



CITY OF WILLARD

PLANNING AND ZONING REGULAR MEETING

July 01, 2025 at 6:00 PM

Willard City Hall, 224 W. Jackson St., Willard, MO

AGENDA

Update Posted on June 30, 2025, at 8:00 am.

The tentative agenda of this meeting includes:

PLEDGE OF ALLEGIANCE

CALL THE MEETING TO ORDER

ROLL CALL

AGENDA AMENDMENTS/APPROVAL OF AGENDA

APPROVAL OF MINUTES

- [1.](#) PLANNING AND ZONING MINUTES FROM JUNE 3, 2025

NEW MEMBER APPOINTMENT

- [2.](#) APPOINTMENT OF CELEEN THEDELL TO THE PLANNING AND ZONING BOARD

CITIZEN INPUT

PUBLIC HEARING & PRESENTATION

3. AN ORDINANCE REVISING SECTION 400.520 OF THE CITY CODE ACCESSORY USES AND STRUCTURES
4. AN ORDINANCE REVISING SECTION 400.570 OF THE CITY CODE ANIMALS
5. AN ORDINANCE REVISING SECTION 400.120 OF THE CITY CODE DEFINITIONS
6. ADD SECTION 400.521-ACCESSORY DWELLING UNITS (ADU)

DISCUSSION & VOTE

- [7.](#) AN ORDINANCE REVISING SECTION 400.520 OF THE CITY CODE ACCESSORY USES AND STRUCTURES
- [8.](#) AN ORDINANCE REVISING SECTION 400.570 OF THE CITY CODE ANIMALS
- [9.](#) AN ORDINANCE REVISING SECTION 400.120 OF THE CITY CODE DEFINITIONS
- [10.](#) ADD SECTION 400.521-ACCESSORY DWELLING UNITS (ADU)
- [11.](#) AN ORDINANCE CHANGING SECTION 400.515 PDD TO THE CITY CODE

NEW BUSINESS

UNFINISHED BUSINESS

ADJOURN MEETING

If you have special needs which require accommodation, please notify personnel at the City Hall. Representatives of the news media may obtain copies of this notice by contacting the City Clerk at 417-742-5302.

Rebecca Hansen, City Clerk

CITY OF WILLARD
PLANNING AND ZONING MINUTES

June 3, 2025

Staff present: Planning and Zoning Director: Mike Ruesch, Planning Assistant: Tammy Nephew

City Attorney: Holly Dodge

Guest Present: Celieen Thedell

PLEDGE OF ALLEGIANCE

Chairwoman Marianne Hill led the The Pledge of Allegiance

CALL THE MEETING TO ORDER

Chairwoman Marianne called the meeting to order at 6:02 P.M.

ROLL CALL

Roll call conducted by the Secretary Valorie Simpson. Present: Valorie Simpson, Josh Breeze, Steve Cobb, Marianne Hill, Gary Walker, Sam Baird. Not present: Jeff LaMontia, Burnis Coleman, David Keene

AGENDA AMENDMENTS/AGENDA APPROVAL

Jeff LaMontia arrived 6:03 PM

Motion made by Sam Baird to approve the agenda, seconded by Steve Cobb. Voting aye: Valorie Simpson, Josh Breeze, Steve Cobb, Marianne Hill, Jeff LaMontia, Gary Walker, Sam Baird, Motion carried 7-0

1. APPROVAL OF MINUTES May 20, 2025

Motion was made by Steve Cobb and seconded by Josh Breeze to approve the minutes of March 25, 2025. Voting aye: Valorie Simpson, Josh Breeze, Steve Cobb, Marianne Hill, Jeff LaMontia, Gary Walker, Sam Baird, Motion carried 7-0

Citizens Input

None

PUBLIC HEARING

2. HOFFMAN HILLS PHASE 1 REPLAT

Chairwoman Hill opened the public hearing.

Mike Ruesch spoke that he will be adding more information during the public hearing, thus allowing the citizens to better understand the changes and more opportunity to speak.

DISCUSSION

3. HOFFMAN HILLS PHASE 1 REPLAT

Hoffman Hills is wanting to remove 150 patio homes (75 lots) and replace them with 35 single family residences. Mike Ruesch spoke that they will have to remove/seal/cap off the utilities at their expense. There was a discussion about traffic on Osage Dr. Mike Ruesch spoke that the city is looking into extending Hughes Rd and Granite and will be working on a master transportation plan. Celieen Thedell spoke, as well, about the traffic on Osage Dr. and Miller Rd. and the need for sidewalks on Miller. Motion made by Valorie Simpson to approve the REPLAT phase 1 of Hoffman Hills, seconded by Jeff LaMontia. Voting aye: Valorie Simpson, Josh Breeze, Steve Cobb, Marianne Hill, Jeff LaMontia, Gary Walker. Voting nay: Sam Baird. Motion carried 6-1

4. AN ORDINANCE ADDING SECTION 400.515 OF THE CITY CODE

Mike Ruesch handed out the old version of Planned Development District (PDD) and in our packet is a newer version. Mr. Ruesch asked the board to review both and to contact him with their thoughts and ideas.

Chairwoman Marianne Hill closed the public hearing.

NEW BUSINESS

Mike Ruesch spoke that he is working on the animal ordinance, and moving chickens under that ordinance. Coming before the board will be accessory buildings, land use property rights, and administrative subdivisions.

UNFINISHED BUSINESS

A question was asked about Generation Village. Mike Ruesch said they have received temporary occupancy permit. They are running 8 months behind because of the amount of ground work that had to be done.

9. ADJOURN

Motion made by Gary Walker and seconded by Josh Breeze to adjourn @ 7:15 P.M.
Voting aye: Valorie Simpson, Josh Breeze, Steve Cobb, Marianne Hill, Jeff LaMontia, Gary Walker, Sam Baird. Motion carried 7-0

Submitted by Valorie Simpson, Secretary

Chairwoman Marianne Hill

Secretary Valorie Simpson

Rebecca Hansen, City Clerk

APPLICATION FOR APPOINTMENT TO BOARD

NAME: (Please Print) Celcen Thedell DATE OF APPLICATION: 10 June 2025
ADDRESS: 306 Bray DR. Willard, MO- 65781
PHONE NUMBER: 417-860-2564

Do you live within the city limits of Willard? ☒ YES ☐ NO

If YES, how long have you been a resident of Willard? 20 years

Please choose the areas of most interest:

☒ Planning & Zoning ☐ Park Advisory Board ☐ Economic Development Task Force

☐ Tree Board ☐ Board of Adjustments

Have you served in this capacity before? ☐ YES ☒ NO

If YES, please explain:

Please describe why you would like to serve:

I would like to see Willard grow to a wonderful
family oriented community.

