

Chapter 405. Zoning Regulations

Article I. General Provisions

Section 405.100. Supplemental Regulations.

[R.O. 1992 § 405.100; Ord. No. 228 § 700.10, 5-10-1990; Ord. No. 292 § I, 12-8-1994; Ord. No. 354 §§ II — IV, 3-25-1999; Ord. No. 426 § I, 6-12-2003; Ord. No. 698 § I, 9-24-2009; Ord. No. 787 § I, 3-28-2013; Ord. No. 827 § I, 5-22-2014; Ord. No. 880, 4-28-2016; Ord. No. 890, 8-25-2016; Ord. No. 910, 4-27-2017; Ord. No. 948, 9-13-2018; Ord. No. 968, 5-23-2019; Ord. No. 1030, 9-22-2022; Ord. No. 1051, 11-30-2023; Ord. No. 1063, 6-27-2024; Ord. No. 1080, 3-13-2025]

A. This Section outlines regulations affecting more than one (1), or all, zoning districts and must be reviewed in every case when considering any type of land use within the City's jurisdiction; however, these supplemental regulations shall defer to any specific regulations within the respective zoning districts Sections.

1. Building Or Structures.

a. General.

(1) Buildings Or Structures, Accessory. In all zoning districts except the residential districts identified in Article III of this Chapter, accessory buildings or structures, as defined in Section **405.090**, shall be subject to the following:

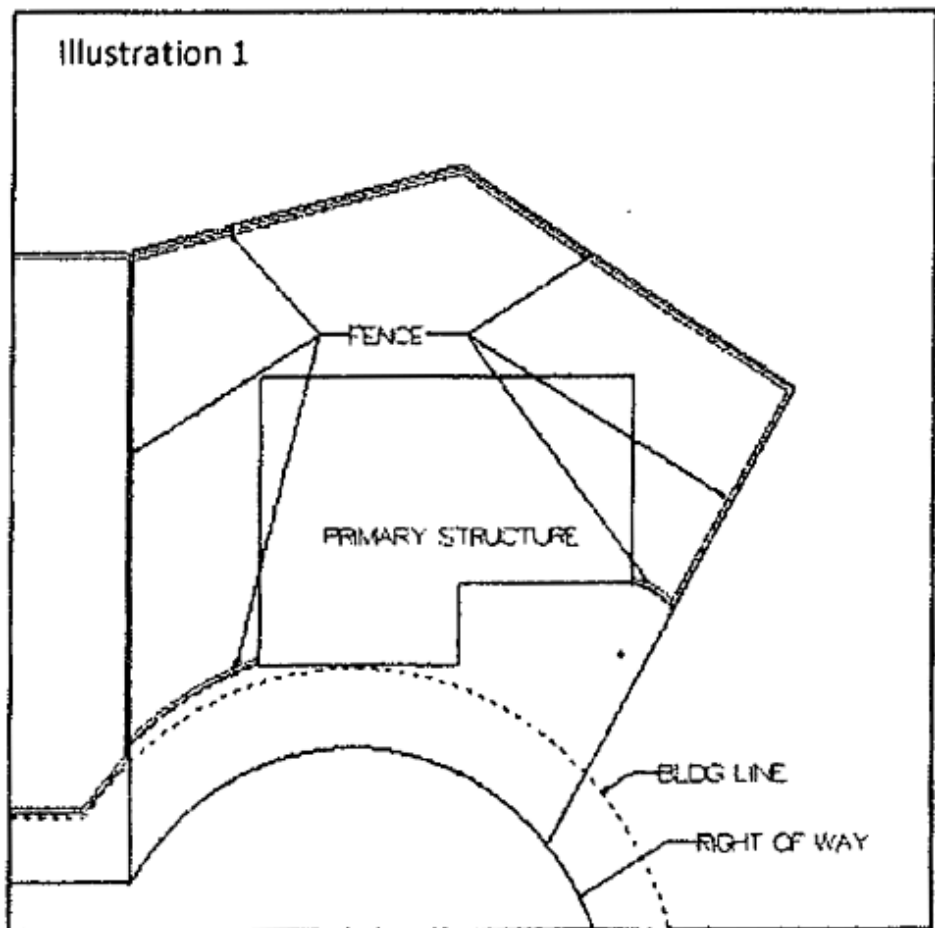
- (a) An accessory building to a primary structure shall be set back no less than the existing building line of the property and in no instance be located or constructed in the applicable setbacks for the zoning district in which the principal building is located.
- (b) No single accessory building in any district shall occupy more than thirty percent (30%) nor shall all such buildings collectively occupy more than forty percent (40%) of the required yard spaces in the rear one-half (1/2) of a lot.
- (c) On external corner lots in a subdivision, an accessory building shall not project closer than fifteen (15) feet to the street side lot line; except if a required parking garage with access to said street, such setback shall be a minimum of twenty (20) feet.
- (d) No accessory building shall be erected in any required front or side yard, and no separate accessory building shall be erected within five (5) feet of any other building.
- (e) No accessory building shall be constructed upon a lot until the construction of the principal building has commenced, and no accessory building shall be placed in use until the principal building is completed and in use.
- (f) No accessory building shall be used for dwelling purposes.

(2) Buildings Or Structures, Principal.

