

Requesting approval to set public hearings for these proposed changes

The struck through text is being deleted, the red is being added

SECTION 46.465: Final Plat Requirements

Proposed to change #2 as follows:

2. Number of copies and required scale.
 - a. The applicant shall submit ~~a sufficient number of prints as required by the Planning and Zoning Commission reviews~~ **two large (36" x 24") copies and an electronic copy (in pdf format) of the proposed plat.** ~~The prints shall be black or blue line with all copies folded to an approximate size of eight and one-half (8 1/2) inches by eleven (11) inches.~~
 - b. ~~After approval by the Board of Aldermen and prior to recording same, the applicant shall submit an original mylar (or similar durable material) of said plat for the necessary approval signatures from the City.~~
 - c. ~~Four (4) copies of the record plat shall be provided to the Planning and Zoning Commission one (1) of which shall be a mylar reproduction copy~~ **W** ~~within ten (10) days upon~~ **following** approval by the City of Moscow Mills Board of Aldermen **the applicant shall provide one large (36" x 24") copy of the recorded plat and an electronic copy (in pdf format) of the recorded plat. (Make the following letter b.)** ~~The plat shall be drawn at a scale of one hundred (100) feet or less to the inch. Said scale shall be indicated on the plat graphically. For all improvement plans, record plats, and as-built's prepared using computer assistance, a digital media copy of such information shall be submitted in a Microstation DGN~~ **an AutoCAD DWG** ~~or other computer readable format approved by the City Engineer prior to release of the plat mylar for recording.~~

So the clean copy will read as follows:

2. Number of copies and required scale.
 - a. The applicant shall submit two large (36" x 24") copies and an electronic copy (in pdf format) of the proposed plat.
 - b. The plat shall be drawn at a scale of one hundred (100) feet or less to the inch. Said scale shall be indicated on the plat graphically. For all improvement plans, record plats, and as-built's prepared using computer assistance, a digital media copy of such information shall be submitted in an AutoCAD DWG or other computer readable format approved by the City Engineer prior to release of the plat for recording.
 - c. Within ten (10) days following approval by the City of Moscow Mills Board of Aldermen the applicant shall provide one large (36" x 24") copy of the recorded plat and an electronic copy (in pdf format) of the recorded plat.

SECTION 46.102 R-S Senior Residential District.

Proposed to change section B #1 as follows:

- B. Permitted uses. Only the following buildings, structures, and uses of parcels and lots are permitted; all others are expressly prohibited except as permitted upon review and approval:
1. This district allows adjoining housing units such as villas, similar to R-2 and R-3, ~~with one-car garages~~, for senior designated housing, in compliance with the Fair Housing Act.

So the clean copy will read as follows:

- B. Permitted uses. Only the following buildings, structures, and uses of parcels and lots are permitted; all others are expressly prohibited except as permitted upon review and approval:
1. This district allows adjoining housing units such as villas, similar to R-2 and R-3, for senior designated housing, in compliance with the Fair Housing Act.

Proposed to change section F #4 as follows:

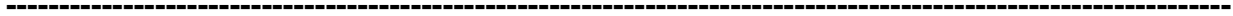
- F. Yard requirements.
1. The following minimum yard depths shall be provided for individual lots:
 - a. The minimum front yard depth (main entry) shall be 25 feet. On the corner lot a fifteen-foot side building line may be permitted.
 - b. The minimum side yard width shall be no less than 15 feet.
 - c. Rear yard depth shall be a minimum of 25 feet. However, in conjunction with attached single-family units, swimming pools, decks and open-air porches shall be exempt from the rear yard setback; these structures shall not be closer than six feet to the rear yard line.
 2. The following minimum distances shall be provided between principal buildings located on the same plot:

- a. The side of a principal building shall not be located any closer than 20 feet to the side of another principal building.
- b. There shall be a minimum of 40 feet from the front or rear of a principal building to any other principal building.
3. In the event that greater than 50% of the existing dwelling structures on the same side of the street and in both directions from a lot, for a distance of 500 feet or to the nearest intersecting street, whichever distance is less, have a variation in front yard setbacks of no more than 10 feet, the required front yard for that lot shall be the average setback of those structures. However, in no case shall any building be located closer than 15 feet from any roadway right-of-way line, nor shall a setback of greater than 50 feet be required. This section shall not apply to subdivisions creating new streets or extending existing streets where no dwelling structures exist along such streets within the plat.
- ~~4. All units, except multi-unit buildings without individual unit entrances, shall include a minimum one-car garage which shall be a minimum width of 12 feet.~~

