

BILL NO. 24-12979 INTRODUCED BY HOLTMEIER

ORDINANCE NO. 24-13947

AN ORDINANCE AMENDING SECTION 400.080 OF THE
CODE OF THE CITY OF WASHINGTON, MISSOURI

WHEREAS, on April 8, 2024, the Planning and Zoning Commission of the City of Washington, Missouri considered amendments to the Code of the City of Washington, Missouri related to amendments to the R-2 Zoning District; and

WHEREAS, the Planning and Zoning Commission of the City of Washington, Missouri voted to recommend approval of said amendments; and

WHEREAS, upon the filing of the recommendation and report by the Planning and Zoning Commission with respect to the proposed amendments, Notice of a Public Hearing before the City Council of the City of Washington, Missouri to consider said amendments was published in the Washington Missourian on April 17, 2024, which notice gave the date and time of the public hearing at least fifteen (15) days prior thereto.

BE IT ORDAINED by the Council of the City of Washington, Missouri, as follows:

SECTION 1: Section 400.080 of the Code of the City of Washington, Missouri is hereby amended to read as follows:

Section 400.080. R-2 Two-Family Residence District.

A. Intent And Purpose. The purpose of the R-2 District is to protect and preserve areas of low, medium, and higher density single-family residential development in certain areas while allowing for development of two-family dwelling units as in-fill within other parts of areas of the City of Washington designated in this district on lots of not less than six thousand (6,000) square feet. The regulations set forth in this Section or set forth elsewhere in this Chapter, when referred to in this Chapter, are the regulations in the R-2 Two-Family Residence District.

B. Permitted Uses. The permitted uses in the R-2 Two-Family Residence District are those as provided for in Section 400.120 of this Article. In addition, the following use is permitted:

1. Single-family dwellings on property located in the R-2 Overlay District. The R-2 Overlay District only includes properties located north of Ninth

Street excluding properties located on Hill Street, Alberta Street and West Seventh Street.

2. Temporary real estate offices or sales offices subject to the provisions of Article IV, Section 400.165.

C. Accessory Uses, Buildings, And Structures. A permitted accessory use is any use or structure which complies with the definition of "accessory use" contained in Article II, Definitions, and as further provided for in Article IV, Supplementary Regulations, Section 400.150. In addition, the following are permitted accessory uses:

1. Home occupations.

D. Special Uses. Certain additional uses may be permitted in the R-2 Two-Family Residence District as provided for in Section 400.120 of this Article and subject to the provisions of Article V of this Chapter. Additional provisions apply to certain uses as listed below:

1. Single-family dwellings not located within the boundaries as identified in Section 400.080(B)(1). A map illustrating the affected changes is on file in the City offices.
2. Mobile home parks are subject to the provisions of Article IV, Section 400.160.
3. Any use substantially similar to the special uses listed Section 400.120(D) in terms of the effect of the proposed use upon surrounding properties may be permitted, provided that in determining whether such proposed use is substantially similar to the expressed special uses, there shall be taken into consideration any objectionable characteristics of the proposed use, including, but not limited to, the emission of odor, dust, smoke, gas fumes, noise or vibration, as well as the criteria set out in Article IV, Section 400.195; provided further, however, that any such substantially similar special use shall be consistent in all other respects with the provisions of this Chapter.
4. Agricultural uses such as field crops, truck gardening; berry or bush crops; tree crops, flower gardening; orchards; aviaries and apiaries; grazing, breeding and raising of livestock; provided, that all buildings and enclosures for the feeding, breeding or milking, but not including pasturing and grazing of such animals are located not less than two hundred (200) feet from any lot line; including a greenhouse but not including a salesroom or roadside stand.

