

ARTICLE 21. SUPPLEMENTARY DISTRICT REGULATIONS

1. **Height Regulations**: Chimneys, church spires, belfries, monuments, water towers, tanks, fire towers, storage towers, or scenery lofts, cooling towers, ornamental tower and spires, radio and television towers, antennas or aerials, elevator bulkheads, conveyors, flagpoles and grain elevators shall not be subject to the height limitation of this chapter.
2. **Area**:
 - A. Every part of a required yard shall be open to the sky, unobstructed by a building, except for accessory buildings in a rear yard, and except for the ordinary projection of sills, belt courses, cornices and ornamental features not to exceed twelve (12) inches.
 - B. Open or lattice enclosed fire escapes, required by laws projecting into a yard not to exceed five (5) feet and the ordinary projection of chimneys and pilasters shall be permitted by the building inspector when placed so as not to obstruct light and ventilation.
 - C. Terraces, uncovered porches and ornamental features which do not extend more than five (5) feet above the floor level of the ground or first story may project into a required yard; provided that those projections shall be at least three (3) feet from the adjacent side lot line.
 - D. Where a lot or tract is used for educational, institutional, hotel, commercial or industrial purposes, more than one (1) main building may be located upon the lot or tract, but only when such buildings conform to all open space requirements around the lot for the district in which the lot or tract is located.
3. **Front Yards**: The front yards established in this chapter shall be adjusted in the following cases:
 - A. On lots or tracts adjoining a street having a right-of-way width of sixty (60) feet or greater, the following shall apply:
 - 1) The front yard setback or building line shall be no closer to the front property line than that of existing residential structures on that lineal block.
 - 2) Corner lots, or lots on lineal blocks with less than two (2) existing homes, shall have front yard setbacks no closer to the front property line than those of existing residential structures on adjoining lineal blocks.
 - 3) A residential structure, constructed on platted lots with total street frontage of fifty (50) feet or less, shall have a minimum side yard of five (5) feet.

- 4) Notwithstanding the provisions set forth above, no structure shall be permitted to encroach upon nor obstruct any public right-of-way, nor shall it intrude within the sight triangle of a street intersection.
 - B. Corner or through lots having a frontage on two (2) streets shall provide the required front yard on both streets.
 - C. An enclosed balcony or unenclosed porch may project into a front yard for a distance not exceeding ten (10) feet. An enclosed vestibule containing not more than forty (40) square feet may project into a front yard for a distance not to exceed four (4) feet.
4. **Side Yards**: The side yards established in this chapter shall be adjusted in the following cases:
- A. Commercial buildings used in part for dwelling purposes shall provide side yards not less than seven (7) feet in width, unless every dwelling room opens directly upon a front yard, rear yard or court.
 - B. For the purpose of the side yard regulations, a two-family dwelling, or a multiple-family dwelling shall be considered as one (1) building occupying one (1) lot.
5. **Rear Yards**: The rear yards established in this chapter shall be observed.
6. **Lot Area Per Family**: Where a lot of record at the time of the effective date of the 1993 zoning ordinance has less area or width than required in this chapter in the district in which it is located, such lot may nonetheless be used for a one-family dwelling or for any other non-dwelling use permitted in the district in which it is located.
7. **Accessory Buildings** :
- A. Accessory buildings or structures, other than garages, may be built only in a rear yard but such accessory buildings shall not occupy more than thirty (30) percent of the required rear yard and shall not be nearer than five (5) feet from the side or rear lot line.
 - B. If a garage is located closer than ten (10) feet to the main building, the garage shall be regarded as a part of the main building for the purpose of determining the side and rear yards.
 - C. No accessory building shall be used for dwelling purposes.
 - D. No accessory building, in any residential district, shall exceed a maximum height of twenty-four (24) feet.

E. Size Limitations:

<u>Lot Size</u>	<u>Maximum Building Size</u>
Up to .5 acres	1000 Sq. ft. (may not exceed the size of the dwelling)
.5 - 1 acre	1250 Sq. ft.
1 - 2 acre	1750 Sq. ft.
Over 2 acres	4000 Sq. ft.

F. There shall be no more than two (2) accessory buildings permitted upon any residential lot, the aggregate square footage of which shall not exceed the Size Limitations set forth in Section 7.E herein.