So the clean copy will read as follows:

- F. Yard requirements.
1. The following minimum yard depths shall be provided for individual lots:
 - a. The minimum front yard depth (main entry) shall be 25 feet. On the corner lot a fifteen-foot side building line may be permitted.
 - b. The minimum side yard width shall be no less than 15 feet.
 - c. Rear yard depth shall be a minimum of 25 feet. However, in conjunction with attached single-family units, swimming pools, decks and open-air porches shall be exempt from the rear yard setback; these structures shall not be closer than six feet to the rear yard line.
 2. The following minimum distances shall be provided between principal buildings located on the same plot:
 - a. The side of a principal building shall not be located any closer than 20 feet to the side of another principal building.
 - b. There shall be a minimum of 40 feet from the front or rear of a principal building to any other principal building.

3. In the event that greater than 50% of the existing dwelling structures on the same side of the street and in both directions from a lot, for a distance of 500 feet or to the nearest intersecting street, whichever distance is less, have a variation in front yard setbacks of no more than 10 feet, the required front yard for that lot shall be the average setback of those structures. However, in no case shall any building be located closer than 15 feet from any roadway right-of-way line, nor shall a setback of greater than 50 feet be required. This section shall not apply to subdivisions creating new streets or extending existing streets where no dwelling structures exist along such streets within the plat.



What city code currently states

City of Moscow Mills, MO
Friday, June 4, 2021

Chapter 46. Zoning Code and Subdivision Regulations

Article V. District Regulations

§ 46.090. R-3 Multiple-Family Residential District.

- A. Purpose of the district. These districts are intended to establish zones within the City for multiple-family dwellings at a moderate to high density. The regulations of this district are designed to accommodate a higher intensity of land use in those areas appropriately served by central water/sewer systems, and roads and which abut or are adjacent to such other uses or structures which support or complement such an intensity of use. Within this district, said regulations shall apply, irrespective of ownership, to the use of land specifically, but not limited to townhouses and apartments.
1. For the purposes of this section, the multiple-family district is as follows:
 - a. R-3 Multiple-Family Residential. Twelve units or less per acre.
- B. Permitted uses.
1. Multiple-family dwellings.
 2. Group homes.
- C. Uses permitted upon review and approval by the Planning and Zoning Commission.
1. All uses allowed in the R-1 and R-1(A) Single-Family Residential Districts, and R-2 Two-Family Residential District.
- D. Special use permit required.
1. Mortuaries.
 2. Buildings that exceed 28 feet in height or two stories.
- E. Building height requirements. No building shall be erected or enlarged to exceed two stories or 28 feet in height.
- F. Lot width requirements.
1. For each multiple-family parcel, the minimum lot width shall be 100 feet as measured at the building line.
 2. All other uses. Lot areas shall be approved by the Planning and Zoning Commission, except mortuaries shall have a minimum lot size of three acres with a minimum frontage of 200 feet and no access to subdivision streets.
- G. Density of development and related lot area requirements.
1. A minimum of one acre is required to develop a multiple-family project in this zoning district.
 2. For each development there shall not be more than eight attached dwelling units in a row.
 3. Unit area. All units on plans approved by the Planning and Zoning Commission shall be a minimum of 850 square feet in area for apartments and 1,000 square feet in area for condominiums and townhouses.
- H. Yard requirements.
1. The following minimum yard depths shall be provided for individual lots:
 - a. The minimum front yard depth (main entry) shall be 25 feet. On the corner lot a fifteen-foot side building line may be permitted.
 - b. The minimum side yard width shall be no less than 15 feet.
 - c. Rear yard depth shall be a minimum of 25 feet. However, in conjunction with attached single-family units, swimming pools, decks and open-air porches shall be exempt from the rear yard setback; these structures shall not be closer than six feet to the rear yard line.
 2. The following minimum distances shall be provided between principal buildings located on the same plot:
 - a. The side of a principal building shall not be located any closer than 20 feet to the side of another principal building.
 - b. There shall be a minimum of 40 feet from the front or rear of a principal building to any other principal building.
 3. In the event that greater than 50% of the existing dwelling structures on the same side of the street and in both directions from a lot, for a distance of 500 feet or to the nearest intersecting street, whichever distance is less, have a variation in front yard setbacks of no more than 10 feet, the required front yard for that lot shall be the average setback of those structures. However, in no case shall any building be located closer than 15 feet from any roadway right-of-way line, nor shall a setback of greater than 50 feet be required. This section shall not apply to subdivisions creating new streets or extending existing streets where no dwelling structures exist along such streets within the plat.
 4. All units, except multi-unit buildings without individual unit entrances, shall include a two car garage which shall be a minimum width of 20 feet.
- I. Miscellaneous requirements.
1. Exterior lighting shall be provided throughout the development to promote the security and safety of the residents including parking, pedestrian, recreation, and open space area. Such lighting shall be designed to prevent glare onto adjacent properties or into the dwelling units.