- (a) More than one (1) principal structure, or structure housing a permitted or permissible principal use, may be erected on a single lot provided all yard and other requirements herein shall be met for each structure as though it were on a separate lot.
 - (b) Every building hereafter erected or moved shall be on a lot adjacent to a public street, or have access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.
 - (c) All owners, contractors or builders of any principal structure in the City shall report its location to the Zoning Enforcement Officer and procure a certificate of the number issued by the U.S. Postal authority and shall cause said number to be placed thereon where it shall be clearly visible from any public road or street it fronts.
- (3) Buildings Or Structures, Temporary. No temporary structure (including trailers and manufactured homes) shall be used or occupied for any residential, commercial or industrial use except as specifically permitted or required by these regulations; however, the Planning and Zoning Commission may, upon application therefor, permit the use of such temporary structure for such reasonable time, for such use and subject to such conditions as the Commission deems compatible with the character of the area in which the structure is located and in compliance with the purpose and intent of these regulations.
- (4) Buildings Or Structures, Incomplete. Nothing herein contained shall require a change in the plans, construction or designated use of a building, if its foundation has been completely constructed at the effective date of these regulations and if construction shall be completed within one (1) year of said date.
- b. The below-listed types of uses shall be subject to the additional requirements as follows:
 - (1) Churches And Places Of Formal Worship. For each seventy-five (75) seats (or where benches are provided, each twenty-four (24) inches of said bench shall constitute a seat) or fraction thereof, excluding Sunday school accommodations, the site shall contain at least one-half (1/2) acre of land.
 - (2) Drive-In Theaters.
 - (a) Projection screens and parking areas shall not be closer than fifty (50) feet from any street right-of-way line and not closer than one hundred (100) feet from any residential district boundary.
 - (b) The projection screen surface shall not be visible from any major traffic street.
 - (c) Loudspeakers shall be limited to individual unit type designed to be heard by occupants within one (1) vehicle only.
 - (d) Entrances and exits shall connect only to major arterial or collector streets and shall be designed to avoid interference with traffic flow.
 - (e) Entrances and exit waiting space for vehicles shall be provided to accommodate not less than five percent (5%) of the theater's parking capacity.
 - (3) Fences, Walls And Hedges.
 - (a) No barbed wire or other such sharp pointed fencing and no electrically charged fence shall be erected or maintained in any residential zoned district. These fences are allowed in agricultural and conservation districts. In commercial and industrial districts, barbed wire fencing is allowed only if placed on the top of a

chain-linked fence, six (6) feet minimum in height. Razor ribbon or equivalent and concertina type wire or banding is prohibited.

- (b) No permanent fence or retaining wall shall be constructed or erected within any public street or alley right-of-way unless authorized by the Planning and Zoning Commission.
- (c) Fences, walls and hedges in any district may be located along lot lines, provided those exceeding six (6) feet in height meet the minimum yard requirements of the subject district. [See also Density and Appurtenant Requirements, Section **405.100(A)(2)(a)(5)**].
- (d) Notwithstanding anything else in this Section to the contrary, in residential districts, fences not exceeding eight (8) feet in height are permitted; provided that no fence of any type shall be built:
 - (i) In the front yard, except that a fence may, beginning at a side-front corner of the primary structure, follow the contour of the front lot line out to the side lot line (see Illustration 1); or



- (ii) Along the apparent rear of the property adjacent to a public street on double frontage lots (or, through lots), closer than the street right-of-way.
- (e) Fence Construction.
 - (i) All fencing must be made of approved material and be adequately secured in the ground.
 - (ii) Approved material would be chain link, decorative wood, or vinyl fence.

- (iii) All fencing installed six (6) feet or less in height must have posts cemented in concrete at thirty (30) inches deep.
 - (iv) Any fence over six (6) feet in height must be secured in concrete thirty-six (36) inches deep.
 - (v) All material and construction must be approved by City Official, Code Enforcement Officer or Building Official.
 - (vi) All fences shall be constructed with finished side out, facing the neighbors and/or the public view. All horizontal and vertical supports are to be interior to the lot being fencing.
- (4) Garages, Motor Vehicle Repair. All repair work, servicing, storage of parts and equipment and vehicle dismantling shall be done completely within an enclosed building or shall be enclosed by a solid fence at least six (6) feet in height.
- (5) Gasoline Service Stations.
 - (a) All gasoline pumps, lubrication or similar devices and other service facilities shall be located at least twenty (20) feet from any street right-of-way line.
 - (b) All fuel and oil storage, pumps or other such dispensing devices shall be located at least twenty (20) feet from any side or rear lot line.
 - (c) No access drive shall be within two hundred (200) feet of a fire station, school, public library, church, park or playground.
 - (d) All food, ice and beverage vending devices shall be located within or immediately adjacent to the principal building.
- (6) Home Occupations.
 - (a) These regulations are narrowly tailored to protect the public health and safety, including ensuring compliance with regulations related to fire and building codes, health and sanitation, transportation or traffic control, solid or hazardous waste, pollution, and noise control; to ensure that all home-based business activity is compliant with State and Federal law; and to ensure that home-based businesses are paying applicable taxes.
 - (b) A home occupation may operate in the Agricultural or any Residential Districts provided the home occupation:
 - (i) Is clearly incidental and secondary to the primary residential use of the dwelling unit;
 - (ii) Does not occupy more than forty-nine percent (49%) of the floor area of the dwelling;
 - (iii) Is operated such that the total number of employees and clients on-site at one (1) time does not exceed the occupancy limit for the residential dwelling;
 - (iv) Pays all applicable taxes and otherwise operates in compliance with applicable City, State, and Federal law;
 - (v) Is operated by a resident or residents of the dwelling unit;
 - (vi) Does not change the residential character of the residential building by altering or modifying the exterior of the dwelling so as to indicate the presence of a home occupation; and
 - (vii) Does not adversely affect the character of the surrounding neighborhood by allowing or causing, for example: commercial or delivery vehicles used in

connection with the home occupation are parked at or stored on the dwelling or visit the premises with a frequency of more than one (1) visit per day; a steady or concentrated visitation of clients to the dwelling; a substantial increase in traffic or on-street parking through the residential area; storage or the use of equipment that produces negative effects outside the home or accessory structure or violates the performance standards of these regulations; outdoor display or storage of material visible from the street; signs displayed (except one (1) nameplate displayed flat against a door or wall, or in the window, of the principal dwelling) The dwelling's appearance is altered by the conduct of the home occupation and is recognizable as serving a non-residential purpose, either by color, materials of construction, lighting, sounds, vibrations; requiring additional off-street parking; or similar adverse impacts.