E. Parking Requirements.

1. Number Of Required Spaces. The regulations governing the number of required parking spaces with respect to various uses allowed within this zoning district are set out at Article VI of this Chapter.
2. Additional Parking Requirements.
 - a. Off-street parking for non-residential uses in residential districts must be approved by the special use procedure described in Article V of this Chapter.
 - b. The required parking spaces for residences shall be located in the side and rear yard and in the front yard on a driveway only.
 - c. All vehicles, except those defined in Subsection (C) of this Section, shall be permitted to park in this district. No vehicle may park in a front yard, except in a driveway providing access to a garage, carport or other permitted parking area for a dwelling. Vehicles may be parked anywhere in a side or rear yard. Driveways and parking areas shall be an improved surface of either asphalt or concrete.
 - d. The total number of vehicles, including allowed recreational vehicles on a premises, shall not exceed five (5) for any one (1) residential unit.
3. Parking of commercial vehicles are subject to the provisions of Article VI, Section 400.260 and parking for mobile homes are subject to the provisions as set forth in Article VI, Section 400.160.

F. Area Requirements.

1. Minimum depth of front yard: Ten (10) feet.
 - a. Front entry garages either attached or detached shall have a minimum front yard setback of 25 feet.
2. Minimum width of side yard: six (6) feet.
3. Minimum depth of rear yard: twenty-five (25) feet.
4. Minimum Lot Area:

Location	Proposed Occupancy	Square Footage
R-2 Overlay [as identified in Section 400.080(B)(1)]	Single-family dwelling and 2 – family dwelling	6,000
R-2	Single-family dwelling	10,000
R-2	2-family dwelling	12,000

5. Minimum width of lot: fifty (50) feet.
6. Yards, Generally.
 - a. Every part of a required yard shall be open to the sky, unobstructed except for accessory buildings in a rear yard, and except for the ordinary projections of sills, belt courses, cornices and ornamental features, roof overhangs, planter boxes and similar items, not to extend more than twelve (12) inches into any required yard.
 - b. There shall be no storage of household items, outdoor furniture or appliances, building materials, automotive or vehicle parts or of any material within a front yard or in front of the main building.
 - c. In the event that a lot is to be occupied by a group of two (2) or more related buildings to be used for nonresidential purposes, there may be more than one (1) main building on the lot; provided, however, that open space between buildings that are parallel, or within forty-five degrees (45°) of being parallel, shall have a minimum distance between buildings of thirty (30) feet for one-story buildings, forty (40) feet for two-story buildings, and fifty (50) feet for three-story buildings.
7. Where a lot of record on the date of the passage of the ordinance (July 18, 1988) adopting these regulations has less area or width than required within this zoning classification, the lot may be utilized according to the provisions applicable to this district, provided that the requirements concerning minimum depth of front yard, minimum width of side yard and minimum depth of rear yard are met.
8. Lot Coverage. No maximum.

G. Height Requirements.

1. The maximum building height is thirty-five (35) feet or two and one-half (2 1/2) stories.
2. Single-family and two-family dwellings may be increased in height by not more than ten (10) feet when the side and rear yards are increased over the yard requirements of this district by not less than ten (10) feet, but they shall not exceed three (3) stories in height.

H. Location And Orientation Of Dwelling Requirements.

1. Prior to the issuance of a building permit for construction, plans shall be approved by the City of Washington.
2. In addition to all other requirements for plan approval, the site plan and elevation/construction plan shall show the following:
 - a. Location of existing dwelling(s) and other structures on the lot(s); and

b. Orientation of building to site, street and surroundings.

3. Where the dwellings and structures are proposed to be constructed on a corner lot, construction plans shall not be approved and no building permits shall be issued until the City designates the permitted orientation of all dwellings and structures on the lot; provided, however, that prior to issuing a building permit, the City shall inspect the lot site and view the dwellings and structures in the surrounding area.

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: This ordinance shall be in full force and effect from and after its passage and approval.

Passed: 05-06-24

ATTEST: Sheri Kletamp



President of City Council

Approved: 05-06-24

ATTEST: Sheri Kletamp



Mayor of Washington, Missouri