2. Where an R-3 Multiple-Family Residential District is adjacent to an R-1, R-1(A) Single-Family or R-2 Two-Family District, a landscaped greenbelt at least 10 feet in width shall be provided continuously on the back and/or sides of the multiple-family property lines and shall consist of the following:
 - a. An eight foot high vinyl fence along the property line of the R-3 Multiple-Family Residential District.
 - b. All landscaping shall be maintained in a healthy growing condition by the property owner and the green belt shall not be used for off-street parking facilities or for loading spaces.
 3. Storage of building materials shall be within a residence, accessory building, or garage unless an active building permit has been issued.
 4. Landscaping. All landscape materials including, but not limited to, trees and shrubs, shall be maintained in a healthy fashion or shall be removed. All landscape materials including, but not limited to, soil, rock, timbers, mulch, and decorative stones, shall be stored within a residence, accessory building, or garage except during active project activity. Also, during active projects, materials shall not be stored so as to be hazardous or so as to cause a sight-distance problem. Active project activity shall be 60 days after project initiation.
 5. Entrances shall conform to the standards contained in the City of Moscow Mills Ordinances, Standards and Regulations.
 6. All exterior solid waste containers shall be screened from public view. All screening shall be six feet in height and of masonry or vinyl fencing construction that matches or complements the primary building on-site.
- J. Screening and landscaping. See Supplementary Regulations Landscaping and Screening Requirements.
- K. Density allowance. In order to achieve the density equal to that prior to any dedication of land, the developer may request, and the Planning and Zoning Commission may grant, a reduction in the required side and rear yard requirements to compensate for such a dedication.
- L. Where a special use is adjacent to any residential property or residentially zoned property, a continuous visual screen with a minimum height of eight feet shall be provided on the rear and/or sides of the subject property lines within a ten-foot landscape buffer. Such screening shall consist of a solid vinyl fence or masonry wall of not less than eight feet; a compact evergreen hedge or foliage screening may be approved as an alternative by the Planning and Zoning Commission.

What 46.090 is being proposed to state:

46.090 R-3 Multiple-Family Residential District.

A. Purpose of the District. It is the purpose of this district to provide for higher density residential development by allowing for multiple-family dwellings, in addition to single-family and two-family dwellings, developed at a moderate to high density. These areas are intended to be appropriately served by the public infrastructure and road system to support higher density development and also to serve as a transitional use between lower density residential and non-residential developments.

The regulations set forth in this Section or elsewhere in this Chapter, when referred to in this Section, are the regulations for the R-3 Multiple Family Residential District.

B. Permitted uses. A building or premises shall be used only for the following purposes:

1. Any use permitted in the R-1, R1(A), and R-2 districts.
2. Multiple-family dwellings or apartments, including three- and four-family dwellings, garden and town house apartments, loft dwellings, cluster homes, condominiums, and other arrangements of attached or detached buildings.
3. Accessory buildings, structures and uses.
4. A special use permit shall be required for mortuaries.

C. Building Height Requirements. No building shall be erected or enlarged to exceed three stories in height, nor shall it exceed fifty (50) feet in height.

