

Chapter 400. Administration

Section 400.010. Establishment.

[R.O. 1992 § 400.010; Ord. No. 228 § 709.1, 5-10-1990]

- A. To assist the Board of Aldermen in administering and enforcing the regulations contained in this Chapter, the following are established:
1. A Planning and Zoning Commission, also called the "Commission."
 2. The Office of Zoning Enforcement Officer, also called the "Officer."
 3. A Board of Adjustment also called the "Board."
 4. Procedures for amendments, appeals, permits and variances.
 5. A schedule of fees and penalties.

Chapter 405. Zoning Regulations

Article I. General Provisions

Section 405.020. Purpose.

[R.O. 1992 § 405.020; Ord. No. 228 § 700.2, 5-10-1990]

- A. The main purpose of the Zoning Ordinance is to provide a framework for implementing the Wright City Comprehensive Development Plan.
1. These regulations are made in accordance with the Statutes of the State of Missouri and amendments thereto and in accordance with the Comprehensive Development Plan of the City of Wright City and are designed to:
 - a. Promote the health, safety, morals, comfort or general welfare of the inhabitants of Wright City, Missouri;
 - b. Conserve and protect property and building values;
 - c. Secure the most appropriate use of land; and
 - d. Facilitate the adequate provision of public improvements throughout the City.
 2. This Zoning Chapter regulates and restricts in the City of Wright City the use of land and the location of improvements thereon and is intended to:
 - a. Divide into districts the City, said districts being arranged according to the Wright City Development Plan and referenced to maps showing the same;

- b. Regulate and restrict within such districts the erection, construction, reconstruction, alterations, repair, location, relocation, maintenance or use of buildings, dwellings, structures, lots or land;
 - c. Regulate and restrict the height, number of stories and size of buildings, dwellings and structures; percentage of lot that may be occupied; size of yards, courts or other open spaces; population density; location and use of buildings, dwellings, structures and land for trade, industry, residences and other purposes and uses; and
 - d. Preserve features of historical significance, natural resources and agricultural lands.
3. These regulations provide for a Planning and Zoning Commission and a Board of Adjustment and define their respective powers and duties.
 4. These regulations provide for amendments, permits, enforcement and penalties.

Section 405.030. Intent.

[R.O. 1992 § 405.030; Ord. No. 228 § 700.3, 5-10-1990]

- A. To support the above-stated purpose by identifying the City's specific zoning districts, and establishing the characteristics and limitations appropriate to each, based on the following factors:
 1. The stability and integrity of the various zoning districts.
 2. Protection against fire and casualties.
 3. Observation of general police regulations.
 4. Prevention of traffic congestion.
 5. Promotion of traffic safety and the orderly parking of motor vehicles.
 6. Provision for adequate light and air.
 7. Prevention of overcrowding and excessive land-use intensity.
 8. Capacity of public utilities and schools.
 9. Invasion by inappropriate uses.
 10. Value, type and character of existing land uses.
 11. Conformance to overall planning.

Section 405.070. General Rules For Application.

[R.O. 1992 § 405.070; Ord. No. 228 § 700.7, 5-10-1990; Ord. No. 390 §§ I – II, 4-12-2001]

- A. In applying and interpreting these regulations, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purpose of this Title. Except as specifically provided herein, these regulations shall not be deemed to interfere with, abrogate, annul or otherwise affect in any manner whatsoever any law, ordinance, easement, covenant or other agreement between parties. Whenever the provisions of these regulations impose greater restrictions upon the use of land or buildings, or upon the height or bulk of buildings, or require larger building site areas, yards or open spaces than are imposed or required by any such other law, ordinance, rule, regulation, permit, easement, covenant or other agreement between parties, this regulation shall control. These regulations shall apply uniformly to each class or kind of structure or land within each district, and, particularly, except as otherwise provided herein:

1. The use shall be unlawful of any land, structure or building for any purpose other than permitted in the district where such land, structure or building is located.
2. No building or structure shall be erected, constructed, reconstructed, moved or altered to exceed the height or area limit.
[Ord. No. 852 § XV, 4-23-2015]
3. No building shall hereafter be erected, reconstructed, relocated or structurally altered on any lot or parcel unless such lot or parcel faces a dedicated street or right-of-way. Where a building exists, a required dedicated street or right-of-way shall not be vacated so as to eliminate the required access to a dedicated street or right-of-way.
4. No building shall hereafter be erected, constructed, reconstructed, moved, relocated or structurally altered to have a greater percentage of lot area, to accommodate or have a greater number of facilities, or to have narrower or smaller yards, courts or open spaces than is permissible under the limitations set forth herein for the district where said building is located.
5. No part of a yard or other open space required for any specific building or use and necessary to meet the requirements of these regulations shall be included as part of a yard or open space required for another building or use.
6. No lot, held under one (1) ownership at the effective date on or before May 10, 1990, shall be reduced in dimension or area in relation to any building thereon so as to be smaller than that required by this regulation; if already smaller, the dimensions or the area shall not be further reduced.
7. Every building hereafter erected or altered shall be located on a lot as herein defined and in no case shall more than one (1) principal building be located on one (1) lot except as provided herein.
8. No lot area shall be reduced or diminished so the yards or other open spaces shall be smaller than prescribed by these regulations, nor shall the population density be increased in any manner, except in conformity with the area regulations established herein.
9. Except as provided in Section **405.070(A)(10)**, any and all lands annexed to the City after May 10, 1990, shall be classified as an "AG" General Agricultural District until, within a period not to exceed ninety (90) days following the annexation date, the Planning and Zoning Commission shall appropriately reclassify such annexed area in accordance with the amendment procedure to this Title.
10. Areas which may hereafter be proposed to be voluntarily annexed to the City may first be tentatively zoned by the Board of Aldermen, following study and recommendations by the Planning and Zoning Commission, if the owners thereof desire; such tentative zoning shall, upon the effective date of the annexation, become the classified zoning.

