

**PLANNING AND ZONING COMMISSION AGENDA
300 Hoven Drive Pacific, MO 63069**

**TUESDAY, APRIL 13, 2021
7:00 P.M.**

1. CALL TO ORDER:

2. ROLL CALL:

3. APPROVAL OF MINUTES: From March 9, 2021

4. PUBLIC HEARINGS

- a. **PZ2021-05:** Text Amendment, Section 410.050(E)(5)(f). The City of Pacific is seeking a text amendment to Zoning Code Section 410.050 (E) (5)(f) regarding the procedure for acceptance of public improvements and that a Replacement Bond should be required to warrant against damage to the public improvements during build out of a subdivision.
- b. **PZ2021-06:** Text Amendment, Section 405.060(A)(2). The City of Pacific is seeking a text amendment to Zoning Code Section 405.060(A)(2) regarding the procedure for posting notice of public hearings on subject properties.
- c. **PZ2021-07:** Text Amendment, Section 423.040(A)(5). The City of Pacific is seeking a text amendment to Zoning Code Section 423.040(A)(5) regarding allowable fence materials.
- d. **PZ2021-08:** Text Amendment, Section 400.180. The City of Pacific is seeking a text amendment to the overall regulations governing accessory structures.

5. PUBLIC PARTICIPATION-SPEAKER CARDS

6. NEW BUSINESS:

- a. **PZ 2021-05** Proposed Ordinance Amendment: Section 410.050 (E)(5)(f) Replacement Bonds for Subdivision Improvements
- b. **PZ 2021-06** Proposed Ordinance Amendment: Section 405.060 (A)(2) Amending Procedure for Posting Public Hearing Notices
- c. **PZ 2021-07** Proposed Ordinance Amendment: Section 423.040 (A)(5) Amending Allowable Fence Materials.
- d. **PZ2021-08** Proposed Ordinance Amendment: Section 400.180 Amending Overall Accessory Structure Regulations

7. OLD BUSINESS:

8. COMMITTEE REPORTS:

- 1. BOARD OF ALDERMEN**
- 2. BOARD OF ADJUSTMENT**
- 3. CITY ADMINISTRATOR**
- 4. COMMUNITY DEVELOPMENT DIRECTOR**

9. OTHER BUSINESS:

10. ADJOURNMENT

This Meeting is Open To The Public Note: The Planning and Zoning Commission will consider and act upon these matters listed above and any such others as may be presented at the meeting and determined appropriate for discussion at that time.

**CITY OF PACIFIC
RECORD OF PROCEEDINGS**

**REGULAR MEETING OF THE PLANNING AND ZONING COMMISSION
AT THE PACIFIC CITY HALL, 300 HOVEN DRIVE
MARCH 9, 2021**

The Planning and Zoning Commission Meeting was called to order by Chairman Bruns at 7:00 P.M. on March 9, 2021, via Zoom.

The roll call was taken with the following results:

PRESENT

Chairman Bruns
Commissioner Miles
Commissioner Koelling
Commissioner Graham
Commissioner Bates
Commissioner Eversmeyer
Commissioner Brocato
Commissioner Presley

ABSENT

Alderman Rahn

Administrator Steve Roth, Bryan Kopp and Rae Cowsert were also in attendance.

APPROVAL OF MINUTES

A. Planning & Zoning Meeting – October 13, 2020

A motion was made by Commissioner Eversmeyer and seconded by Commissioner Miles to approve the minutes. A voice vote was taken and the motion was approved 8-0.

PUBLIC HEARINGS:

- 1. PZ2021-02: A Public Hearing to consider a Map Amendment (Rezoning) for 18663 US Highway 66 (rear yard) for an approximate 2.19 acre tract of land. The property is in the rear of the First Baptist Church of Allenton property and is currently zoned M-1, Light Industrial. The applicant is seeking an amendment to rezone the tract M-2, Heavy Industrial, and to combine this tract with property to the immediate east, which is also zoned M-2. The property is generally bounded by the Missouri Eastern**

Correctional Center property to the west and north, First Baptist Church of Allenton property to the south, and NB West Real Estate property to the east. NB West Real Estate, applicant.