- (c) Neither a license nor a fee is required for a home occupation, but in order to ensure applicable taxes are paid, within sixty (60) days of establishing a home occupation, the resident or homeowner shall supply the City with a copy of their business's Missouri Tax I.D. number and, for home occupations selling goods at retail, a Statement of No Tax Due in accordance Missouri Statutes (Section **144.083.2** and **144.083.4**, RSMo.). The resident shall also submit to the City Clerk a written description of the type of home occupation, the total floor area of the dwelling in which the home occupation is to be located with the amount of floor area to be occupied by the home occupation, any equipment used in the conduct of the home occupation, and the number of employees to be working at the home occupation including those who are not residents of the home.
- (d) Nothing in this Subsection pertaining to home occupations shall be deemed to:
 - (i) Prohibit mail order or telephone sales for home occupations;
 - (ii) Prohibit service by appointment within the home or accessory structure;
 - (iii) Prohibit or require structural modifications to the home or accessory structure;
 - (iv) Restrict the hours of operation for home occupations;
 - (v) Restrict storage or the use of equipment that does not produce effects outside the home or accessory structure; or
 - (vi) Restrict or prohibit a particular occupation that is legal under the laws of the City, State, and United States.
- (7) Hospitals And Sanitariums.
 - (a) The minimum site shall be five (5) acres except when the facility's capacity exceeds fifty (50) beds the site shall be the greater of five (5) acres or the acreage determined by the number of beds multiplied times the percentage of total floor area at ground level and dividing by five hundred (500).
 - (b) All principal buildings shall be located at least twenty-five (25) feet from all lot lines.
 - (c) The site shall not have any lot dimension less than two hundred (200) feet.
- (8) Junk Yards.
 - (a) All storage of parts and equipment and the dismantling of vehicles shall be within a completely enclosed building or within an area enclosed by a solid fence not less than six (6) feet in height.

- (b) Any junk yard shall be located not less than five hundred (500) feet from any residential district boundary.

(9) Nurseries, Plant/Tree, And Greenhouses.

- (a) No fertilizer, compost, manure or other odor- or dust-producing substance shall be stored within fifty (50) feet of any property line.
- (b) Greenhouse heating units shall be in an enclosed building not less than fifty (50) feet from any property line.
- (c) Along any side or rear lot line, a planting or other appropriate screening shall be provided of such size and density to provide visual separation from adjacent residential properties.

(10) Nursing Homes.

- (a) The minimum site shall be two (2) acres; a nursing home containing more than forty (40) beds shall have a minimum site area the greater of two (2) acres or the number of acres determined by multiplying the number of beds times the percent of total ground floor area and dividing that total by two thousand (2,000).
- (b) All principal buildings shall be located at least twenty-five (25) feet from all lot lines.
- (c) The site shall have a minimum lot dimension of two hundred (200) feet.

(11) Public Buildings.

- (a) In any agricultural, park and scenic or residential district, all publicly owned buildings shall be located at least twenty-five (25) feet from all property lines.
- (b) In any agricultural, park and scenic, residential or commercial district, permanent storage of heavy construction or maintenance equipment (such as excavating, road building or hauling equipment) shall not be permitted unless in an enclosed building or enclosed within a solid wall or fence at least six (6) feet in height, and such storage areas, maintenance yards or storage warehouses shall be located at least twenty-five (25) feet from any front or side property line.

(12) Public Utility Stations, Exchanges, Essential Services. Electrical substations, gas regulator stations or telephone exchange facilities in any agricultural, park and scenic or residential district shall be subject to the following:

- (a) No public office, repair or storage facilities shall be maintained in connection with such substations or exchanges.
- (b) The building housing any such facility shall be designed and constructed to conform to the general character of the neighborhood.
- (c) The area where the facility is located shall be landscaped and maintained in conformance with the general character of the surrounding area.
- (d) Where all facilities and equipment are entirely within a completely enclosed building, the minimum lot may consist of width not less than the total building width plus the total minimum required side yards, and depth not less than the building depth plus the minimum required front yard plus a three-foot minimum rear yard.
- (e) Where facilities or equipment are located outside an enclosed building, no such facilities or equipment shall be located closer than fifteen (15) feet to any side or rear lot line.

- (f) If transformers are exposed, an enclosing fence or wall at least six (6) feet in height shall be provided.

(13) Schools, Private And Parochial.

- (a) For each one hundred (100) students or fraction thereof, the site shall contain one and one-quarter (1.25) acres.
- (b) Each principal building shall be located at least twenty-five (25) feet from all property lines.

(14) Stables. No private stable shall be located closer than one hundred fifty (150) feet to any other structure.

(15) Swimming Pools. No public or private swimming pool in any district shall be located in any required front yard; however, if not more than six (6) feet in height, such use may be located in any required side or rear yard but not closer than ten (10) feet to a side lot line adjacent to a street, subject to the provisions of Section **405.100(A)(2)(a)(5)**.

(16) (Reserved)

(17) Vacation Vehicle Parks.

- (a) All vacation vehicle parks shall be used exclusively for temporary parking only and no permanent mobile dwelling shall be permitted.
- (b) The Planning and Zoning Commission shall require improvements considered necessary with respect to the environment and existing City and State laws, with the City's ordinance regulating the establishment of manufactured home parks to be used as a guideline in approving or denying a proposed vacation vehicle park.

(18) Portable Storage Containers And Temporary Storage Units.