Please describe any education or experience that would assist you in serving:

I have served in leadership capacities of women in our Church.

I certify that the above information is correct. I understand that appointments are recommended by the Mayor to the Board of Aldermen for approval and that I may be asked to provide additional information.

Signature: Celcen Thedell

Date: 6-10-2025

Thank you for your interest and desire to serve your community!

Return this completed application to the City Clerk by mail at: PO Box 187, Willard, MO 65781
By fax at: (417) 742-3080 or drop off at Willard City Hall, 224 W. Jackson St.

First Reading:

Second Reading

Bill No:

Ordinance No:

AN ORDINANCE REVISING SECTION 400.520 OF THE CITY CODE ACCESSORY USES AND STRUCTURES

WHEREAS, the city would like attainable housing, and

WHEREAS, accessory dwelling units can provide a housing choice while preserving the character of the neighborhood in which it is located, and

WHEREAS, accessory dwellings may reduce the cost of housing by increasing housing density.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF THE CITY OF WILLARD, AS FOLLOWS:

REVISE SECTION 400.520-ACCESSORY USES AND STRUCTURES

Section 400.520 Accessory Uses and Structures.

[Ord. No. 020227 §1(6.1), 2-27-2002; Ord. No. 021111 §1, 11-11-2002; Ord. No. 071210 §§1 — 2, 12-27-2007; Ord. No. 111219C §1, 12-19-2011]

- A. **Purpose.** This Section provides for the regulation of accessory uses and structures and lists those common accessory uses and structures that are specifically permitted.
- B. **Permitted Accessory Uses And Structures.** ~~Any use or structure that complies with the definition in Section 400.120 may be allowed as an accessory use or structure.~~ All accessory structures shall comply with the use limitations applicable in the zoning district in which they are located and with the following additional use limitations:
 1. Accessory uses and structures include, but are not limited to, the following list of examples:
 - Accessory Dwelling Unit (ADU)
 - Accessory Structures constructed in an Agricultural (AG) Zoning District.
 - Structures for parking (i.e., garages or carports), incidental to a permitted use.[Ord. No. 130610F §1, 6-10-2013]

- Structures for storage incidental to a permitted use.[Ord. No. 130610F §1, 6-10-2013]
- Children's playhouses.
- Private swimming pools and bathhouses.
- Greenhouses.
- Satellite dish antennas.
- Barbecue pits.
- Storage of boats, boat trailers, camping trailers, small house trailers and recreational vehicles owned and used by the property owner, provided the equipment is not used for living, sleeping or housekeeping purposes when parked or stored.
- Home occupations as permitted in Section 400.540(B).
- Restaurants, drugstores, gift shops, cocktail lounges, newsstands and other similar uses located in a permitted motel, hotel or office building.
 - Employee restaurants and cafeterias when located in a permitted business or manufacturing building.
- Central laundry and washroom facilities, clubhouse, manufactured home park office and maintenance buildings when located in a manufactured home park.
- A day care center located in a permitted business or manufacturing building providing day care for children of persons employed on the premises.
- A day care center, hourly care center or preschool located on the same lot as a church or school.
- The keeping and raising of six (6) or less chicken hens-**See Section 400.570**

C. Habitable spaces, as used in this section, refers to any building space that is used for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closet, halls, storage or utility spaces and similar areas are not considered habitable spaces.

1. ~~A guest house, without kitchen facilities, or rooms for guests in an accessory building, provided such facilities are used for the occasional housing of guests of the occupants of the principal building and not as rental units or for permanent occupancy as housekeeping units.~~

p. ~~Keeping or raising of six (6) or less chicken hens.~~

~~(1) The maximum number of chickens allowed is six (6) per tract of land regardless of how many dwelling units are on the tract.~~

~~(2) Only female chickens shall be allowed. There shall be no restriction on chicken breeds.~~

~~(3) It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes.~~

~~(4) Slaughter may occur for personal use provided that it is conducted in a sanitary manner, does not generate noise that creates a nuisance, and is not visible from adjacent properties or any public area or right-of-way.~~

~~(5) Chickens shall be kept in a secured enclosure or fenced area at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.~~

- (6) Enclosures shall be kept in a clean, dry, odor free, neat, and sanitary condition at all times.
- (7) Henhouses, chicken tractors and chicken pens shall provide adequate ventilation and adequate sun and shade and shall be impermeable to rodents, wild birds, and predators, including dogs and cats.
- (8) Henhouses and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.
- (a) A henhouse or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors shall be able to be shut and locked at night. Openings, windows, and vents shall be covered with predator and bird proof wire of less than one (1) inch openings.
- (b) Henhouses, chicken tractors, and chicken pens shall only be located to the defined rear of the property as required by the Zoning Code.
- (c) Henhouses, chicken tractors, and chicken pens shall meet zoning setback requirements for accessory structures and be located at least twenty five (25) feet from any adjacent residential dwelling, church, school, or place of business.
- (9) Any enclosed chicken pen shall consist of sturdy wire or wooden fencing. The pen shall be covered with wire, aviary netting or solid roofing.
- (10) Odors from chickens, chicken manure, or other chicken related substances shall not be detectable at the property boundaries.
- (11) All uses shall operate in accordance with the noise standards contained in Section 400.1530 of the land development regulations.
- (12) The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by an Animal Control Officer.
- (13) The chicken owner shall provide chickens access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds, and predators.
- (14) The chicken owner shall provide for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. The henhouse, chicken tractor, chicken pen, and surrounding area shall be kept free from trash and accumulated droppings.
- (15) No dog or cat which kills a chicken shall, for that reason alone, be considered a dangerous or aggressive animal.
- (16) It shall be unlawful for any person to keep chickens in violation of any provision of this Article.
- (17) It shall be unlawful for any owner, renter, or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this Article.
- (18) Any violation of this Section that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under Chapter 215.
- (19) Each day that a violation of this Article continues is a separate offense.
- (20) All other applicable City codes shall apply.

D. None of the following shall be permitted as an accessory use:

1. Outdoor storage or overnight parking in a residence district of a commercial truck, van, bus or other vehicle with a gross volume weight of more than one (1) ton. Church and school buses are permitted provided they are parked on church or school property.
2. Outdoor storage, except as specifically permitted by the zoning district regulations.
3. Modular homes, manufactured or mobile homes or house trailers used as storage, workshops or accessory buildings. The conversion of such dwelling units or vehicles to a purpose other than for which it is manufactured is prohibited.
- ~~d. Living quarters in any zoning district other than a residential district unless specifically permitted.~~

E. Use Limitations. All accessory uses and structures shall comply with the limitations applicable in the zoning district in which they are located. No accessory structure shall be constructed and occupied on any lot prior to the time of the completion of construction of the principal structure to which it is accessory.