G. No vehicle, vehicle component, van, trailer or trailer box may be used as a building or structure in any district.

H. No travel trailer, recreational vehicle, or similar conveyance may be used for a purpose that involves occupancy by individuals such as office, school, classroom or similar use, unless the conveyance has its wheels, hitch and axles removed, is permanently secured to a foundation and complies with all regulations for occupied structures. Notwithstanding the above, the City Inspector may, upon review, approve the use of temporary structures such as construction trailers, security facilities and other uses of a temporary nature which he deems appropriate.

(Ordinance 5620 enacted 11/01/2010)

8. Alleys:

A. Where a lot or tract abuts an alley, the minimum side yard shall be ten (10) feet.

B. Where an accessory building or garage abuts an alley, the minimum setback shall be ten (10) feet.

9. Commercial Permit Approval: Prior to the issuance of a building permit for the construction of any building or structure in any commercial district, except CM-P, or prior to same in any industrial/manufacturing district, or in the R-3 Multi-family residential district, or any addition to any existing building or structure therein consisting of more than ten percent (10%) of the floor area of the existing building or structure, the Planning and Zoning Commission shall first consider the application and project plan for compliance with appropriate zoning regulations.

A. The complete application for building permit shall be submitted not less than thirty (30) days prior to the meeting of the Planning and Zoning Commission.

B. The application and accompanying plan shall be reviewed by City Staff and forwarded to the Planning and Zoning Commission for their consideration.

- C. The Planning and Zoning Commission shall, within 45 calendar days of complete submission, approve, deny or require modification to the plan.
- D. Non-residential uses including, but not limited to, schools, churches nursing homes, hospitals and similar institutions shall comply with these provisions regardless of the zoning district in which they are located.
- E. The Planning and Zoning Commission shall consider the following criteria, in addition to other City codes and regulations, in its plan review:
 - 1) Application: The application must be complete showing owner and applicant. (Ordinance 5721 enacted 4/16/2012)
 - 2) Site Plan: Show set-backs, scale, building location, engineer's seal, dimensions and distances.
 - 3) Zoning: The zoning classification must be correct for proposed use. The lot must meet the minimum size requirement.
 - 4) Utilities: Show location of water, sewer, electric, phone, gas and cable lines existing and proposed.
 - 5) Storm Water Management Plan: The Plan must be prepared by a licensed civil engineer, except in the C-1, Central Commercial district.
 - 6) Parking: Include a scaled parking plan. Show the number of spaces required and provided. The parking area must be paved, marked and bumpered.
 - 7) Easements: Show existing and proposed easements and rights-of-way including the purpose of each.
 - 8) Signage: Show sign locations, height and size. Signs may not extend into or over the street right-of-way. No flashing signs are allowed.
 - 9) Fences: Fencing and buffer are required if adjoining a residential district.
 - 10) Access Management: The portion of driveways within the street right-of-way must be six-inch minimum depth concrete.
 - 11) Sidewalk: The minimum public sidewalk width is five feet and it must be concrete. Six-inch minimum depth is required at a driveway.
 - 12) Sprinkler: Large commercial, retail and office structures may require a fire suppression system. See the International Building Code schedule.

13) Extended Setback: A 50-foot setback from residential is required for billiards, bowling, drive-ins, theaters and alcohol sales. No alcohol sales are permitted within 100 feet of a school or church.

14) Driveways: Show driveway location which must be a minimum of 20 feet from a residential district. Drives must be paved and concrete is required within the street right-of-way.

15) Demolition: The Missouri Department of natural Resources regulates demolition. No burning of construction material is allowed.

10. Accessory public utility uses and facilities; all districts: Accessory utility facilities shall be allowed in all districts only pursuant to the provisions of this Section. Every public utility, cable company, and video services provider providing services by use of facilities within the city shall comply with the supplemental regulations in this Section regarding the placement of accessory utility facilities on public or private property. For purposes of this Section, “accessory utility facilities” shall mean such facilities, including pedestals, boxes, vaults, cabinets, or other ground-mounted or below-ground facilities, that directly serve the property or local area in which the facility is placed, are not primarily for transmission or distribution to other locations, do not materially alter the character of the neighborhood or area, and otherwise are customarily found in such areas. Unless otherwise required by law, accessory utility facilities shall not include fire hydrants, street lighting facilities, traffic signals, mail depositories or other approved facilities owned the City, state or federal government. Except where limited by other provisions of City ordinance, accessory utility facilities shall be subject to the following supplementary regulations:

- a. Approval; design; location; application; notice. The design, location, and nature of all accessory utility facilities on private or public property shall require approval of the City, which approval shall be considered in a nondiscriminatory manner, in conformance with this Section, and subject to reasonable permit conditions as may be necessary to meet the requirements of this Section. To that end, prior to any construction, excavation, installation, expansion or other work on any accessory utility facility, the facility owner shall apply to the City and submit detailed plans for the City’s review and approval. Contemporaneous with such application, the facility owner shall provide notice to all property owners within one hundred eighty-five (185) feet of the location of the proposed construction, excavation or other work. Such notice shall include a detailed description of the proposed work to be done, the exact location of proposed work and the anticipated time and duration of the proposed work. Notice shall be given at least five (5) business days prior to the commencement of any such work. In considering individual applications or multiple location applications, the City shall review the request to ensure the proposed accessory utility facilities do not impair public safety, harm property values or significant sight-lines, or degrade the aesthetics of the adjoining properties or neighborhood, taking into consideration reasonable

alternatives. Any material changes or extensions to such facilities or the construction of any additional structures shall be subject to the requirements and approvals as set forth herein. Unless otherwise prohibited, accessory utility facilities subject to this subsection may be located in minimum setback areas provided that all other requirements are met. To the extent permitted by Section 67.2707.1(3) RSMo. the time, method, manner and location of facilities to be located in the rights-of-way may be established or conditioned by the City to protect the rights-of-way or to ensure public safety. An inspection fee shall be required as may be established by the City to reimburse the City for the costs of review and inspection of accessory utility facilities as may be permitted by applicable law.

- b. General regulations. The following general regulations shall apply to all accessory utility facilities:
- i. All such facilities shall be placed underground, except as otherwise provided in subsections (c) and (d) herein or as approved by conditional use permit.
 - ii. All such facilities shall be constructed and maintained in such a manner so as not to emit any unnecessary or intrusive noise.
 - iii. Abandoned facilities shall be removed within thirty (30) days thereafter at the cost of the utility. All facilities for which use has commenced shall be deemed abandoned after six (6) continuous months of non-use. Land from which abandoned facilities are removed, whether private or public property shall be restored within thirty (30) days of removal by the facility owner or have costs of such remedies charged to the facility owner. The facility owner shall restore the land using similar plantings or sod of the same type of grass immediately surrounding the land and shall replace all existing plantings damaged by the removal work with like plantings and shall replace all damaged existing grass areas with sod of the same type of grass as was damaged.
 - iv. Unless otherwise restricted, utility poles for authorized above ground lines or facilities may be permitted up to forty-five (45) feet in height, except for arterial roads where such poles may be authorized on one side of such roads at up to sixty (60) feet in height, where utilities are not otherwise required to be placed underground; provided that such poles shall be no higher than necessary, maintained so as to avoid leaning from upright position, and without use of guy wires crossing rights-of-way or pedestrian routes except where approved by the City as necessary due to the lack of feasible alternatives.
 - v. Accessory utility facilities placed in designated historic areas may be subject to additional requirements regarding the placement and

appearance of facilities as may be necessary to reasonably avoid or reduce any negative impact of such placement.

- vi. Any damage to landscaping or vegetation on private or public property during installation or maintenance of facilities shall be remedied by the facility owner within thirty (30) days of such damage; provided that nothing herein shall apply to landscaping or improvements installed or maintained without authorization of the City or in violation of any easement rights of the facility owner.
 - vii. No facility may be located so as to interfere, or be likely to interfere, with any public facilities or use of public property or contrary to any site distance regulation of the City.
 - viii. All utility facilities not authorized by this subsection or specifically addressed elsewhere in this Code shall be authorized only by a conditional use permit pursuant to Article 31 of the Cameron Zoning Ordinance.
- c. Residential districts. In residential districts and rights-of-way adjacent thereto, accessory utility facilities less than three and one-half (3.5) feet in height and covering less than eight (8) square feet in area may be installed above ground with the prior approval of the City. Except as otherwise may be authorized herein, any larger facility shall be installed underground or authorized to be installed above ground only by conditional use permit. All above ground facilities, where authorized, shall be placed in the rear yard wherever practical. If locating these facilities in the rear yard is not practical, then such facilities may be located in the side yard. Such facilities shall not be located in the front yard or within the public rights-of-way unless otherwise approved by the City upon a determination that all other alternatives are not feasible.
 - d. Non-residential districts. In non-residential districts and rights-of-way adjacent thereto, accessory utility facilities with a height of less than five (5) feet and covering less than sixteen (16) square feet in area may be installed above ground with the prior approval of the City. Except as otherwise may be authorized herein, any larger facility shall be installed underground or authorized to be installed above ground only by conditional use permit. All above ground facilities, where authorized, shall be placed in the rear yard wherever practical. If locating these facilities in the rear yard is not practical, then such facilities may be located in the side yard. Such facilities shall not be located in the front yard or within the public rights-of-way unless otherwise approved by the City upon a determination that all other alternatives are not feasible.
 - e. Landscape screening. A sight-proof landscape screen shall be provided for all authorized above ground facilities taller than three (3) feet in height or covering in excess of four (4) square feet in area. Such screen shall be