- (a) Portable Storage Containers - Permit Required. Except for short-term storage of less than five (5) business days in a residential district, any owner or occupier of commercial or industrial property who causes or allows a portable storage container to be parked, placed, located or stored on a lot must obtain a temporary use permit pursuant to Section 400.050(A)(3)(f). Such permit shall include the portable storage container's serial/rental number, the name and address of lot owner/occupant, date of its placement on the lot, date that removal is required, and local telephone number of the provider of the portable storage container.
 - (i) A portable storage container, located in a residential district, shall be parked, placed, or stored on a residential driveway. Such portable storage container may slightly encroach into the right-of-way provided that it does not limit the sight distance for motorists or pedestrians, block or inhibit use of the sidewalk, impede vehicular traffic or otherwise harm the health, safety and welfare of the neighborhood.
 - (ii) In the residential districts, a portable storage container shall only be moved, delivered or removed between the hours of 7:00 A.M. and 6:00 P.M.
- (b) Temporary Storage Units - Permit Required. Any owner or occupier of commercial or industrial property who causes or allows a temporary storage unit to be parked, placed, located or stored on a lot must obtain a temporary use permit pursuant to Section 400.050(A)(3)(f). If applicable, such permit shall include the temporary storage unit's serial/rental number, the name and address of lot owner/occupant, date of its placement on the lot, date that removal is required, and local telephone number of the provider of the storage unit. No more than one (1) temporary storage unit may be placed on a lot at a time unless otherwise approved by the Board upon Planning and Zoning Commission recommendation.

- (c) For the purpose of this Section, a temporary storage unit shall be deemed a structure.
 - (d) Any residential, commercial, or industrial lot permitted to have a portable storage container parked, placed, or stored on such lot and any commercial or industrial lot permitted to have a temporary storage unit parked, placed, or stored on such lot must display the permit on the inside of a window or door of the primary building or attached to the portable storage container or temporary storage unit; such permit shall be visible from the right-of-way.
 - (e) A portable storage container or storage unit located on a commercial lot shall not be stacked on top of another such container or unit. A temporary storage unit shall not exceed ten (10) feet in height and width, or forty (40) feet in length, when measured on the exterior.
 - (f) A portable storage container or temporary storage unit shall not be used for living quarters.
 - (g) A portable storage container or temporary storage unit shall not be used to store flammables, explosives, fire arms, or noxious chemicals.
 - (h) No items, equipment, or materials may be stored outside of a portable storage container or temporary storage unit at any time.
 - (i) A portable storage container or temporary storage unit shall not be externally illuminated or have any utilities connected to it.
 - (j) A portable storage container or temporary storage unit shall not be used primarily for advertisement or as signage.
 - (k) Portable storage containers or temporary storage units kept or caused to be parked, placed, or stored in violation of this Section shall be subject to permit revocation and/or immediate removal in addition to being a violation punishable pursuant to Section **100.220** of the Municipal Code of the City of Wright City. Failure to obtain a permit pursuant to this Section is a violation punishable pursuant to Section **100.220** of the Code. The City's costs of enforcement of this Section and/or the cost of bringing the premises or condition of real property into compliance, including the City's administrative costs of inspections and attorneys' fees, shall be a joint and several obligation of all liable persons.
 - (l) In addition to the requirements of above, all portable storage containers or temporary storage units in commercial or industrial districts must also meet the following requirements:
 - (i) A portable storage container or temporary storage unit shall be parked, placed, or stored on a hard surface. For the purpose of this Section, "hard surface" shall be defined as one surfaced with a minimum of three (3) inches of crushed stone or a hard-paved surface such as asphalt, concrete or brick.
 - (ii) A portable storage container or temporary storage unit shall not be parked, placed, or stored on the paved surface of any public or private street of the City or within the public rights-of-way.
 - (iii) A portable storage container or temporary storage unit shall only be moved, delivered or removed between the hours of 6:00 A.M. and 10:00 P.M.
- (19) Indoor Firing Ranges. Shall be constructed to current national shooting range design standards.
- (20) Solar Energy Systems. Solar energy systems, as defined in Section **405.090**, may be constructed as follows:

- (a) Principal Or Accessory Use. Solar energy systems intended primarily to offset part or all of the customer-generator's own electrical energy requirements shall be an accessory use subject to the provisions of this Chapter **405**.
- (b) Permit Required. Roof-mounted solar energy systems shall be permitted in all districts pursuant to a permit as provided herein:
 - (i) Filing of an application for permit that is in the form as provided by the City and meets the requirements prescribed by Chapter **405**:
 - (1) Such form application shall at a minimum contain a site plan detailing the location of the roof-mounted solar energy system and location of overhead utility wires;
 - (ii) Submission of building and design plans for the solar energy system and including therewith a certification from a licensed Missouri engineer or architect that all such plans and design are in compliance with the Wright City Municipal Code and all other applicable State and Federal requirements. Such certification shall also include details of the weight of each array per square foot and certifying that the roof has the structural integrity to carry the weight and wind loads of the solar energy system;
 - (iii) Payment of the applicable building permit fee in accordance with the Wright City Municipal Code;
 - (iv) Other Permits. Nothing in this Section shall relieve the applicant from applying for and obtaining any other required local, State, or Federal permit, including applicable mechanical or electrical permits.
- (c) Location. A permit for a roof-mounted solar energy system may be granted if the application demonstrates compliance with the following location requirements:
 - (i) Arrays shall terminate at least two (2) feet from the edge of the roof and the ridge of the roof on all structures.
 - (ii) Arrays shall be permitted on any pitched roof if the arrays are mounted flush or parallel to the roof plane. Parallel mounting shall be placed no more than eight (8) inches higher than the roof surface.
 - (iii) Arrays on flat roofs shall be screened from view by a parapet or other architectural feature that is compatible with the existing architecture and does not exceed the height and other requirements of the underlying zoning districts.
 - (iv) Ground-mounted solar energy systems shall not be permitted in any district.
- (d) Use Of Building-Integrated Photovoltaic Systems. Building-integrated photovoltaic systems may be located on any roof plane or wall, in compliance with all zoning regulations of the applicable district, as well as building code requirements.
- (e) Glare. Roof-mounted solar energy systems shall be installed to avoid concentrated radiation, heat, or glare onto neighboring properties or traffic. The energy absorbing components of the system shall be of a non-glare material.
- (f) Maintenance. The solar energy system shall be maintained at all times in good, safe, working condition, including free of any deterioration, rust, or exposed wiring.
- (g) Safety Disconnect. The electric disconnect for all solar energy systems shall be located near the electric meter on the exterior of the building being served (or other location as approved in an administrative permit by the City). The electric

disconnect shall be clearly identified to facilitate emergency operations by the City and the Wright City Fire Protection District.