F. Bulk And Setback Regulations. All accessory structures and uses shall comply with the bulk and setback regulations applicable in the zoning district in which they are located and with the following additional regulations:

- ~~1. Accessory structures or uses shall be located not less than forty (40) feet in back of the front building line for the principal structure. This provision shall not apply to fences.~~
- ~~2. Accessory structures or uses shall be set back at least ten (10) feet from the rear lot line.~~
- ~~3. Accessory structures or uses shall be set back at least seven (7) feet from the side yard lot line, except on a corner lot. When the principal use or structure is on a corner lot, the accessory structure or use shall be set back from the side yard lot line adjacent to the side street such a distance so that the same shall not be closer to the side street than one half (1/2) the lot width on which the principal structure is located.~~
1. Corner lots shall abide by the principal structure's zoning district side street setback requirements for all accessory buildings
2. Swimming pools shall not be constructed closer than five (5) feet to any structure on the lot.
3. An accessory structure may not obstruct any sight triangle. The definition and validity of a given sight triangle shall be determined by the Planning & Development Department or their designee
4. The maximum height of the accessory structures shall comply with **Section 400.520 Table A.** The maximum structure height of accessory structures shall be determined by measuring the height from the finished floor to the top of the truss, or girder beam of the wall or post.
5. Accessory structures shall be set back a minimum of three (3) feet including projections from the rear & side property lines.
6. All water from accessory structures shall be maintained on the residence property.
7. **Accessory Dwelling Units (ADU) shall comply with Section 400.521 for size and height requirements**

8. Accessory structures to a residence on a single property shall not singularly or in total exceed the following structure sizes listed in **Section 400.520.H- Table B** .[Ord. No. 130610F §1, 6-10-2013]
 9. The maximum number of accessory buildings will not exceed four (4) on any one lot.[Ord. No. 130610F §1, 6-10-2013]
 10. No accessory use or structure shall be permitted in any required front yard.[Ord. No. 130610F §1, 6-10-2013]
- G. **Table A**

Graduated Accessory Structure Height	
Distance From the Property Line	Maximum Structure Height
= 3 Feet <4 Feet	= 8 Feet
= 4 Feet and < 10 Feet	= 10 Feet
=10 Feet and < 20 Feet	= 15 Feet
=20 Feet and < 25 Feet	= 17 Feet
=25 Feet or Greater	= 25 Feet

H. Table B

GRADUATED INCREASE IN ACCESSORY STRUCTURE SIZE BY LOT SIZE	
LOT SIZE	STRUCTURE SIZE
0-7000	500
7001-9000	780
9001-12000	950
12001-21780	1080
21781-43560	2000
46561-63340	2500

GRADUATED INCREASE IN ACCESSORY STRUCTURE SIZE BY LOT SIZE	
63341-87120	3000
87121-108900	3500
108901-217800	4500
217801- or More	6000

**Read two times and passed at a meeting of the Board of Aldermen of the
City of Willard, Missouri on the 9th day of June, 2025**

Approved as to Form:_____

Nate Dally, City Attorney

Approved By: _____

Troy Smith, Mayor

Attested By: _____

Rebecca Hansen City Clerk

First Reading:**Second Reading****Bill No:****Ordinance No:****AN ORDINANCE REVISING SECTION 400.570 OF THE CITY CODE ANIMALS**

WHEREAS, the city needed to define accessory dwelling units in the city code.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF THE CITY OF WILLARD, AS FOLLOWS:

REVISE SECTION 400.120-ACCESSORY USES AND STRUCTURES**Section 400.570. Animals. [Ord. No. 020227 §1(6.6), 2-27-2002; Ord. No. 111219C §2, 12-19-2011]**

- A. *Household Pets.* Animals which are normally and customarily kept as household pets, as defined in Article II, are allowed in any zoning district. Provided, however, that no retail or wholesale business will be conducted in conjunction with the keeping of such household pets in any district higher than the "C-2" Commercial District.
- B. *Farm Animals.* Farm animals may be kept in the "A-1" Agricultural District, "AP" Airport Zone and the "R-1" Residence District in conformance with the following requirements:
1. Farm animals may be kept in fenced pasture on unplatted land in the "AP" and "R-1" Districts, provided that such pasture shall have at least two (2) acres per animal and provided that this pasture area requirement shall not apply to suckling offspring of a cow or mare.
 2. Any covered enclosure erected or enlarged to feed or keep farm animals shall be located no less than two hundred (200) feet from the lot lines of any existing residences on adjacent properties or any adjacent platted subdivision.
 3. In any "R-1" District, farm animals shall not be permitted on any tract, parcel or lot less than ten (10) acres.

For purposes of determining the total acreage of the parcel, the acreage number will be rounded up to the next whole acre as is stated in the recorded plat of said parcel. **[Ord. No. 130610D §6, 6-10-2013]**

Exemptions: The following use is exempt from this Subsection provided such use is in compliance with other City codes and State and Federal laws:

- a. **Keeping or raising of six (6) or less chicken hens.**
(1) The maximum number of chickens allowed is six (6) per tract of land regardless of how many dwelling units are on the tract.

- (2) Only female chickens shall be allowed. There shall be no restriction on chicken breeds.
- (3) It shall be unlawful to engage in chicken breeding or fertilizer production for commercial purposes.
- (4) Slaughter may occur for personal use provided that it is conducted in a sanitary manner, does not generate noise that creates a nuisance, and is not visible from adjacent properties or any public area or right-of-way.
- (5) Chickens shall be kept in a secured enclosure or fenced area at all times. Chickens shall be secured within a henhouse or chicken tractor during non-daylight hours.
- (6) Enclosures shall be kept in a clean, dry, odor-free, neat, and sanitary condition at all times.
- (7) Henhouses, chicken tractors and chicken pens shall provide adequate ventilation and adequate sun and shade and shall be impermeable to rodents, wild birds, and predators, including dogs and cats.
- (8) Hen houses and chicken tractors shall be designed to provide safe and healthy living conditions for the chickens while minimizing adverse impacts to other residents in the neighborhood.
 - (a) A henhouse or chicken tractor shall be enclosed on all sides and shall have a roof and doors. Access doors shall be able to be shut and locked at night. Openings, windows, and vents shall be covered with predator- and bird-proof wire of less than one (1) inch openings.
 - (b) Henhouses, chicken tractors, and chicken pens shall only be located to the defined rear of the property as required by the Zoning Code.
 - (c) Henhouses, chicken tractors, and chicken pens shall meet zoning setback requirements for accessory structures and be located at least twenty-five (25) feet from any adjacent residential dwelling, church, school, or place of business.
- (9) Any enclosed chicken pen shall consist of sturdy wire or wooden fencing. The pen shall be covered with wire, aviary netting or solid roofing.
- (10) Odors from chickens, chicken manure, or other chicken-related substances shall not be detectable at the property boundaries.
- (11) All uses shall operate in accordance with the noise standards contained in Section 400.1530 of the land development regulations.
- (12) The chicken owner shall take necessary action to reduce the attraction of predators and rodents and the potential infestation of insects and parasites. Chickens found to be infested with insects and parasites that may result in unhealthy conditions to human habitation may be removed by an Animal Control Officer.
- (13) The chicken owner shall provide chickens access to feed and clean water at all times. The feed and water shall be unavailable to rodents, wild birds, and predators.
- (14) The chicken owner shall provide for the storage and removal of chicken manure. All stored manure shall be covered by a fully enclosed structure with a roof or lid over the entire structure. No more than three (3) cubic feet of manure shall be stored. All other manure not used for composting or fertilizing shall be removed. The henhouse, chicken tractor, chicken pen, and surrounding area shall be kept free from trash and accumulated droppings.
- (15) No dog or cat which kills a chicken shall, for that reason alone, be considered a dangerous or aggressive animal.

