

**AN ORDINANCE CREATING A NEW SECTION 405.286 TITLED
“INDIVIDUAL LOT MULTI-FAMILY DEVELOPMENT” OF THE
MUNICIPAL CODE OF THE CITY OF WARRENTON, MISSOURI.**

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

SECTION I. Section 405.286, “Individual Lot Multi-Family Development” is hereby created by adding the following to the Municipal Code:

Section 405.286 Individual Lot Multi-Family Development

1. *Non-conforming Developed Lots.* Individual residential lots with prior conditional use approval for multi-family housing such as duplexes, triplexes and quadplexes, that were re-subdivided via metes and bounds and recorded with the Warren County Recorder of Deeds after approval by the City of the original subdivision plat and constructed prior to the passage of this ordinance, shall heretofore be legal non-conforming buildable lots under the City’s zoning code. Any legal non-conforming lot shall meet all the requirements of Section 405.295 of this Code. Any structure rebuilt on a legal non-conforming lot shall meet all applicable building set-back requirements, except when a duplex, triplex or quadplex is rebuilt on the prior footprint of the original structure.

2. *Undeveloped Multi-family Lots.* Individual, undeveloped lots conditionally approved for a multi-family residence prior to the passage of this ordinance, may develop a duplex, triplex or quadplex and re-subdivide the lot below the applicable minimum lot size with an approved lot specific conditional use permit, as set forth below. A conditional use permit to develop a multi-family unit on an individual lot must be submitted for each lot proposed to be developed. Approval of more than one (1) Individual Lot Multi-Family Development’s may be requested on the same Conditional Use Permit application. Any subdivision conditionally approved for multi-family housing, including duplexes, triplexes and quadplexes, approved after June 16, 2015 is ineligible for a conditional use permit for an Individual Lot Multi-family Development and cannot be re-subdivided below the applicable minimum lot size as set forth in the City’s zoning ordinance.

3. *Conditional Use Permit Requirements.* Prior to submitting an application for a conditional use permit for an Individual Lot Multi-family Development, the applicant must comply with Section 405.340 of the City’s zoning code and provide the following additional information:

a. *Drawing.* A plot plan drawing prepared by a registered professional engineer and/or surveyor showing all of the proposed improvements to the lot, including but not limited to: the structure(s), driveways, sidewalks, decks, porches cantilevers/overhangs and utilities. Additionally, the plot plan drawing shall show the proposed lot split, easements, and building/set-back lines.

b. *Deed Restrictions.* A copy of the proposed deed restrictions requiring that only a multi-family attached structure (duplex, triplex or quadplex) may be rebuilt on the prior building footprint and that no single family detached structure may be built on any resubdivided lot; and,

4. *Approval and Conditions.* Any Individual Lot Multi-Family Development shall contain at least the following conditions for an approved conditional use permit:

a. *Commencement of Construction.* Construction of any multi-family unit (duplex, triplex or quadplex) must begin within 180 days of the approval of any conditional use permit or the approval is void.

b. *Final Survey.* The approved re-subdivided lot cannot be recorded with the Warren County Recorder of Deeds until the building is completed and all applicable occupancy permits and approvals have been first obtained from the City. A final sealed survey shall be provided to the City that contains the approved lot lines and improvements. Additionally, the survey shall contain an acknowledgement that the building and all improvements have been constructed per the plans submitted and approved with the lot specific conditional use permit and that the approved deed covenant and/or restrictions have been properly recorded. No document representing the subdivision of the lot shall be recorded unless it contains the signature of the Mayor acknowledging such compliance and approval.

c. *Reestablishment of Original Lot.* No multi-family residence shall be allowed to be constructed on an approved subdivided lot unless it is constructed pursuant to the approved plans. A boundary adjustment reestablishing the original lot pursuant to Section 410.060 of the City's Code shall be required prior to the construction of a single family residence that is not multi-family dwelling approved pursuant to the provisions of this Section.

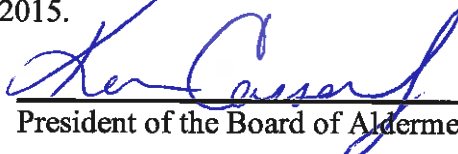
5. *Certified Copies for the City.* A certified copy of the recorded lot split survey, deeds and the recorded covenants and restrictions shall be provided to the City within ten (10) days of recording said documents with the Warren County Recorder of Deeds.

SECTION II. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.

SECTION III. Except as herein amended the above sections shall remain in full force and effect.

SECTION IV. This Ordinance shall take effect and be in full force from and after the passage and approval thereof.

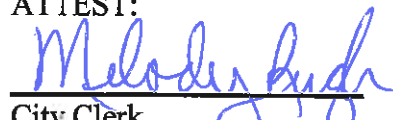
READ TWO TIMES AND PASSED by the Board of Aldermen of the City of Warrenton, Missouri, this 16th day of June, 2015.


President of the Board of Aldermen

APPROVED BY THE MAYOR of the City of Warrenton, Missouri, this 16th day of June, 2015.


Mayor

ATTEST:


City Clerk