Chairman Bruns introduced and opened the public hearing. Administrator Roth presented the Staff report. Administrator Roth stated the only portion of the property to be rezoned is the rear yard which NB West is purchasing. Chairman Bruns stated NB West has made nice improvements to the property they currently own. Commissioner Miles stated they have done a lot of nice things and is doing the Church a big favor. Commissioner Miles stated the Church will stay. He also stated Larry West would like to extend his fence to include this property. Mr. Larry West was having trouble logging into the Zoom meeting and talked to the Commission via phone. Chairman Bruns told Mr. West the Commission was in favor for what he wants to do. Mr. West stated he is in the process of selling the Sullivan office and would have a little more equipment to move. Chairman Bruns let Mr. West know it looks nice and is a good improvement. Chairman Bruns closed the public hearing.

- 2. PZ2021-03: Text Amendment, Section 400.175. The City of Pacific is seeking a text amendment to Zoning Code Section 400.175 to allow for certain open unenclosed decks, landings, and other structures to extend into the required rear yard setback. Current regulations do not specifically permit this.**

Chairman Bruns opened the public hearing. Community Development Director Kopp presented the staff report. He stated Industry Standards are that uncovered decks, stairs, and landings can be in the setback. Chairman Bruns stated she would like to see people have to get a Variance. Director Kopp stated pools, and sheds can be within 5 feet of the property line now. If a deck is covered, they would have to apply for a Variance. Commissioner Bates asked if concrete patios had any restrictions. Director Kopp stated a flat concrete patio does not need a permit. Chairman Bruns closed the public hearing.

SPEAKER CARDS

None

NEW BUSINESS:

- 1. PZ2021-02: Consideration of Rezone for 18663 US Highway 66 (rear yard) for a 2.19 acre tract of land.**

A motion was made by Commissioner Bates and seconded by Commissioner Miles to approve the application. A vote was taken with the following results: Ayes, Commissioner Eversmeyer, Commissioner Brocato, Commissioner Presley, Chairman Bruns, Commissioner Miles, Commissioner Koelling, Commissioner Graham, Commissioner Bates; Nays, none. The motion was approved 8-0 and will be presented to the Board of Aldermen at the next meeting.

- 2. PZ2021-03: Consideration of a Text Amendment for Section 400.175 of the Zoning Code.**

A motion was made by Commissioner Eversmeyer and seconded by Commissioner Presley to approve the application. A vote was taken with the following results: Ayes, Commissioner Brocato, Commissioner Presley, Chairman Bruns, Commissioner Miles, Commissioner Koelling, Commissioner Graham, Commissioner Bates, Commissioner Eversmeyer; Nays, none. The motion was approved 8-0 and will be presented to the Board of Aldermen at the next meeting.

3. Waivers and Modifications request for Aurora Technologies, 18 Industrial Drive.

Chairman Bruns opened this matter for discussion and asked Administrator Roth for any information on this matter. He stated Aurora Technology wants to build a new building close to them. Administrator Roth stated the dock area which is proposed would mean the trucks would stage on Industrial Drive and then back into the dock, the same way they do at Continental Products and Husky. The building is proposed to be about 15,000 square feet with one or two trucks a day. Mr. Thomas White joined the Zoom meeting and stated he heard Administrator Roth's comments. Mr. White stated this building would help the company grow and would bring more jobs. Mr. White also stated he would like to concrete the dock area to meet the street. Currently the trucks are pulling into the parking lot and they don't feel this is safe for the employees. Commissioner Bates asked what kind of jobs this would bring. Mr. White stated this building would do more Government work and Aerospace Controlled Environment. Commissioner Presley asked how many jobs would be created. Mr. White stated the first year would be about 15 and eventually have up to 30. Commissioner Bates stated this is why we have Industrial Parks and trucks staging to back in. Commissioner Eversmeyer stated ATI has done a good job with the parking situation. Mr. White stated he is open to options but feels this would be the next step. Commissioner Koelling stated he is glad to see them expanding. Administrator Roth stated this issue of staging and backing in is the only conflict. If all of the requirements are met, they can move forward.