(16) It shall be unlawful for any person to keep chickens in violation of any provision of this Article.

(17) It shall be unlawful for any owner, renter, or leaseholder of property to allow chickens to be kept on the property in violation of the provisions of this Article.

(18) Any violation of this Section that constitutes a health hazard or that interferes with the use or enjoyment of neighboring property is a nuisance and may be abated under Chapter 215.

(19) Each day that a violation of this Article continues is a separate offense.

(20) All other applicable City codes shall apply.

4. In determining the number of farm animals permitted on any tract or lot, the area containing a residence, any accessory structures to the residence used by the occupants and any required yard shall not be included in the calculation of pasture area required.
 5. Nothing in this Subsection shall be construed to permit the location of a confined animal feeding facility or feedlot within the City.
- C. *Other Animals.* Any animal or fowl, other than what may be considered a household pet as defined in Article II, shall be regulated to the district in which such use is generally or specifically allowed.
- D. *Offensive Or Noxious Odors From Keeping Of Animals Or Fowl.* No person shall keep or allow or permit to be kept on any premises occupied by him, or under his charge or control, any animal(s) or fowl, whether in a pen or other enclosure or not, under such conditions that an offensive or noxious smell or odor shall arise therefrom to the injury, annoyance or inconvenience of any person residing within five hundred (500) feet of the premise on which the animal(s) or fowl are kept.

First Reading:**Second Reading****Bill No:****Ordinance No:****AN ORDINANCE REVISING SECTION 400.120 OF THE CITY CODE ACCESSORY USES AND STRUCTURES**

WHEREAS, the city needed to define accessory dwelling units in the city code.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF THE CITY OF WILLARD, AS FOLLOWS:

REVISE SECTION 400.120-ACCESSORY USES AND STRUCTURES

Section 400.120. Definitions. [Ord. No. 020227 §1(2.2), 2-27-2002; Ord. No. 060313 §1, 3-13-2006; Ord. No. 070611 §1, 6-25-2007; Ord. No. 081222B §5(Exh. A §1), 12-22-2008; Ord. No. 120409E §1, 4-9-2012]

Unless otherwise expressly stated, the following terms shall, for the purposes of this Chapter, have the meanings herein indicated. Where words have not been defined, the standard dictionary definition shall prevail.

ACCESSORY APARTMENT — A separate complete dwelling unit substantially contained within the structure of a single-family detached dwelling.

ACCESSORY DWELLING UNIT (ADU) A habitable structure or unit incidental to and detached from a single-family home located on the same lot.

ACCESSORY STRUCTURE — A structure which is:

1. Subordinate to and serves a principal structure;
2. Subordinate in area, extent or purpose to the principal structure;
3. Contributes to the comfort, convenience or necessity of occupants of the principal structure;
4. Located on the same lot as the principal structure and shall include all structures whether or not they are permanently affixed to the ground by foundation or otherwise.

ACCESSORY USE — A use which is:

1. Subordinate to and serves a principal use;
2. Subordinate in area, extent or purpose to the principal use;
3. Contributes to the comfort, convenience or necessity of occupants of the principal use;
4. Located on the same lot as the principal use.

ACRE — A measure of land containing forty-three thousand five hundred sixty (43,560) square feet.

ACT — The Federal Communications Act of 1934 as amended by the Telecommunications Act of 1996 and as may, from time to time, be amended.

ADMINISTRATIVE OFFICIAL — Except as otherwise specifically provided, primary responsibility for administering and enforcing the Willard Land Development Regulations may be assigned by the Board of Aldermen to one (1) or more individuals in the employ of the City. The person or persons to whom these functions are assigned shall be referred to as "Administrative Official".

ADULT CABARET — A building or portion of a building regularly featuring dancing or other live entertainment that constitutes the primary live entertainment and is distinguished or characterized by an emphasis on the exhibiting of specific sexual activities or specified anatomical areas for observation by the patrons therein.

ADULT MEDIA STORE — An establishment where twenty-five percent (25%) or more of the gross public floor area and/or twenty-five percent (25%) of the stock in trade is devoted to the rental and/or sale of magazines, books, videotapes, movies, slides, cd-roms or other devices used to record computer images, cable television or any other media distinguished or characterized by

Section

Section 400.120

an emphasis on matter depicting, describing or relating to specific sexual activities or specified anatomical areas.

AGRICULTURAL USE — The production, keeping or maintenance, sale, lease or personal use of plants and animals, including, but not limited to: forages and sod crops; grain and seed crops; dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, swine, horses, ponies, mules and goats or any hybrids thereof, including the breeding and grazing of all kinds of such animals; bees and apiary products; fur animals; trees for forest products; fruits; vegetables; nursery, floral, ornamental and greenhouse products; the necessary accessory uses for packing, treating or storing such agricultural produce provided that the operation of any such accessory uses shall be secondary to that of normal agricultural activities; and land devoted to soil conservation or forestry management; but excluding feed lots, confined animal or poultry feeding facilities, stockyards and slaughterhouses.

AIRPORT RUNWAY — A surface used for landing or taking off of aircraft which is shown on a duly adopted airport master plan of the City of Springfield and includes all such runways shown thereon, whether existing or proposed, including extension of such runways.

ALLEY — A dedicated public right-of-way, other than a street, designed to extend only secondary access to the side or rear of properties whose principal frontage and access is on some other street.

ALTERATION — A physical change to one (1) or more exterior features of a structure which includes, but is not limited to, the erection, construction, reconstruction or removal of any feature of the structure.

ANIMAL, FARM — Any livestock or other animal raised for commercial or agricultural purposes as defined under "*AGRICULTURAL USE*".