required to sufficiently conceal the facility. A landscape plan identifying the size and species of landscaping materials shall be submitted by the utility and approved by the City prior to installation of any facility requiring landscape screening. The utility shall be responsible for the installation, repair, maintenance or replacement of screening materials. Alternative screening or concealment may be approved by the City to the extent it meets or exceeds the purposes of these requirements. Facilities located in rear yards may be exempted from screening where located so as not to be visible from (1) any public property and (2) more than two residential dwelling units. Any required screening shall be completed within the timeframe set forth in the permit required under this Section, or not less than thirty (30) days from issuance of the permit, if not otherwise stated. Where an authorized above ground facility serves exclusively one or more homes directly adjacent to the facility and is not a common facility, the City may waive the landscaping requirement.

- f. Compliance with other laws. All accessory utility facilities shall be subject to all other applicable regulations and standards as established as part of the City Code, including, but not limited to, building codes, zoning requirements, and rights-of-way management regulations in addition to the supplementary regulations herein. The provisions of this Section shall not apply to any circumstance or entity in which application under such circumstances is preempted or otherwise precluded by superseding law or to the extent the City officer charged with enforcement reasonably determines that public safety would be negatively impacted by any specific application.

11. Medical Marijuana : No medical marijuana cultivation facility, medical marijuana testing facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility or Transportation facility shall be constructed, altered or used without complying with the following regulations: (Ord 6084)

- a. No new medical marijuana cultivation facility, medical marijuana testing facility, medical marijuana dispensary facility, medical marijuana-infused products manufacturing facility or transportation facility shall be initially sited within seven hundred fifty (750) feet of any then-existing elementary or secondary school, daycare or church. For purposes of this section:
- i. A 'daycare' means a childcare facility as defined by Section 210.201 RSMo that is licensed by the State of Missouri.
 - ii. An 'elementary' or 'secondary school' means any public school as defined in section 160.011 RSMo or any private school giving instruction in a grade or grades not higher than the twelfth (12th) grade, including any property owned by the public or private school that is regularly used for extracurricular activities, but does not include any private school in which education is primarily conducted in private homes.

- iii. A 'church' means a permanent building primarily and regularly used as a place of religious worship.
 - iv. "Then existing' means any school, daycare or church with a written building permit from the city to be constructed or under construction or completed and in use at the time the marijuana facility applies for either zoning or a building permit, whichever comes first.
- b. Outdoor Operations or Storage Prohibited. Unless licensed as an outdoor medical marijuana cultivation facility, all marijuana facilities' operations and all storage of materials, products or equipment shall be within a fully enclosed building.
 - c. Onsite Usage Prohibited. No marijuana may be smoked, ingested or otherwise consumed on the premises of a marijuana facility.
 - d. Hours of Operation. All marijuana facilities shall be closed to the public, no persons not employed by the business shall be on the premises and no sales or distribution of marijuana shall occur upon the premises or by delivery from the premises between the hours of 10:00 p.m. and 8:00 a.m.
 - e. Residential Dwelling Unites Prohibited. No medical marijuana business shall be located in a building that contains a residence.
 - f. A Medical Marijuana Testing Facility, Medical Marijuana Dispensary Facility, Medical Marijuana-Infused Products Manufacturing Facility or Transportation Facility shall be entirely within an enclosed building.
 - g. Ventilation Required. All marijuana facilities shall install and operate a ventilation system that will prevent any odor of marijuana from leaving the premises of the business. No odors shall be detectable by a person with a normal sense of smell outside the boundary of the parcel on which the facility is located.