A motion was made by Commissioner Eversmeyer and seconded by Commissioner Bates to approve the modification request for Aurora Technologies. A vote was taken with the following results: Ayes, Commissioner Presley, Chairman Bruns, Commissioner Miles, Commissioner Koelling, Commissioner Graham, Commissioner Bates, Commissioner Eversmeyer, Commissioner Brocato; Nays, none. The motion was approved 8-0.

OTHER NEW BUSINESS

Administrator Roth stated the applicant owns the old Huddle House property. He stated there is no public hearing on this. The owner wants to do a lot split of the property. What would be Lot 2A will only have 80 feet of frontage and Lot 2B would have approximately 104.58 feet of frontage. A waiver is requested for the lot with only 80 feet of frontage as it does not meet the requirement. Administrator Roth feels it is appropriate in this case as each lot has its own access. Chairman Bruns stated concerns about the size of building put on this lot. Do they have any current plans for this lot. Commissioner Eversmeyer said that hopefully this will not create a lot which is unusable. Chairman Bruns feels this will create a problem if trucks are making deliveries. Administrator Roth stated any use would have to meet the requirements. Commissioner Brocato feels they should be very careful due to the parking situation. Administrator Roth stated Code does not require a public hearing for this. Kris Wolf, consultant, stated there are no plans for a building at this time. When the lot is split, it meets the lot size

but not the 100 frontage. There are plans to have a cross reference of driveways. Director Kopp stated in the M-2 zoning district, the frontage is only 50 feet. Mr. Wolf stated the owner would be agreeable to the cross use of driveways being put in the ordinance. Commissioner Koelling also stated he has concerns about truck use of these properties. Commissioner Eversmeyer stated he is fine with front and back cross access. Administrator Roth stated no trucks would be allowed to stage on Thornton Street. Chairman Bruns and Commissioner Brocato are both fine with the cross-access use of the driveways. A motion was made by Commissioner Eversmeyer to approve with cross access of front and back and no staging of trucks on Thornton. Commissioner Bates seconded the motion. A vote was taken with the following results: Ayes, Commissioner Koelling, Commissioner Graham, Commissioner Bates, Commissioner Eversmeyer, Commissioner Presley; Nays, Chairman Bruns, Commissioner Miles, Commissioner Brocato. The motion was approved 5-3.

COMMITTEE REPORTS

A. Board of Aldermen

Alderman Rahn was not in attendance to give a report.

B. Board of Adjustment

Administrator Roth stated there has been a little activity with the Rolwes Company asking two variances for subdivision sale signs. Director Kopp stated one was to be located at Payne and Congress and the other off Hwy N at Indian Trails. The sign at Payne and Congress was denied and the sign for Hwy N at Indian Trails was approved and to be placed 15 feet behind the sidewalk. Director Kopp stated the signs were put up today and Rolwes had already called because the sign was placed in the wrong location and is already in the process of being corrected. Administrator Roth stated Lu's Pool and Spa applied for a variance on the lot coverage requirement due to them wanting to construct another building for their business. This variance was approved.

C. City Administrator

Administrator Roth stated there are areas in which Storage Containers are being turned into Man Caves, storage structures and other uses. The Zoning Codes do not address this issue at this time. Administrator Roth stated they are quite large and do not have a good appearance. Chairman Bruns feels this would get out of hand quickly. She feels we should look into other municipalities to see how they address them and have more discussion. Commissioner Brocato does not feel they should be allowed in residential areas at all. Administrator Roth feels the Zoning Codes should be clearer. Other issues to clean up is coverage in Downtown areas, street acceptance, and updated use regulations in the C-2 Zoning District. Administrator Roth informed the Commission, the City has prevailed in the Pacific Mobile Manor litigation. The City is waiting for information from owner about what happens next. Enforcement will be done on mobile homes.

Commissioner Eversmeyer asked about what happened to Hummingbird Hills subdivision. Administrator Roth stated the neighbors were against it. There were not many other concerns but the Board denied it. Administrator Roth said it was a good PUD but with questionable buffering between Old Gray Summit Road and Sierra Ridge. Chairman Bruns, Commissioner Eversmeyer and Commissioner Bates all feel it was a good development and can't believe they denied it. Commissioner Eversmeyer feels it should have come back to Planning and Zoning for further review. Director Kopp stated public opposition wanted Single-family homes. Chairman Bruns stated, they won't like either. Commissioner Eversmeyer stated Planning and Zoning approved it unanimously and would like an answer from the Board of Aldermen on why and how to develop Old Gray Summit Road.

