

BILL NO. 24-13045 INTRODUCED BY PATKE

ORDINANCE NO. 24-14015

AN ORDINANCE REPEALING SECTION 400.165 OF THE
CODE OF THE CITY OF WASHINGTON, MISSOURI AND
ENACTING IN LIEU THEREOF A NEW SECTION 400.165
RELATING TO TEMPORARY USES

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

SECTION 1: Section 400.165 of the Code of the City of Washington, Missouri is hereby repealed and a new Section 400.165 is enacted in lieu thereof to read as follows:

A. Temporary Uses Permitted.

1. Christmas Tree Sales. Christmas tree sales may be permitted in any of the business districts for a period not to exceed sixty (60) days. The site shall be cleared and cleaned within ten (10) days after Christmas day.
2. Contractor Offices. Temporary buildings or trailers may be used as construction offices, field offices or for storage of materials to be used in connection with the development of a tract of land, provided that said temporary structures are removed from said tract within thirty (30) days after completion of the development. Temporary buildings or trailers must also be removed from said tract within thirty (30) days after voluntary suspension of work on the project or development or after revocation of building permits, or on order by the Zoning Administrator upon a finding that said temporary structure is deemed hazardous to the public health and welfare.
3. Real Estate Offices. Temporary real estate offices or sales offices may be located within a portable building or a display home; provided, however, such offices are only permitted to be located and used by the owner or developer on the property being sold or leased that has a minimum of eight (8) individual lots or units; provided further, however, that said owner or developer shall comply with the following requirements:
 - a. The temporary real estate office or sales office, if located within a portable building, shall be removed from the development upon the expiration of one (1) year from the date of final plat approval of the first plat within the development in accordance with Section 410.040; or

when one hundred percent (100%) of the lots within the development have been sold; or within sixty (60) days after voluntary suspension of work, whichever occurs first;

- b. The temporary real estate office or sales office, if located within a display home, shall be removed from the development when one hundred percent (100%) or more of the lots within the development have been sold or within sixty (60) days after voluntary suspension of work, whichever occurs first;
 - c. The temporary real estate office or sales office, if located within a display home, shall comply with all setback requirements;
 - d. The temporary real estate office or sales office shall be landscaped, which shall be approved by the Zoning Administrator;
 - e. A minimum of two (2) off-street parking spaces shall be provided in accordance with Section 400.255;
 - f. The temporary real estate office or sales office, if located in a display home, shall be connected to the City of Washington water and sewer; and
 - g. The temporary real estate office or sales office shall only be in use between the hours of 8:00 A.M. and 8:00 P.M., Monday through Sunday.
 - h. Prior to the sale to the general public of the units used for display purposes, the developer shall return the units to a habitable condition, removing all improvements made for the conduct of the business; and
 - i. Use of temporary real estate office may commence prior to the installation of streets and other improvements, provided that the owner shall place said portable building within fifty feet (50') of a hard surfaced roadway.
4. Outdoor Amusement Activities. The Zoning Administrator is authorized to approve the operation or conducting of an outdoor amusement activity on a temporary basis within any zoning district. For the purpose of this Subsection, "outdoor amusement activity" includes a circus, carnival, fair, arts and crafts festival, trade or animal show, concert, rally, parade, athletic competition and any similar activity not involving the erection of any permanent structure or facility. The Zoning Administrator may require such assurance or guarantee of compliance with conditions as is reasonable and appropriate under the circumstances. This approval is in addition to any building permit or other permit or license required by law for any proposed activity or facility.

5. Food Stands. Subject to the provisions of Chapter 635, Sections 635.010 through 635.020, of the Washington City Code and the special use permit regulations of Article V of this Chapter, food stands for the temporary sale of seasonal fruits and vegetables, or other seasonal agricultural products, are permitted as special uses in the AG, C-1, C-2, and C-3 Districts.

B. Limitations On Temporary Commercial Uses.

1. Notwithstanding other provisions of this Chapter, temporary outdoor sales of products or services shall be limited to the tenant or owner/occupant of commercial property upon which such outdoor sales take place. This shall not apply to temporary outdoor sales that are associated with food or agricultural products approved by the Health Department or non-profit organizations and where such sales are for charitable purposes only, or to temporary on-site services that are accomplished within a two-hour time period (e.g., windshield repair/replacement service).
2. Except for sidewalk sales within the C-2 or C-3 Commercial District and subject to any permit or licensure requirements of the Washington City Code, no temporary commercial activity shall take place within a street right-of-way.

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: 09-23-24

ATTEST: Sheri Kletamp

JDH
President of City Council

Approved: 09-23-24

ATTEST: Sheri Kletamp

JDH
Mayor of Washington, Missouri