- (h) Advertisement. A solar energy system shall not be used to display advertising. The manufacturer's and equipment information, warning, or indication of ownership shall be allowed on any equipment of the solar energy system provided that the signage is not for advertising purposes.
- (i) Site Inspection. Upon completion of installation of a roof-mounted solar energy system, the contractor and/or property owner shall contact the City for a final inspection of the installation. The roof-mounted solar energy system cannot begin operating until it has received approval from the City. The inspections are for the purpose of verifying that an installation is code compliant with electrical, building code, and fire safety requirements. Among other things, the inspection shall verify labeling of equipment to limit firefighter exposure to electrical voltage, space for firefighters to access the building or structure, and limitations in roof installations due to firefighting suppression techniques to ensure fire safety of the installation.
- (j) Abandonment. Any solar energy system that is out of service for a period of six (6) months will be considered abandoned and must be removed within sixty (60) days.

2. Density And Appurtenant Requirements.

a. Height Limitations.

- (1) Accessory use structures secondary to principal use structures shall be limited to the principal use structure height.
- (2) No dwelling structure shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height except multi-family use [four (4) or more family units per building] which shall be limited to four (4) stories or fifty (50) feet in height.
- (3) Non-dwelling buildings and structures shall be limited to two and one-half (2 1/2) stories or thirty-five (35) feet in height except as stated otherwise in these regulations and as allowed by conditional use permits.
- (4) No building or structure, other than authorized utility towers and antennas, shall exceed four (4) stories or fifty (50) feet in height in any district.
- (5) Any permitted building, other than a dwelling or accessory building, may be built to a greater height than allowed in that district if the setback is increased by one (1) foot for every one (1) foot of additional height.
- (6) The height limitations contained in these regulations shall not apply to a parapet wall or ornamental cornice without windows extending above the height limit not more than five (5) feet, nor to church spires, belfries, cupolas, penthouses and domes not used for human occupancy, chimneys, ventilators, skylights, water tanks, silos, bulkheads, other similar architectural features and necessary mechanical appurtenances usually extended above roof level.
- (7) Airport Zones. Any area designated an airport zone shall have such additional height restrictions as the Federal Aviation Administration requires, and permits for material changes in land use, structures and trees shall be necessary for use not in conflict with said restrictions, which, along with the special zones to which they apply, shall be defined in a separate ordinance and incorporated herein by reference.

b. Lot Dimensions, Lot Areas And Yard Requirements.

- (1) Wherever an existing lot of record has a width of sixty (60) feet or less, the side yard on each side of any building thereon may be reduced to not less than ten percent

(10%) of the lot width but in no instances shall such yard be less than five (5) feet wide nor can two (2) adjoining lots have buildings closer than ten (10) feet across a common lot line.

- (2) In the event forty percent (40%) or more of the structures fronting one (1) side of a street, between two (2) intersecting streets or for a distance of at least five hundred (500) feet in either direction, have been set back from such street with greater or less than the required front yardage in that district, a dwelling may be hereafter erected so it approaches no closer to the street than the average setback of the existing structures, but in no case shall the front yard be reduced to less than fifteen (15) feet.
- (3) Even though its area is less than the minimum required by these regulations for a district, except in industrial districts, an existing lot of record may be used as a building site if all other requirements are met, provided no more than one (1) principal building is placed thereon.
- (4) Two (2) or more contiguous parcels held in one (1) ownership and each lacking adequate area and/or minimum dimensions to qualify for a permitted use in a district, but together would satisfy such requirements, may be combined for said use.
- (5) In the case of corner lots, no person owning or occupying a corner lot shall allow or cause to be erected or maintained any structure or plant material exceeding thirty-six (36) inches in height above the street pavement elevation within the sight distance triangle, which is defined as the triangular area formed by connecting three (3) points, the point at which the street lines intersect and two (2) additional points, each forty (40) feet from the point of the street line intersection and located on the street lines abutting the property. This prohibition shall not apply to overhanging tree limbs ten (10) feet or more above the street pavement elevation.