A motion was made by Commissioner Bates and seconded by Commissioner Eversmeyer for an answer as to why the application was denied and what they are looking for. A vote was taken with the following results: Ayes, Chairman Bruns, Commissioner Bates, Commissioner Eversmeyer, Commissioner Brocato, Commissioner Miles, Commissioner Koelling, Commissioner Presley, Commissioner Graham; Nays, none. The motion was approved 8-0 and a letter will be given to the Board of Aldermen for response.

D. Community Development Director

Director Kopp stated the Public Notice Signs need to be updated to a more simplified sign. He showed the Commission a picture of one which is a consideration. Chairman Bruns feels they look nice and are readable. Commissioner Eversmeyer and Commissioner Koelling both stated the current signs are hard to read unless you stop in the road or pull over. Director Kopp will have the City Attorney review. Director Kopp stated the Fence Code needs to be cleaned up due to the materials it states can be used. There are fences in town using chicken wire or light weight fencing thus the reason for cleaning up fence regulations. Chairman Bruns brought up a situation she says has been going on for a year regarding a fence which was put in backwards and the old fence was not taken down. Director Kopp stated they are working on a new Code adoption to 2018 codes. He stated currently all permits are good for one year. Chairman Bruns stated the fence in question was put up a year ago the first weekend of March. Commissioner Bates stated light weight fence for gardens but not for perimeter of property.

OLD BUSINESS

None

ADJOURNMENT

There being no further discussions, Chairman Bruns asked for a motion to adjourn. A motion was made by Commissioner Bates and seconded by Commissioner Brocato. A voice vote was taken and the meeting was adjourned at 8:27 p.m.

Mike Bates, Secretary

MEMORANDUM

Steve Roth
City Administrator

636-271-0500 ext. 213
sroth@pacificmissouri.com

April 8, 2021

TO: Planning and Zoning Commission
RE: April 13 meeting items

Hello everyone,

The following constitutes my staff report for the April 13 meeting. Please note that Bryan Kopp, Director of Community Development, is on leave until April 19.

1. PZ 2021-05: Text Amendment, Section 410.050(E)(5)(f). This amendment addresses a “hole” in our Land Subdivision regulations regarding acceptance of public streets in new subdivisions. The City’s prior practice had been to not accept streets until the subdivision was 90 percent constructed. This led to situations in which subdivision streets that had been developed several years ago were not still accepted by the City, and the subdivision / HOA continued to be responsible. The “90 percent” provision was referenced in the City’s Construction Standards manual, but was not part of the actual adopted Land Subdivision Regulations. Thus when it came to the street acceptance procedure for more recent subdivisions (Bend Ridge Estates and Longview Meadows) the procedure for acceptance was unclear. With Bend Ridge Estates the City negotiated a maintenance bond with the developer, which was 5 percent of the initial construction cost, for a period of two years. The amendment proposed here essentially incorporates this type of provision into our Land Subdivision code. The applicable language is recopied here as reference:

The City shall not accept any street for maintenance until completion and final inspection, collection of all fees and approval by the Commissioner of Public Works, as provided in Section 410.075(G)(10). The replacement bond shall be in the amount of 5% of the total construction costs of the public infrastructure improvements and shall be held by the City for a term of 2 years, unless said term is extended by agreement of the City and the developer. The developer shall enter into a Replacement Bond Agreement with the City, setting forth the terms of the developer’s warranty during the build out of the subdivision.

We feel this provision protects the City against defects or failures in the street improvements, while releasing the developer of obligations for routine maintenance, such as snow-plowing. I can address further questions on this topic at the meeting if desired.