Section 405.080. General Rules For Interpretation.

[R.O. 1992 § 405.080; Ord. No. 228 § 700.8, 5-10-1990; Ord. No. 765 § I, 7-26-2012]

A. With respect to interpreting these regulations, the following rules shall apply:

1. District Boundaries. When uncertainty exists with respect to the boundaries of any of the districts enumerated within this Title or on the zoning maps, the following rules shall apply:
 - a. Where district boundary lines are indicated as approximately following roads, streets, alleys, highways or railroads, such boundaries shall be construed as following the rights-of-way thereof.

- b. Where district boundary lines are indicated as approximately following lot lines or section lines, such lines shall be construed as the said boundaries.
- c. Where a district boundary line appears to follow a stream, lake or other body of water, said boundary line shall be deemed to be at the centerline of the stream, lake or body of water, unless otherwise indicated.
- d. Where a district boundary line divides a lot or unsubdivided property, and the dimensions are not shown on the map, the boundary's location shall be determined by using the scale appearing on the zoning maps.
- e. When definite distances in feet are not shown on the zoning district maps, the district boundaries are intended to be along existing property lines, roads, streets, alleys or platted lot lines, survey or land lines or extensions of same, and if the exact location of such lines is not clear, such location shall be determined by the Zoning Enforcement Officer, due consideration being given to location as indicated by the scale of the zoning maps.
- f. When roads, streets or alleys on the ground differ from the roads, streets or alleys as shown on the zoning maps, the Zoning Enforcement Officer shall apply the district designations on the maps to the roads, streets or alleys on the ground in such a manner as to conform to the intent and purpose of these regulations.
- g. Wherever any road, street or alley is vacated, the particular district in which the adjacent property lies shall be automatically extended to the centerline of any such road, street or alley which thenceforth shall be subject to all regulations of said extended district(s). Wherever a public road, street or alley is dedicated as such, the zoning district designation within that dedicated road, street or alley shall be automatically made void.
- h. The boundaries of the Floodway and Floodway Fringe Overlay Districts shall be determined by scaling distances on the Official Zoning Map or on the Flood Insurance Rate Map, and, in case of conflict between a mapped boundary and actual field conditions, the Zoning Enforcement Officer shall make the necessary interpretation. The regulatory flood elevation for the point in question shall be the governing factor in locating the district boundary on the land.
- i. Any person contesting the location of a district boundary, or the Zoning Enforcement Officer's interpretation of same, shall be given a reasonable opportunity to present his or her case to the Board of Adjustment and to submit his or her own technical evidence, and the Board shall resolve the dispute.

2. Uses.

- a. Uses listed under the heading Permitted Land Uses and Developments are allowable in respective districts.
- b. Uses listed under the heading Conditional Uses and Land Developments are allowable in respective districts with Planning and Zoning Commission approval. If a residential use is requested in non-residential districts, such use shall conform to the residential district regulations.
- c. Unlisted Uses. Any use not listed is specifically prohibited. Any use not shown as a use permitted by right, a conditional use or a planned use in a zoning district is specifically prohibited in that district. Uses not listed have been determined either not to be appropriate in any district, incompatible with certain existing uses, or sufficiently rare or unexpected as to be incapable of being listed at the time of adoption of this Code. Any use not shown as a use permitted by right, a conditional use or a planned use in any zoning district, but constituting a use that is required to be permitted by law, shall be authorized only in the industrial district subject to the following conditions:

- (1) The use shall be permitted only to the extent required by law to be permitted;

- (2) The use shall be approved only as a planned use, except if by law it is required to be permitted by right;
 - (3) The use shall be located no closer than one thousand (1,000) feet from any residence, residential property, park, school or church, except as may be modified by the Board of Aldermen through a planned use procedure;
 - (4) The use shall maintain a distance of at least one thousand (1,000) feet from any other such use;
 - (5) No use shall occupy a structure in excess of five thousand (5,000) square feet without an approved alternate parking plan designed for that use and supported by a traffic study submitted to and approved by the Board of Aldermen.
- 3. Nothing contained herein shall be construed as authorizing the governing body to discriminate against any person by reason of color, race or gender.
- 4. Any person having an interest in property affected by these regulations may have the reasonableness of these regulations determined by bringing an action in the District Court of the County against the City and/or the Planning and Zoning Commission.