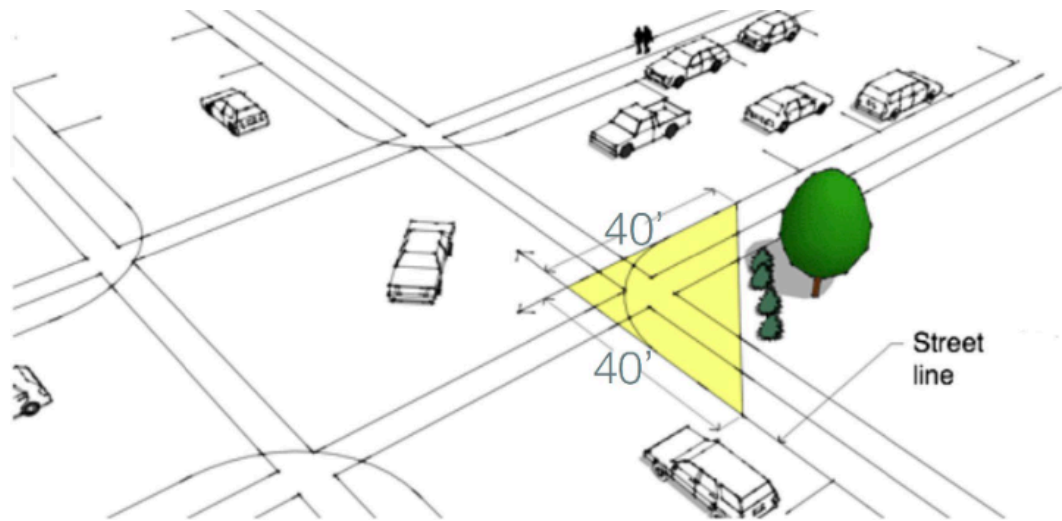


Figure 1 - Sight Distance Triangle

- (6) For any through lot or corner lot, both frontages shall comply with the front yard requirement.
- (7) The minimum lot width fronting a horizontally curved street shall be determined by measuring along a straight line defined by the points of intersection of the side property lines with the right-of-way line, shall be equal to or greater than the minimum setback plus ten (10) feet and shall be no less than thirty-five (35) feet.
- (8) The minimum front setback for a lot fronting a horizontally curved street shall be determined by measuring from a straight line defined by the points where the side property lines intersect with the right-of-way line.
- (9) On a corner or external lot, a structure may face either street.

- (10) For other than corner lot setbacks as required herein, property line setback requirements for structures shall not apply to the following:
 - (a) Boundary walls and fences six (6) feet or less in height.
 - (b) Utility towers authorized by conditional use permits.
 - (c) Permitted informational and direction signs.
- (11) Where the side lot lines are not parallel, the minimum width dimension shall be calculated as the average of the width measured at the front lot line, said front width being at least thirty-five (35) feet, and the lot width, being at least fifty (50) feet, measured twenty-five (25) feet back from said front lot line.
- (12) Where a building wall is not parallel to a side or rear lot line, the required yard shall be determined by calculating the average distance of said wall from said lot line, provided the building extends no closer than five (5) feet to any rear or side lot line.
- (13) In calculating the percentage of lot coverage or required yards, the following structure features shall be excluded as coverage or yard infringements:
 - (a) Open or lattice-enclosed fire escapes, fireproof outside stairways and balconies opening upon fire towers projecting into a yard not more than five (5) feet.
 - (b) Unenclosed surfaced walks and driveways.
 - (c) Fences or trellises six (6) feet or less in height.
 - (d) Retaining walls eighteen (18) inches or less in height.
 - (e) Flue or fireplace chimneys or similar architectural features attached to the principal building but not extending beyond two (2) feet therefrom.
 - (f) Bay windows extending not more than eighteen (18) inches from the principal building.
 - (g) Cornices, canopies and eaves not extending more than four (4) feet.
 - (h) Open fire escapes not projecting in a required side yard more than half (1/2) the width of said yard.
 - (i) Solid floor balconies, enclosed outside stairways and fire escapes and unenclosed but covered patios not extending to within twelve (12) feet of the rear lot line.
- 3. Spacing requirement for medical marijuana uses. No medical marijuana use shall be located within one-thousand (1,000) feet of any then-existing elementary school, secondary school, child care facility, or church. As used in the previous sentence, "then-existing" shall mean any elementary school, secondary school, child care facility, or church with a building permit from the City to be constructed, or under construction, or completed and in use at the time the medical marijuana use applies for a zoning permit.^[1]
 - a. When measuring the spacing requirement, the following guidelines shall be followed:
 - (1) In the case of a freestanding medical marijuana use facility, the distance between the facility and the elementary or secondary school, child care facility, or church shall be measured from the property line of the facility to the closest point of the property line of the elementary or secondary school, child care facility, or church.
 - (2) In the case of a medical marijuana use facility that is part of a larger structure, such as an office building or strip mall, the distance between the facility and the elementary or secondary school, child care facility, or church shall be measured from the property line of the elementary or secondary school, child care facility, or church to the facility's

entrance or exit closest in proximity to the elementary or secondary school, child care facility, or church.

- (3) Measurements shall be made along the shortest path between the demarcation points that can be traveled by foot.

[1] *Editor's Note: Former Subsection (A)(3), Parking And Loading, Off-Street, was repealed 4-23-2015 by § IV of Ord. No. 852.*

4. Performance Standards.

- a. Performance standards shall apply to all land uses and developments in all districts and are subject to all existing or future local, State and/or Federal laws.
- b. Air, land and water quality.
 - (1) Every use shall be operated so no odor, smoke, toxic gases and/or dirt, dust, fly ash or other particulate matter is emitted to violate the air quality standards and air pollution control regulations of the St. Louis metropolitan area or existing or future Federal, State or local laws pertaining to air, land and water pollution and must conform to any such law in addition to requirements contained herein.
 - (2) Every use shall be operated so no dangerous amount of radioactive emissions occur to violate Federal, State or local regulations.
- c. Drainage, Erosion And Slope. Any lot shall be properly graded for drainage to prevent excessive stormwater or other run-off from one (1) lot to another under separate ownership or onto any public right-of-way and maintained in good condition, free from weeds, trash and debris. Significant changes in the natural flow of water courses shall be prohibited. Where a lot slopes ten percent (10%) or more within fifty (50) feet of any proposed principal building wall, the following shall be provided for consideration before a building permit can be issued:
 - (1) A site plan drawn to a scale of not less than two hundred (200) feet to one (1) inch with contour intervals every two (2) feet and indicating the location of all buildings and structures, their required minimum yard requirements and the lot's principal use;
 - (2) What structural, mechanical and locational measures will be taken to prevent erosion and protect any building from hillside slumpage resulting from the development and use of the lot;
 - (3) A stable angle of recline for the lot's soil properties;
 - (4) Accessways, including for emergency vehicles;
 - (5) Any information to indicate the development will not be detrimental to adjacent properties.
- d. Glare And Heat. Any operation producing intense glare or heat shall be performed in an enclosure and shall be imperceptible without instruments along any lot line.
- e. Impact. Any site location shall have a compatible relationship to the environment, established street system and utilities capacities and services and shall pose no greater burden than could be considered reasonable as determined by the City Engineer.
- f. Lighting Controls. Any light illuminating signs, parking areas, swimming pools or for any other purpose shall be arranged to direct the light away from residential properties or public rights-of-way.
- g. Maintenance. Maintaining yards and other open spaces and lot areas shall be a continuing obligation of the owner(s) of a building, use or property as long as such exists.