2. PZ 2021-06: Text Amendment, Section 405.060(A)(2). This amendment changes the posting requirements for Zoning and Land Subdivision public hearings as required by code. The applicable language is reprinted here as reference:

In addition to publishing notice, the City Clerk shall see that a sign providing notice of a pending zoning matter is posted on the subject premises or property or City block, as well as at the City Hall of the City of Pacific. Notice shall be posted at least fifteen (15) calendar days prior to the public hearing.

The intent is to change the current large metal signs to a new 2 x 3 yard sign, similar to the sign that Mr. Kopp had presented to the Commission at an earlier meeting. The new sign would simply note a pending Zoning action, and refer the sign view to City Hall for more information.

3. PZ 2021-07: Text Amendment, Section 423.040(A)(5). This amendment would “clean up” a section of the current Fence code regarding the type of materials allowed in Fence construction, and would make certain materials explicitly prohibited. The permitted materials under the current code section are as follows: “...permitted materials include wood, masonry, decorative wrought iron, decorative tubular steel or chain link. Only items sold or constructed and intended for use as a fence shall be used.”

The proposed amendment is recopied here:

Along any property line or in any building setback where visible from a public street, permitted materials include wood, masonry, decorative wrought iron, decorative tubular steel, chain link, or PVC vinyl constructed and intended for use as a fence shall be used. Prohibited materials for fencing and decorative posts include, but are not limited to wire mesh, chicken wire or similar lightweight materials. Unless otherwise indicated in this Section, any other material requires approval by the Planning Commission.

The amendment does allow for review by P-Z of materials not specifically identified in this section. We could remove this provision and let staff make an administrative decision, in which case the applicant would have the ability to appeal to the Board of Adjustment. If the provision is left here as presented, then fence material questions would be referred to the Commission. Further discussion on this point at the meeting would be helpful.

4. PZ 2021-08: Text Amendment, Section 400.180. This amendment would amend the code section governing accessory buildings, primarily to address cargo containers but also containing provisions clarifying certain parts of the code section providing for development standards. Mr. Kopp drafted these provisions with some review by myself. We have not forwarded for final City Attorney review at this time.

The primary effect of the amendments is to prohibit Cargo Containers (as defined) in residentially zoned districts. Other sections of the amendment primarily clarify other aspects of the accessory building provisions which Mr. Kopp has noted are either in conflict with other codes or otherwise not specifically addressed. One provision would be to require hard surface driveways for any accessory building which is intended for motor vehicle storage. The current code allows gravel surfaces for parking areas located behind the front building line, but driveways for detached garages such as described here are not specifically addressed.

I would defer to the Commission for further discussion on this item.

Respectfully submitted,



Steve Roth
City Administrator

March 24, 2021

**NOTICE OF PUBLIC HEARING
CITY OF PACIFIC
PLANNING & ZONING COMMISSION**

**Zoning Code Amendment, Section 410.050(E)(5)(f)
Replacement Bonds for Subdivision Improvements**

**Zoning Code Amendment, Section 405.060(A)(2)
Amending Procedure for Posting Public Hearing Notices**

**Zoning Code Amendment, Section 423.040(A)(5)
Amending Allowable Fence Materials**

**Zoning Code Amendment, Section 400.180
Amending Overall Accessory Building Regulations**

The City of Pacific Planning and Zoning Commission will conduct a Public Hearing on **Tuesday, April 13, 2021** at 7:00 P.M., in the Board of Aldermen Chambers of the Pacific Government Center located at 300 Hoven Drive, Pacific MO, to hear comments on the following proposals:

1. PZ 2021-05: Text Amendment, Section 410.050(E)(5)(f). The City of Pacific is seeking a text amendment to Zoning Code Section 410.050(E)(5)(f) regarding the procedure for acceptance of public improvements and that a Replacement Bond should be required to warrant against damage to the public improvements during build out of a subdivision. Current regulations do not specifically permit this.
2. PZ 2021-06: Text Amendment, Section 405.060(A)(2). The City of Pacific is seeking a text amendment to Zoning Code Section 405.060(A)(2) regarding the procedure for posting notice of public hearings on subject properties.
3. PZ 2021-07: Text Amendment, Section 423.040(A)(5). The City of Pacific is seeking a text amendment to Zoning Code Section 423.040(A)(5) regarding allowable fence materials.
4. PZ 2021-08: Text Amendment, Section 400.180. The City of Pacific is seeking a text amendment to the overall regulations governing accessory structures.