ANIMAL, HOUSEHOLD PET — Any animal normally and customarily kept by domestic households for pleasure and companionship, excluding poultry, cows, livestock, chinchillas, horses, goats, sheep, monkeys, pigs and other similar animals and fowl.

ANIMAL, NON-DOMESTIC — Any feline other than domestic house cat, non-human primate, bear, wolf, coyote, fox, venomous reptile or any other animals or crossbreed of such animals which have similar characteristics or are dangerous or unsafe for contact with humans.

ANTENNA SUPPORT STRUCTURE — Any building or other structure other than a tower that can be used for location of wireless telecommunications facilities.

APPLICANT — A person submitting an application for an amendment, plat, permit, variance, appeal, license or any other land development approval as required by this Chapter.

BASEMENT — A story partly or wholly below grade. A basement shall be considered a story if the vertical distance between the ceiling and the average level of the adjoining ground is more than three (3) feet or if the basement is used for business or dwelling purposes.

BED AND BREAKFAST — A dwelling or portion thereof that contains guest rooms where short-term lodging, with or without meals, is provided for compensation.

BERM — A mound of earth typically located in a buffer yard to block noise, lights or other nuisances.

BLOCK — A parcel of land intended to be used for urban purposes, which is entirely surrounded

Section

Section 400.120

by public streets, highways, railroad rights-of-way, public walks, parks or greenways, rural land or drainage channels or a combination thereof.

BOARD OF ADJUSTMENT — The appellate body appointed by the Willard Board of Aldermen to assist in the administration of this Chapter, pursuant to Sections 89.010 — 89.170, RSMo.

BOARD OF ALDERMEN — The Governing Body of the City of Willard, Missouri. **BOARDING HOUSE (ALSO LODGING OR ROOMING HOUSE)** — A building, other than a hotel or apartment, where, for compensation and by pre-arrangement for definite periods, lodging, meals or lodging and meals are provided for three (3) or more persons, but not exceeding twenty (20) persons.

BUFFER YARD — A land area containing trees, shrubs and other plants, berms, fences or walls used to separate one use from another or to block noise, lights or other nuisances.

BUILDABLE AREA — The portion of a lot remaining after the yard setbacks and open space requirements of the zoning regulations have been met.

BUILDING — Any structure having a roof supported by columns or walls for the shelter or enclosure of persons, animals or property and which is permanently affixed to the ground.

BUILDING COVERAGE — The horizontal area measured within the exterior walls of the ground floor of all principal and accessory buildings on a lot divided by the gross area of the lot.

BUILDING HEIGHT — The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

BUILDING LINE — A line or lines indicating the distance from the property line behind which all enclosed portions of the building must be located.

BUILDING, PRINCIPAL — A building in which the primary use of the lot is conducted.

BULK REGULATIONS — Regulations controlling the size of structures and the relationship of structures and uses to each other and to open areas and lot lines. Bulk regulations include regulations controlling (1) maximum height, (2) maximum lot coverage, (3) maximum floor area ratio and (4) minimum size of yards and setbacks.

BULK STORAGE — The storage of chemicals, petroleum products and other materials in above ground containers for subsequent resale to distributors, retail dealers or outlets.

CAMPGROUND — An area or premises in which space is provided for transient occupancy or use by tourists occupying recreational vehicles, camping trailers or tents.

CEMETERY — Property used for interring the dead, including mausoleums.

CHILD DAY-CARE CENTER — A child day-care center or center, whether known or incorporated under another title or name, is a child-care program conducted in a location other than the provider's permanent residence, or separate from the provider's living quarters, and licensed by the Department of Health and Senior Services of the State of Missouri where care is provided for children not related to the child care provider for any part of the twenty-four-hour day. **[Ord. No. 190923, 9-23-2019]**

CHURCH — At a minimum, a church includes a body of believers or communicants that assembles regularly in order to worship. Unless the organization is reasonably available to the

public in its conduct of worship, its educational instruction, and its promulgation of doctrine, it cannot fulfill the associational role that courts have increasingly adopted as a threshold for determining when an organization qualifies as a church. Other key factors to consider include whether the organization has a distinct legal existence, recognized creed and form of worship, definite and distinct ecclesiastical government, a formal code of doctrine and disciplining, distinct religious history, membership not associated with any other church or denomination, organization of ordained ministers, ordained ministers selected after completing prescribed studies, literature of its own, established places of worship, regular congregations, and regular religious services. No single factor is controlling but having regular meetings with a regular congregation should be weighted more heavily than some of the other factors.[Ord. No. 190923, 9-23-2019]

CITY — The City of Willard, a municipal corporation in the State of Missouri, acting by and through its officers, employees, representatives, agents and assigns.

CLINIC, MEDICAL OR DENTAL — An establishment where human patients are admitted for examination and/or treatment by one (1) or more physicians, dentists, psychologists or social workers, but where patients are not provided with room or board nor lodged overnight.

CLUB, PRIVATE — A building or premises used for social, recreational, dining or philanthropic purposes, the normal use of which is limited to specific members, patrons or otherwise listed and enumerated persons.

CLUSTER SUBDIVISION — A development approach intended to preserve environmentally sensitive or unique features by clustering or grouping buildings on a portion of a tract or site and devoting the remaining land to prescribed common or public uses such as open space or recreation.

COMMISSION — The Planning and Zoning Commission of the City of Willard, Missouri.

COMMON OPEN SPACE — Land or water or a combination thereof within or related to a planned residential development, not individually owned or dedicated for public use, which is designed and intended for the common use or enjoyment of the residents of the development. It may include complementary structures and improvements approved as part of the general development plan. Common open space does not include streets, alleys, off-street parking or loading for public use and stormwater detention areas.

COMMUNICATIONS OR TELECOMMUNICATIONS — The transmission, between or among points as specified by the user, of information of the user's choosing, without change in the form or content of the information as sent or received, by wire, radio, optical cable, electronic impulses or other similar means. As used in this definition, "*information*" means knowledge or intelligence represented by any form of writing, signs, signals, pictures, sounds or any other symbols.

COMPENSATION — The receiving of goods, services or money in exchange for or as a result of a service performed.

COMPREHENSIVE PLAN — The Willard Comprehensive Plan which is the long-range plan for the desirable use of land in the City of Willard as officially adopted and as amended from time to time by the Planning and Zoning Commission; the purpose of such plan being to serve as a guide in the zoning and progressive changes in the zoning of land to meet changing community needs in the appropriate subdividing and development of land; in the acquisition of rights-of-way or sites for such public facilities as streets, parks, schools and other public buildings; and in the installation of public utilities and other infrastructure to protect the health, safety and welfare of

the public.