- h. Noise. Every use shall be operated so the sound pressure or noise level generated, measured in decibels, shall not exceed at any lot line the maximum decibel levels for the designated octave band within or adjacent to residential or other districts as set forth in the following:

Octave Band (cycles/sec.)	Residential	Other
0 to 75	72	79
75 to 150	67	74
150 to 300	59	66
300 to 600	52	59
600 to 1,200	46	53
1,200 to 2,400	40	47
2,400 to 4,800	34	41
above 4,800	32	39

- i. Vibration. Every use shall be operated so the maximum ground vibration generated is not perceptible without instruments at any point on its lot lines.

5. Signs.

- a. The regulation and control of signs in Wright City is intended to promote the public health, safety and general welfare through a comprehensive system of reasonable, consistent and non-discriminatory standards and requirements of sign size, location, erection, number, and maintenance. These regulations are to allow a property owner the ability to make use of its property for free expression without any content-based limitations but in a manner designed to avoid the visual clutter that is harmful to traffic and pedestrian safety, property values, business opportunities, and community standards for appearance.
- (1) Sign regulations may impact First Amendment rights and that these rights are important constitutional rights that must be protected.
 - (2) Unregulated signage has direct and secondary effects that are harmful to the safety and general welfare of the City as a whole and to its individual citizens.
 - (3) These direct and secondary effects result from the visual clutter that occurs as a result of the unregulated installation and lack of maintenance of signs.
 - (4) These direct and secondary effects include harm to traffic and pedestrians' safety, depreciation of property values within the City, decreased business opportunities for individual and business residents of the City (resulting in decreased sales, property and other tax revenues that are necessary to provide an adequate level of public service to City residents), community blight and an overall less-pleasing community appearance.
 - (5) Residents are virtually captive audiences of signs displayed by neighbors; signs are an intrusion into residential privacy and interfere with the enjoyment of a resident's property because the view from the resident's property may become so marred by the clutter of signs that the resident cannot successfully avoid observing the sign clutter.
 - (6) Because of these direct and secondary effects, the City has a compelling interest in regulating signs within the City.
 - (7) These regulations are content-neutral, viewpoint neutral, and place restrictions that directly advance the City's stated interests.

- (8) To the extent that any provisions of these regulations are found to be content-based, they are intended to further compelling governmental interests.
 - (9) A primary and compelling interest of the City is to allow property owners to post public interest signs to protect the safety of others and to allow all persons to comply with legal requirements imposed by law or by order of a court requiring the posting of notices, without being subject to regulation.
 - (10) The scope of these regulations is proportionate to the interests served and narrowly tailored to achieve the desired objective.
 - (11) A direct nexus exists between the desired City's goals and the means chosen in these regulations to achieve its desired goals.
- b. All signs hereafter constructed, erected, painted or otherwise within the jurisdiction of these regulations shall comply with the following:
- (1) Governmental signs are not governed by any sign regulations in any zoning district and are permitted on public property as deemed necessary by governmental entities, including the City, with jurisdiction over the public property.
 - (2) Temporary signs shall be limited to a ninety-day period.
 - (3) Advertising signs shall be located only on the premises advertised.
 - (4) Off-site signs shall be limited to one (1) per each separate road frontage.
 - (5) No sign may be located nearer than one thousand (1,000) feet to any designated scenic or historic area.
 - (6) No sign may be placed in, extend over or interfere with a public right-of-way. In addition, no temporary sign may be placed closer than fifteen (15) feet from back of pavement/curb of any street and may only be placed by or with the permission of the owner of the private property on which the temporary sign is placed. In addition, for temporary signs placed at the intersection of two (2) or more streets, the following applies:
 - (a) Signs up to twenty-four (24) inches must be placed at least fifteen (15) feet from the back of pavement/curb.
 - (b) Signs twenty-five (25) inches to thirty-six (36) inches must be placed at least twenty-five (25) feet from the back of pavement/curb.
 - (c) Signs from thirty-seven (37) inches to forty-eight (48) inches must be placed at least thirty (30) feet from the back of pavement/curb.
 - (7) All existing signs not complying with the terms herein shall be deemed non-conforming subject to the specific regulations for such structures.
 - (8) Any on-site signs for which the period has expired or for which the object, business, commodity, service or entertainment being advertised has been discontinued shall be removed within thirty (30) days of such discontinuance.
 - (9) During construction on a site, additional temporary signs shall be allowed but shall be limited to three (3) additional signs with a total square footage of sixty-four (64) square feet. Signs must be erected on the same lot where the construction is being done.
 - (10) Where permitted, billboard signs shall have a maximum area for any one (1) sign (including of all faces) of eight hundred (800) square feet with a maximum height of thirty (30) feet and a maximum length of seventy-two (72) feet, inclusive of border and trim but excluding the base or apron, supports, and other structural members. No billboard structure shall be erected within one thousand four hundred (1,400) feet of

an existing billboard sign on the same side of the highway. A new billboard sign permit application shall be accompanied by a five hundred dollar (\$500.00) one-time inspection permit fee to assure compliance with the Building Code including wind load and electrical requirements when the sign is first erected. Changing the display face or performing routine maintenance shall not be considered as erecting a new sign.

(11) Except where prohibited, illuminated signs shall requires a conditional use permit.

c. Except as otherwise noted, the following shall be prohibited in any Zoning District:

- (1) Banners exceeding the allowed size.
- (2) Billboards except where expressly permitted.
- (3) Flashing lights or those that appear to move (except seasonal holiday decorations).
- (4) Moving signs or animated signs.
- (5) Roof signs.
- (6) Signs on public street right-of-way (other than government signs).
- (7) Signs that are in disrepair or hazardous.
- (8) Signs having more than two (2) faces or two (2) sides.
- (9) Signs directly painted on any wall or any wall of any structure.