All citizens requesting to comment on the above proposal will be given an opportunity to speak at the hearing. Copies of the proposed amendments are available for review at Pacific City Hall, 300 Hoven Drive during weekdays between the hours of 8:00 a.m. and 5:00 p.m. Copies are also available online at www.pacificmissouri.com. If you should need additional information, please contact Bryan Kopp, Director of Community Development, by telephone at 636-271-0500 ext 216 or by email at bkopp@pacificmissouri.com

BILL NO. _____

ORDINANCE NO. _____

SPONSOR: _____

AN ORDINANCE REVISING THE PROCEDURE FOR ACCEPTANCE OF PUBLIC IMPROVEMENTS AND PROVIDING FOR A REPLACEMENT BOND TO WARRANT AGAINST DAMAGE DURING BUILD OUT OF A SUBDIVISION

WHEREAS, the Board of Aldermen has determined that the procedure for acceptance of public improvements shall be amended and that a Replacement Bond should be required to warrant against damage to the public improvements during build out of a subdivision.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1: Section 410.050(E)(5)(f) of the Code of Ordinances of the City of Pacific shall be amended as follows:

f. *Final release and replacement bond for warranty during build out.* Upon final inspection and approval of all required improvements, the remaining amount of the construction deposit shall be released; provided that no such funds shall be released on a final inspection until the development of the subdivision is complete as determined by the City and a replacement bond is posted to warrant against damage to public improvements during build out of the subdivision. The City shall not accept any street for maintenance until completion and final inspection, collection of all fees and approval by the Commissioner of Public Works, as provided in Section 410.075(G)(10). The replacement bond shall be in the amount of 5% of the total construction costs of the public infrastructure improvements and shall be held by the City for a term of 2 years, unless said term is extended by agreement of the City and the developer. The developer shall enter into a Replacement Bond Agreement with the City, setting forth the terms of the developer’s warranty during the build out of the subdivision.

Section 2: This ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this _____ day of _____, 2021. _____
Steve Myers, MAYOR

APPROVED this _____ day of _____, 2021. _____
Steve Myers, MAYOR

ATTEST:

City Clerk

BILL NO. _____

ORDINANCE NO. _____

SPONSOR: _____

AN ORDINANCE AMENDING THE REQUIRED CONTENT FOR NOTICE SIGNS

WHEREAS, the Board of Aldermen has determined that signs providing notice of a public hearing should be uniform and attractive in appearance, requiring an amendment to the notice requirements of the Code.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1: Section 405.060(A)(2) of the Code of Ordinances of the City of Pacific shall be amended as follows:

2. *Posting notice.* In addition to publishing notice, the City Clerk shall see that a sign providing notice of a pending zoning matter is posted on the subject premises or property or City block, as well as at the City Hall of the City of Pacific. Notice shall be posted at least fifteen (15) calendar days prior to the public hearing.

Section 2: This ordinance shall take effect and be in full force from and after its passage and approval.

PASSED this _____ day of _____, 2021. _____
Steve Myers, MAYOR

APPROVED this _____ day of _____, 2021. _____
Steve Myers, MAYOR

ATTEST:

City Clerk

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE REGULATIONS AND STANDARDS FOR FENCES AND FENCE MATERIALS.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFIC, MISSOURI, AS FOLLOWS:

Section 1. Section 423.040 of the Code of Ordinances of the City of Pacific shall be amended as follows:

Section 423.040 Regulations and Standards.

A. It shall be unlawful for any person to erect or maintain any fence or other like structure except as follows:

1. No fence shall be constructed which will constitute a traffic hazard.
2. The maximum permitted height in all zone districts, except "C-1" Commercial and "M-1" Industrial, is six (6) feet in side and rear yard setback areas and four (4) feet between the front setback line of the building and the front property line.
3. The maximum permitted fence or wall height in all "C" Commercial and "M" Industrial zone districts is six (6) feet, plus three (3) strands of barbed wire for security purposes (not to exceed seven (7) feet overall) in the side and rear yard setback areas and four (4) feet between the front setback line of the building and the front property line.
4. All fences and walls shall be measured from the natural grade of the subject property.
5. Along any property line or in any building setback where visible from a public street, permitted materials include wood, masonry, decorative wrought iron, decorative tubular steel, chain link, or PVC vinyl constructed and intended for use as a fence shall be used. Prohibited materials for fencing and decorative posts include, but are not limited to wire mesh, chicken wire or similar lightweight materials. Unless otherwise indicated in this Section, any other material requires approval by the Planning Commission.