CONDITIONAL USE — A use permitted in a particular zoning district only upon showing that such use in a specific location will comply with all the conditions and standards for the location or operation of such use as specified in this Chapter and as authorized by the Board of Aldermen.

CONDOMINIUM — A building, group of buildings or property in which units are owned individually and the common elements are owned by all the owners on a proportional, undivided basis.

CONSTRUCTION — The act of adding an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.

CUL-DE-SAC — A short street having one (1) end open to traffic and being terminated at the other end by a vehicular turnaround.

CURB GRADE — The mean level of the curb in front of the lot or, in the case of a corner lot, along that abutting street where the mean curb grade is the highest.

DAY CARE CENTER — A facility, other than the provider's permanent residence, where child day care is provided for any part of a twenty-four (24) hour day.

DAY CARE HOME, FAMILY — A home, occupied by the day care provider, in which care is given to four (4) or less children, not including children related to the provider, for any part of a twenty-four (24) hour day. The maximum number of children under the age of two (2) years shall be two (2).

DAY CARE HOME, GROUP — A home, occupied by the day care provider, in which care is given to five (5) but not more than ten (10) children, not including children related to the provider, for any part of a twenty-four (24) hour day. The maximum number of children under the age of two (2) years shall be two (2), unless there is a full-time adult assistant, in which case the maximum number of children under the age of two (2) years shall be four (4).

DENSITY — The permitted number of dwelling units per gross acre of land to be developed.

DESIGN STANDARDS FOR PUBLIC IMPROVEMENTS — The City of Willard Design Standards for Public Improvements as officially adopted and as may be amended by the Board of Aldermen, which establishes standards, specifications and procedures for design and installation of public infrastructure in the City.

DEVELOPER — The legal or beneficial owner or owners of a lot or any land included in a proposed development or the duly authorized agent thereof, including all persons, corporations or other legal entity, engaged in the construction, development, building or installation of any building or facility within the City of Willard, Missouri.

1. **ORIGINAL DEVELOPER** — The developer who originally installs off-site public improvements.
2. **SUBSEQUENT DEVELOPER** — The developer who utilizes off-site public improvements installed by the original developer.

DEVELOPMENT — A construction project involving substantial property improvement and, usually, a change of land use character within the site; the act of using land for building or extractive purposes.

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DISTRICT — A part, zone or area within the City of Willard, within which certain zoning regulations apply and are uniform.

DRIVE-IN ESTABLISHMENT — An establishment which accommodates the patrons' vehicles and from which the occupants of the vehicles may make purchases, transact business or be entertained while remaining in their vehicles.

DWELLING — A building or portion thereof designed exclusively for residential occupancy, excluding hotels, motels, boarding, rooming and lodging houses, travel trailers/recreational vehicles and recreational vehicle parks.

DWELLING, DUPLEX (TWO-FAMILY) — A structure on a single lot containing two (2) dwelling units, each of which share a common wall and in which each dwelling unit has living space on the ground floor and a separate ground floor entrance.

DWELLING, MULTI-FAMILY — A structure on a single lot containing three (3) or more dwelling units, each of which is totally separated from the other.

DWELLING, SINGLE-FAMILY DETACHED — A structure on a single lot designed for or occupied exclusively by one (1) family.

DWELLING, SINGLE-FAMILY SEMI-DETACHED — A dwelling unit attached to one (1) or more dwelling units by common vertical walls, with each dwelling unit located on a separate lot. This may include patio-court house or zero lot line house.

DWELLING, TOWN HOUSE — A dwelling unit in a row of at least three (3) such units in which each unit has its own front and rear access to the outside and each unit is separated from any other unit by at least one (1) common wall.

EASEMENT — A grant by the property owner for the public or private use of a tract of land for specific purposes.

ENGINEER — A registered professional engineer in good standing in the State of Missouri.

ENGINEER OF RECORD — The applicant's or developer's engineer.

FACILITY — All buildings, residences, residential development or subdivisions, commercial buildings and all structures or improvements of all kinds to be located, placed, built, installed or substantially improved within the City limits of Willard.

FAMILY — One (1) or more persons related by blood, marriage, adoption, guardianship or duly authorized custodial relationship or two (2) unrelated people and any children related to or legally cared for by either of them or a group of not more than five (5) unrelated individuals, living together as a single housekeeping unit. A family may include, in addition hereto, not more than two (2) boarders, roomers or domestic servants.

FLEA MARKETS — An indoor establishment, not including shopping centers, individual retail operations or sales conducted by a non-profit or charitable organization, that is open to the general public and composed of five (5) or more stalls, rooms, stands or spaces used for the purpose of display and sale, exchange or barter of merchandise and where a fee may be charged to prospective buyers for admission and a fee may be charged for the privilege of offering or displaying such merchandise.

FLOOR AREA RATIO (FAR) — The gross floor area of all buildings on a lot divided by the lot

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area.

FRONTAGE — That part of a lot or premises immediately adjacent to a street or streets without regard to access to or elevation of the street or streets.

FUNERAL HOME — A building used for the preparation of the deceased for burial and the display of the deceased and ceremonies before burial or cremation, but excluding facilities for cremation and places of worship.

GARAGE, PRIVATE — A detached accessory building or portion of a main building housing the passenger vehicles or trailers of the occupants of the premises.

GARAGE, PUBLIC — A building or portion thereof, other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling, storing or parking motor-driven vehicles. The term "*repairing*" shall not include an automotive body repair shop nor the rebuilding, dismantling or storage of wrecked or junked vehicles.

GARAGE, STORAGE — A building or portion thereof designed or used exclusively for term storage by prearrangement of motor-driven vehicles, as distinguished from daily storage furnished transients, and at which motor fuels and oils are not sold and motor-driven vehicles are not equipped, repaired, hired or sold.

GRADE — The average level of the finished surface of the ground is the sidewalk elevation. If there is more than one (1) street, an average sidewalk elevation is to be used. If there is no sidewalk, the finished grade shall be equal to the street centerline grade.

GREENHOUSE — A building whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of delicate or out-of-season plants for subsequent sale or for personal enjoyment.

GROSS FLOOR AREA — The total area of a building measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage.

GROUP HOME, CUSTODIAL — A dwelling in which more than ten (10) unrelated physically and mentally impaired persons reside with house parents or guardians.

GROUP HOME, RESIDENTIAL — A single-family dwelling in which no more than ten (10) persons reside, comprised of the following: eight (8) or fewer unrelated mentally or physically handicapped or impaired persons, no more than two (2) persons acting as house parents or guardians who need not be related to each other or to any of the mentally or physically handicapped persons residing in the dwelling and the children of the house parents or guardians.