D. Lot Requirements. The minimum lot width shall be 75 feet, except mortuaries shall have a minimum lot size of (3) three acres, with a minimum frontage of 200 feet, and no access to subdivision streets.

E. Density. A minimum of one acre is required to develop a multi-family project. There shall not be more than 20 units per acre, and no more than 20 units attached to one another. All units shall be a minimum of 550 square feet.

F. Yard requirements. The following minimum yard depths shall be provided for individual lots:

1. The minimum front yard depth (main entry) shall be 25 feet. On the corner lot a fifteen-foot side building line may be permitted.
2. The minimum side yard width shall be no less than 15 feet.
3. Rear yard depth shall be a minimum of 25 feet. However, in conjunction with attached single-family units, swimming pools, decks and open-air porches shall be exempt from the rear yard setback; these structures shall not be closer than ten (10) feet to the rear yard line.
4. The following minimum distances shall be provided between principal buildings located on the same plot:
 - a. The side of a principal building shall not be located any closer than 20 feet to the side of another principal building.
 - b. There shall be a minimum of 40 feet from the front or rear of a principal building to any other principal building.
 - c. In the event that greater than 50% of the existing dwelling structures on the same side of the street and in both directions from a lot, for a distance of 500 feet or to the nearest

intersecting street, whichever distance is less, have a variation in front yard setbacks of no more than 10 feet, the required front yard for that lot shall be the average setback of those structures. However, in no case shall any building be located closer than 15 feet from any roadway right-of-way line, nor shall a setback of greater than 50 feet be required. This section shall not apply to subdivisions creating new streets or extending existing streets where no dwelling structures exist along such streets within the plat.

G. Miscellaneous requirements.

1. Exterior lighting shall be provided throughout the development to promote the security and safety of the residents including parking, pedestrian, recreation, and open space area. Such lighting shall be designed to prevent glare onto adjacent properties or into the dwelling units.

2. Where an R-3 district is adjacent to an R-1, R-1(A), or R-2 district, a landscaped greenbelt at least 10 feet in width shall be provided continuously on the back and/or sides of the development and shall consist of the following:

a. An eight-foot high vinyl fence along the property line of the development.

b. All landscaping shall be maintained in a healthy growing condition by the property owner and the green belt shall not be used for off-street parking facilities or for loading spaces.

c. Storage of building materials shall be within a residence, accessory building, or garage unless an active building permit is being used.

3. Entrances shall conform to the standards contained in the City of Moscow Mills Ordinances, Standards and Regulations.

4. All exterior solid waste containers shall be screened from public view. All screening shall be six feet in height and of masonry or vinyl fencing construction that matches or complements the principal buildings.

From: [Cynthia Davenport](#)
To: [Linda Haynes](#)
Subject: RE: ORDINANCE 46.090
Date: Friday, June 4, 2021 3:13:07 PM

It would be impossible. That thing was a mess.

But, here is the crux of what was changed if you just want to share this email.

1. Now allow 3 story buildings.
2. Now allow 20 units per acre, rather than 12.
3. Now allow 20 units per building, rather than 8.
4. Minimum square feet of apartments decreased from 850 square feet to 550 square feet.
5. 10 feet minimum "green belt" rather than 6 feet.

Cindy

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Emails from non-clients requesting legal services will not be read and will be deleted upon receipt.

From: Linda Haynes <lhaynes@moscowmillsmo.com>
Sent: Friday, June 4, 2021 2:37 PM
To: Cynthia Davenport <cdavenport@westplexlaw.com>
Cc: Patrick Flannigan <pflannigan@moscowmillsmo.com>
Subject: RE: ORDINANCE 46.090

Cindy,

Do you have a marked up copy of section 46.090 showing what was deleted, changed, and added? I always provide that to the P&Z Commission so they can see the changes. I already have it for the other two proposed changes. See attached of what I'm providing to them. Would it be difficult to provide this due to extensive changes?

Linda

From: Cynthia Davenport [<mailto:cdavenport@westplexlaw.com>]
Sent: Friday, June 4, 2021 1:41 PM
To: Linda Haynes <lhaynes@moscowmillsmo.com>; Patrick Flannigan <pflannigan@moscowmillsmo.com>
Subject: ORDINANCE 46.090