Missouri, hereby finds it is in the best interests of the citizens of the City of Union that the Zoning Code be amended with the creation of the Railroad Overlay District to be added to the Code.

SECTION 2. The Railroad Overlay District shall be defined by the terms contained in EXHIBIT A which is attached and incorporated herein by reference.

SECTION 3. This ordinance shall be in full force and effect immediately after its final passage and approval, whichever date is later.

Passed this 18 day of December, 2023.

VOTE:	Amanda Sullivan	<u>YEA</u>	Jacob T. Doepke	<u>YEA</u>
	Brian Pickard	<u>YEA</u>	Dennis Soetebier	<u>ABSENT</u>
	Heather Epple	<u>YEA</u>	Tom Strubberg	<u>YEA</u>
	Barbara E. Laberer	<u>ABSENT</u>	Russell Rost	<u>YEA</u>

BZ  
Presiding Officer

Approved this 18 day of December, 2023.

BZ  
Brian Pickard, Alderman Ward 1  
Acting President of the Board of Aldermen

Attest:  
Jonita Copeland  
Jonita Copeland, City Clerk



## **RAILROAD OVERLAY DISTRICT**

### **A. Boundary of District**

The District shall be bounded by the following: Beginning at the intersection of Washington Avenue and Grant Street, thence East on Grant Street to Union Avenue, thence North on Union Avenue to Franklin Avenue, thence East on Franklin Avenue to Church Street, thence North on Church Street to Hambro Ave, thence West on Hambro to Washington Ave, thence South on Washington Ave to Park Ave, thence West on Park Ave. to Christina Ave, thence South on Christina Avenue to Flat Creek, thence South and East along Flat Creek to Washington Avenue, thence North on Washington Avenue to the point of beginning.

### **B. Purpose Of the District.**

1. The purpose of this district is to recognize the unique attributes of the area identified as Railroad Overlay District on the Official Zoning District Map and to encourage the development, redevelopment, and revitalization of this area. The regulations of this overlay district are intended to allow greater design flexibility in development than is permitted by the other district regulations.
2. It is hereby recognized that there exists those parts of the city that have developed for commercial use along long established railway lines, which were developed before the institution of the Zoning Code. The redevelopment of these parcels either individually, or collectively, might impose unnecessary or undesirable rigidities on the site plan and thereby prevent achievement of the best possible plan within the Code. Therefore this Article has the following intents:
3. To permit flexibility in site design by taking into consideration varying conditions present on a proposed site.
4. To achieve more efficient use of land within the City, and still staying within the framework and intent of the Zoning Code, which can result from older developments not being able to be redeveloped under strict compliance with the Zoning Code.
5. To foster a more stable community by providing a vehicle for the redevelopment of commercial land uses.
6. To encourage and redevelopment of buildings, roads, parking lots, and other facilities and activities within the district.
7. To encourage the safety of pedestrian and vehicular traffic by reducing the number of traffic conflict points within a redevelopment.

### **C. Objective of the District.**

This district is intended to achieve these objectives while promoting and protecting the public health, safety, and welfare of the City, and while safeguarding the present and future use and development of areas within the District Boundary. The provisions of this Article

shall supersede other Zoning Code regulations which are in conflict herewith except for these provisions regarding infrastructure improvements. All requirements pertaining to infrastructure improvements set forth in other subdivision regulations shall be applicable to the District.

**D. Improvements within Railroad Overlay District Allowed.**

1. Any improvements to property in the District which is a non-conforming use under the Zoning Code, shall comply with the District regulations applicable to such improvements, regarding lot area, setbacks, parking, right of way and sidewalk access, and vehicular circulation regulations.
2. Developments which are Permitted and conditional uses shall be developed in accordance with the underlying zoning district regulations. Existing land uses within the overlay district which are otherwise permitted under the Railroad Overlay District, shall be considered conforming uses even if the property has a different zoning category than those set forth in Appendix A of the Land Use Code of the City of Union.

**E. Lot Area Requirements.**

There are no minimum lot area requirements in the District; provided, however, that the lot size shall be sufficient to accommodate the proposed use with all appurtenant requirements.

**F. Setback Requirements.**

No Setback requirements shall be required. Buildings and other improvements shall be oriented such that sight distance is not diminished. Sight distance shall be determined in accordance with American Association of State Highway and Transportation Officials. (AASHTO) standards.

**G. Parking Requirements.**

The parking requirements for residential uses and businesses located in the District for previously developed property shall be reviewed as part of the Building Permit or business license application upon the application by the developer. In cases where minimum parking spaces cannot be provided on site, or a shared parking agreement cannot be reached, the Planning and Zoning Commission shall review a parking plan. The Planning and Zoning Commission shall inform the Board of Alderman of the action taken on the parking plan.

**H. Public Roadway And Sidewalk Upgrades And Right-Of-Way Dedication.**

Because of space constraints, it is recognized that the traditional roadway and sidewalk cross sections established by the City Code will not be practical in many areas of this Railroad Overlay District. With this in mind, the Planning and Zoning Commission shall determine the extent of public roadway and sidewalk improvements, and right-of-way dedication to be required on new developments or improvements. A traffic study may be required by the City Engineer, at the applicant's cost, to determine what improvements are necessary. In cases where a traffic study is not warranted, the City Engineer shall determine the extent of the reduced roadway or sidewalk cross-section improvements to be used. For the purpose of being consistent, as the City approves developments in the downtown area and on specific streets within the downtown area, the City will develop a pattern of the approved roadway and sidewalk cross sections, and these will provide a template for future projects. The Engineering Division shall collect and maintain a library of the roadway and sidewalk cross sections that get approved on projects within this district.

**I. Vehicular Circulation Guidelines.**

Whenever possible, internal access drives should be located to join together existing public streets and/or connect to adjacent private drives, so that the internal circulation functions as an integral part of the surrounding transportation network.

Developers shall provide at least one (1) vehicular link to each abutting property to the extent practical. This is most often accomplished by joining adjacent parking lots. If the lot is undeveloped or underdeveloped, Developers shall provide (at an appropriate grade) part of the connection or maintain the potential for a future link.

Developers shall minimize or eliminate curb cuts along public streets. Where possible, shared vehicular access with adjacent properties and/or the utilization of alleys for access to the property shall be maintained.