6. Transitional Areas. All lots or uses, including public utilities, adjacent to or transversing zoning district boundaries shall be subject to the following:

- a. Lots. Where a district boundary line divides a lot of record at the time such line is adopted, the district in which the lot has frontage shall control for a distance no greater than fifty (50) feet across said line; in the case of a lot fronting in two (2) districts, the more restrictive district shall control; in the case of property split by the district limit, the more restrictive shall control.
- b. Street. Where a residential district is bounded by a portion of a commercial district, that portion of any side street extending through such residential district into such business district shall not be used for any business purpose, except as herein set forth.
 - (1) Business structures shall face and open upon streets within the said commercial district, except show-windows of such business structures may face said side street, and a commercial-use entrance may be placed at the corner of such intersecting business and residential streets.
 - (2) Entrances from such residential streets may be made to upper stories of a commercial structure.
- c. Uses.
 - (1) Where a commercial or industrial use abuts a residential district, the non-residential use shall erect and maintain in good condition an opaque fence, wall or hedge five (5) to six (6) feet in height, with topographic features or landscaping allowable in lieu of fences or walls, subject to Planning and Zoning Commission approval, where such alternatives will achieve comparable effect.
 - (2) No public or private garage for more than five (5) motor vehicles shall have an entrance or exit for same within fifty (50) feet of a residential district.
- d. Yards, Front. Where the lots fronting a street within one (1) block are zoned partly residential and partly commercial or industrial, the front-yard depths of the non-residential

lots shall equal the required front-yard depths of the said residential district for a distance of fifty (50) feet into the non-residential district.

- e. Other. In cases where the division of a lot or use by a boundary line and the application of the provisions hereinabove fail to provide dimensions meeting the requirements of either district, or a lot faces or is adjacent to a permit from the Planning and Zoning Commission, as set forth in the Procedures Section of this Title (see Section **400.050**). This provision gives the City the flexibility to individually consider whether the highest and best use of a lot is more nearly consistent with those of an adjacent zoning district and to permit said transitional area use subject to the following guidelines:
 - (1) The planned use of the transitional area must be listed as a permitted use in said adjacent district and once approved cannot be changed without reapplication for a different use.
 - (2) The planned use cannot be detrimental to any properties adjacent to the subject property.
- 7. Uses. When determining the status of a use within a particular zoning district, the Planning and Zoning Commission shall base its consideration on upholding the purpose, intent and requirements of this Chapter, supporting the intent and regulations of the subject district and assessing the desirability of said use therein. The method for obtaining a permit or determination for the following uses is set forth in the "Administration" Chapter of this Title (see Chapter **400**).
 - a. Conditional. These uses are considered of value in the subject district but involve elements warranting analysis and judgment of their proper placement with the district; conditional use permit, required.
 - b. Exceptional Uses. Quarry and mining uses, to include bulk removal of gravel, topsoil or similar natural material not in connection with any building construction shall require safeguards for protecting adjoining property and the community and an exceptional use permit.
 - c. Non-conforming Uses. Any existing use, structure, lot or character of use, considered lawful prior to the effective date of these regulations but prohibited, regulated, restricted or determined incompatible under the provisions of this Chapter or subsequent amendments, shall be classified a non-conforming use, allowed to continue until removal or discontinuance but not encouraged to survive, subject to the following:
 - (1) Existing non-conforming uses of any type or nature shall not be extended, enlarged, structurally altered or physically changed to increase or accommodate their non-conformity or moved in whole or in part within their subject district but may be altered to decrease such non-conformity [see Subsection **(A)(7)(c)(5)** hereinbelow] and may receive ordinary repairs.
 - (2) Incomplete non-conforming structures under construction or for which a building permit has been issued may be completed according to approved plans only and within the time limit for non-conformities.
 - (3) Restoration. A non-conforming use damaged or destroyed by any means to the extent of fifty percent (50%) or more of its existing value shall not be restored or replaced unless to full conformance with these regulations, unless the structure is registered as historic with a State or national agency. If the extent of damage or destruction is less than fifty percent (50%), replacement or restoration of a non-conforming use must occur within the time limit for non-conformities.
 - (4) Time Limit. Any non-conforming use discontinued or rendered unusable for a period of six (6) months shall thereafter conform to the regulations of the zoning district in which it is located.

- (5) Certificate Of Non-conformity. The Planning and Zoning Commission may find a proposed non-conforming use is equally or more appropriate to the subject district than an existing non-conforming use and shall issue a certificate of non-conformity in accordance with the "Administration" Chapter of this Title (see Chapter **400**).
 - d. Temporary Uses. Any use listed or intended as temporary may be located in any district upon issuance of a permit specifying time limit from the Zoning Enforcement Officer, to include the following:
 - (1) Temporary Agricultural. This use is limited to commercial and industrial districts only and would allow crop farming on a lot being prepared or intended for future development.
 - (2) Temporary Asphalt Or Concrete Batching Plants. These uses are permitted in any district when part of a local construction project.
 - e. Uses Not Listed. When a use is not specifically listed under the headings for Permitted Land Uses and Developments in the respective zoning district Chapters or in the Table of Uses, such use is expressly prohibited. The Planning and Zoning Commission shall determine whether a proposed unlisted use is similar to and compatible with the uses listed in a particular zoning district, and an amendment procedure is required to establish a definition, district classifications and appurtenant requirements before such use is authorized.
8. Utilities, Line Protection. No building or addition thereto shall be erected over or across any public sewer, water or utility line, nor upon any platted or recorded easement, unless permission is granted in writing by the City and by the public utility, if any, whose lines are involved.