Section 2.

This Ordinance shall be in full force and effect from and after passage and approval.

PASSED this _____ day of _____, 2021. _____
Steve Myers, MAYOR

APPROVED this _____ day of _____, 2021. _____
Steve Myers, MAYOR

ATTEST:

City Clerk

BILL NO. _____
SPONSOR _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE REGULATIONS AND STANDARDS FOR ACCESSORY STRUCTURES, BUILDINGS AND USES

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PACIFC, MISSOURI, AS FOLLOWS:

Section 1. Section 400.180 of the Code of Ordinances of the City of Pacific shall be amended as follows:

Add a new section, Definitions, as follows:

CARGO CONTAINERS

Cargo containers include standardized reusable vessels that were:

- a. Originally designed for or used in the packing, shipping, movement or transportation of freight, articles, goods or commodities; and/or
- b. Originally designed for or capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. This definition includes the terms “transport containers” and “portable site storage containers” having a similar appearance to and similar characteristics of cargo containers.

Section 2. Section 400.180, Subsection D. of the Code of Ordinances of the City of Pacific shall be repealed and replaced as follows:

D. *Development Standards.*

1. No accessory building or structure shall be permitted in any required front yard.
2. No accessory building or structure shall be used prior to the establishment of its principal building or structure, except as an otherwise allowable temporary construction facility for the principal building or structure.
3. Accessory buildings and structures shall be set back at least five (5) feet from the rear lot line and at least five (5) feet from the side lot line, including eaves or other overhangs or projections. Above ground swimming pools shall maintain a ten (10) foot setback from all property lines.
4. (Reserved)
5. No part of any accessory building or structure shall be located closer than ten (10)

- feet to any principal building or structure or other accessory building or structure, including eaves or other overhangs or projections.
6. Accessory buildings or structures in any residential district shall not exceed the height of the primary structure or fourteen (14) feet in height, whichever is less.
 7. Accessory structures must be anchored to prevent uplift or displacement.
 8. Accessory buildings or structures in any residential district shall not exceed the height of the primary structure or fourteen (14) feet in height, whichever is less.
 9. A driveway compliant with ordinance Section 400.235(A)(5)(b) shall be required when an accessory structure is intended for motor vehicle storage or an overhead door large enough to accommodate a motor vehicle is installed.
 10. Eaves, projections or other overhangs shall not extend more than twenty-four inches (24") from the exterior side of the structure walls without first obtaining a building permit.
 11. Permit Required. A building permit is required when the footprint of any accessory structure exceeds 120 square feet.
 12. Floodplain. Flood Development Permits are required for all accessory structures located in Special Flood Hazard Areas (SFHA), regardless if a building permit is required.
 13. Accessory structures must be architecturally consistent in design with the principal structure and constructed of materials and have exterior finishes which are compatible and harmonious with those of the principal structure.
 14. Cargo containers are prohibited in residentially zoned districts. When installed in commercially zoned districts industrial storage containers must be screened from view from the public way or abutting residentially zoned properties.
 15. Such accessory buildings may not have interior or exterior lighting which would shine directly on any adjacent property.
 16. No such accessory structure may be so located as to block natural surface water drainage or cause a diversion of surface water onto other properties.

17. Accessory structures and uses shall otherwise comply with all the development standards, codes, and floodplain regulations applicable to the zoning district in which they are located to include lot coverage.

Section 3.

This Ordinance shall be in full force and effect from and after passage and approval.

PASSED this _____ day of _____, 2021. _____
Steve Myers, MAYOR

APPROVED this _____ day of _____, 2021. _____
Steve Myers, MAYOR

ATTEST:

City Clerk