HAZARDOUS SUBSTANCE —

1. Any material or waste which poses a present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.
2. Any material which is hazardous within the meaning of any Federal, State or local law, regulation or ordinance, including, but not limited to:
 - a. The Federal Resource Conservation and Recovery Act, as amended, 42 U.S.C. 6901, et seq.;

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- b. Substances regulated under the Federal Toxic Substances Control Act, as amended, 15 U.S.C. 2601, et seq.;
- c. Substances described or regulated as hazardous or toxic under Missouri State Statutes or regulations; or
- d. Substances described or regulated as hazardous or toxic under the ordinances or regulations of the City of Willard.

HEIGHT — The vertical distance of a structure measured from the average established grade at the street lot line or from the average natural ground level, if higher; or if no street grade has been established, to the highest point of the roof's surface if a flat surface; to the deck line of mansard roofs; and to the mean height level between eaves and ridge for hip or gable roofs.

HOME OCCUPATION — An activity carried out for gain by a resident conducted as an accessory use in the resident's dwelling unit or accessory building.

HOSPITAL — An institution licensed by the Missouri Department of Health, providing primary health services and medical or surgical care to the sick and injured and including as an integral part of the institution in-patient or overnight accommodations and related facilities such as laboratories and out-patient facilities.

HOTEL — A facility offering transient lodging accommodations on a daily rate to the general public.

IMPERVIOUS SURFACE — Any part of a lot that is covered by buildings, structures, parking areas, driveways and any other surfaces which reduce or prevent absorption of stormwater.

IMPROVEMENTS — Physical construction or changes, such as clearing, grading, street surfacing, curbs and gutters, sidewalks, crosswalks, culverts, bridges, water and sanitary sewer lines, storm sewer facilities, other utilities and other required features.

INSTITUTION — A non-profit establishment for public use.

KENNEL — An establishment licensed to operate a facility housing dogs, cats or other household pets and where grooming, breeding, boarding, training, or selling of animals is conducted as a business.

LOADING SPACE — An off-street space on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

LOT — A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

LOT AREA — The size of a lot measured within the lot lines and expressed in terms of acres or square feet.

LOT, CORNER — A lot abutting the intersection of two (2) or more streets.

LOT DEPTH — The horizontal distance between the front and rear lot lines measured along the median between the two (2) side lot lines.

LOT, FRONT OF — The front of a lot shall be considered to be that side of the lot that fronts a street. In the case of a corner lot, the narrowest side fronting on the street shall be considered to

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be the front of the lot.

LOT, INTERIOR — A lot other than a corner lot.

LOT LINE — A boundary line of a lot.

LOT LINE, FRONT — The lot line separating a lot from the street. On a corner lot, the shortest lot line abutting a street is the front lot line; on a through lot, both lot lines abutting the streets are front lot lines; on an irregular shaped lot, the front lot line is the lot line most parallel to the abutting street.

LOT LINE, REAR — Any lot line not a front or side lot line. The rear lot line for a triangular shaped lot shall be a line ten (10) feet long drawn between the lot's side lot lines and parallel to the front lot line.

LOT LINE, SIDE — The lot lines that intersect with a lot's front lot line.

LOT OF RECORD — A lot that is part of a recorded subdivision or a parcel of land on a plat or deed that has been recorded by the Greene County Recorder of Deeds.

LOT, THROUGH — A lot having frontage on two (2) parallel streets or which fronts upon two (2) streets that do not intersect at the boundaries of the lot.

LOT WIDTH — The horizontal distance between the side lot lines, measured at right angles to the lot depth along a line parallel to the front lot line at the minimum required building setback line.

LOW INTENSITY — Maximum floor area ratio provides more restrictive requirements to minimize the impact to adjacent properties.**[Ord. No. 170911A § 1, 9-25-2017]**

MANUFACTURED HOME — A transportable, factory-built dwelling, composed of one (1) or more components, manufactured under the authority of 42 U.S.C. Section 5401, Federal Manufactured Housing Construction and Safety Standards Act, which bears the seal of the State of Missouri Public Service Commission, U.S. Department of Housing and Urban Development or its agent and which, in the traveling mode, is twelve (12) body feet or more in width and forty (40) body feet or more in length and, when erected on site, contains nine hundred (900) or more square feet of living area, equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit with or without a permanent foundation.

MANUFACTURED HOME PARK — An area with required improvements and utilities for the long- term placement of manufactured homes for dwelling purposes. The site may also include services and facilities for residents of the development.

MANUFACTURED HOME SUBDIVISION — A development containing lots intended for the individual placement of manufactured homes for dwelling purposes.

MARIJUANA OR MARIHUANA — Cannabis Indica, Cannabis sativa, and Cannabis ruderalis, hybrids of such species, and any other strains commonly understood within the scientific community to constitute marijuana, as well as seed thereof and resin extracted from the plant and marijuana-infused products. Marijuana does not include industrial hemp containing a crop- wide average tetrahydrocannabinol concentration that does not exceed three-tenths of one percent (3/10 of 1%) on a dry-weight basis, or commodities or products manufactured from industrial hemp.**[Ord. No. 190923, 9-23-2019]**

MARIJUANA-INFUSED PRODUCTS — Products that are infused with marijuana or an extract thereof and are intended for use or consumption other than by smoking, including, but not limited to, edible products, ointments, tinctures and concentrates.[**Ord. No. 190923, 9-23-2019**]

MEDICAL MARIJUANA CULTIVATION FACILITY — A facility licensed by the State of Missouri to acquire, cultivate, process, store, transport, and sell marijuana to a medical dispensary facility, medical marijuana testing facility, or to a medical marijuana-infused products manufacturing facility.[**Ord. No. 190923, 9-23-2019**]

MEDICAL MARIJUANA DISPENSARY FACILITY — A facility licensed by the State of Missouri to acquire, store, sell, transport, and deliver marijuana, marijuana-infused products and drug paraphernalia used to administer marijuana as provided for in this Section to a qualifying patient, a primary caregiver, another medical marijuana dispensary facility, a medical marijuana testing facility, or a medical marijuana-infused products manufacturing facility.[**Ord. No. 190923, 9-23-2019**]

MEDICAL MARIJUANA TESTING FACILITY — A facility certified by the State of Missouri to acquire, test, certify, and transport marijuana.[**Ord. No. 190923, 9-23-2019**]

MEDICAL MARIJUANA-INFUSED PRODUCTS MANUFACTURING FACILITY — A facility licensed by the State of Missouri to acquire, store, manufacture, transport, and sell marijuana-infused products to a medical marijuana dispensary facility, a medical marijuana testing facility, or to another medical marijuana-infused products manufacturing facility.[**Ord. No. 190923, 9-23-2019**]

MOBILE HOME — A transportable, factory-built home designed to be used as a year-round residential dwelling and built prior to June 16, 1976, the effective date of the Federal Manufactured Housing Construction and Safety Standards Act of 1974. The placement of mobile homes within the City of Willard is prohibited.

MODULAR HOME — A dwelling unit built to a nationally recognized and accepted construction standard published by the Building Officials Conference of America (BOCA) or the International Conference of Building Officials (ICBO) or its successor consisting of components substantially built and assembled in a manufacturing plant and transported to the building site for final assembly on a permanent foundation. The dwelling unit shall be inspected and certified at the factory that it meets said building construction standard. A modular home shall not have its own running gear and on-site service connections and foundation shall be in accordance with the requirements of the City of Willard's building regulations.

MOTEL — An establishment in which transient accommodations are provided on a daily rate to the general public.

NON-CONFORMING LOT — An existing lot of record that does not comply with the minimum lot size or area requirements for its zoning district, but which complied with applicable regulations at the time the lot was created and recorded.

NON-CONFORMING USE — The use of land or a building or portion thereof that does not comply with the use regulations for its zoning district but which complied with applicable regulations at the time the use was established.

NURSERY — A place where trees, shrubs or flowering plants are raised for commercial purposes from seed or otherwise in order to be transplanted or propagated.

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OWNER OF RECORD — The person, corporation or other legal entity listed as owner of a lot on records of the Greene County Recorder of Deeds.

PARK/RECREATIONAL AREAS — May include, but are not limited to, playground, picnic areas, trail ways, tennis courts, racquetball courts, roller blade/skateboard parks or other improvements as determined during the review process. These areas will normally include areas of open/green space to accommodate supporting improvements such as landscaping improvements, parking areas and other similar improvements.

PARKING SPACE — A space within a building or a private or public parking area for the parking of one (1) vehicle.

PEDESTRIAN WAY — A specifically paved or marked path for pedestrians.

PERSONAL SERVICE USES — Establishments for the sale of non-medically related personal services or an establishment primarily engaged in providing services involving the care of a person or his or her personal goods or apparel, but not including personal storage.

PLANNED DEVELOPMENT — A tract of land under single ownership, planned and developed as an integral unit and consisting of a combination of residential uses of differing densities or a combination of residential and non-residential uses of land within a planned development district (PD).

PLAT, FINAL — The final plat, plan or drawing and any accompanying required data or information that is submitted to the Planning and Zoning Commission and the Board of Aldermen for final approval of a proposed subdivision.

PLAT, PRELIMINARY — The preliminary or tentative plat or plan, map or drawing on which the layout and design of a proposed subdivision is submitted to the Planning and Zoning Commission and the Board of Aldermen for consideration and tentative approval.

PREMISE — Any tract of land, consisting of one (1) or more lots, under single or multiple ownership, which operates as a functional unit. When developed, a premise shall also possess one (1) or more of the following criteria:

1. Shared parking;
2. Common management;
3. Common identification;
4. Common access; or
5. Shared circulation.

Exception: If the only criteria is "common access" or "shared circulation" as a result of requirements from the City or State of Missouri to control access to a public way, then one (1) or more of the other criteria must be present before the tract of land can be defined as a "premise".

PRINCIPAL STRUCTURE — A structure or group of structures in which the principal use of the lot on which it is located is conducted.

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PRINCIPAL USE — The primary or predominant use of any lot.

PUBLIC — Maintained for or used by the people of the City of Willard on a non-commercial basis.

PUBLIC IMPROVEMENT — The installation, construction, addition or betterment of any new or existing physical development dedicated to the public or intended for public use, such as streets, sidewalks, drainage, detention and stormwater facilities, water mains and lines, wastewater mains and facilities, park/recreational areas and may include on-site and/or off-site improvements.

QUALIFYING PATIENT — A Missouri resident diagnosed with at least one (1) qualifying medical condition.[Ord. No. 190923, 9-23-2019]

RETIREMENT HOME — A residential facility designed to meet the needs of senior citizens and which may include convalescent care facilities.

SCHOOL — Any building which is regularly used as a public, private or parochial elementary and/or secondary school or high school.[Ord. No. 190923, 9-23-2019]

SETBACK — The required minimum horizontal distance between the nearest front, side or rear line of every structure and the front line of the lot.

SIGN — Any words, numbers, figures, devices, designs or trademark by which anything is made known, such as are used to designate an individual, a firm, profession, business or a commodity and which are visible from any public street. See Article X for definitions of sign types.

SPECIFIC SEXUAL ACTIVITIES — Human genitals in a state of sexual stimulation or arousal or acts of human masturbation, sexual intercourse, sodomy or fondling or other erotic touching of human genitals, pubic region, buttock or female breast.

SPECIFIED ANATOMICAL AREAS —

1. Less than completely and opaquely covered human genitals, pubic region, buttock and female breast below a point immediately above the top of the areola; and
2. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

STEALTH — Any towers or telecommunications facilities that are designed to blend into the surrounding environment.

STORAGE, PERSONAL — A building or buildings, commonly referred to as mini-storage, comprised of individual, self-contained units available on a rental basis for storage of business and household goods.

STORY — That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it or, if there is no floor above it, then the space between such floor and the ceiling next above it.

STORY, HALF — A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top floor level and in which space not more than two-thirds (2/3) of the floor area is finished off for use. A half story containing independent apartments or living quarters shall be counted as a full story.

STREET — A public or private way used or intended to be used for passage or travel by motor

vehicles. Streets are classified by the functions they perform as follows:

1. **STREET, ARTERIAL** — A street intended to provide for high-volume, moderate-speed traffic movement through the community and between major activity centers. Access to abutting property is subordinate to the flow of traffic and entrances and exits to the arterial are subject to control.
2. **STREET, COLLECTOR** — A street that collects and distributes traffic to and from local streets and arterial streets and is intended to provide for low to moderate-volume and low-speed, shorter length trips. The function of traffic movement and property access are balanced.
3. **STREET, LOCAL** — A street intended to provide access to abutting property and designed for low-volume, low-speed traffic.

STREET LINE — A dividing line between a lot, parcel or tract and a contiguous street.

STREET WIDTH — The horizontal distance between the outside edges of a street's pavement, including any curbing and guttering, measured at right angles to the street's centerline.

STRUCTURE — Anything constructed or erected, the use of which requires permanent or temporary location on or in the ground.

SUBDIVIDER — Any person, firm, partnership, corporation or other entity, acting as a unit, subdividing or proposing to subdivide land herein defined.

SUBDIVISION — The division of a parcel of land into two (2) or more lots, or other divisions of land; it includes resubdivision and, when appropriate to the context, relates to the process of subdividing or to the land or territory subdivided.

SUBSTANCE ABUSE TREATMENT FACILITY — A residential or out-patient facility for the treatment of alcohol and other substance abuse pursuant to Section 89.143, RSMo.

SURVEYOR — A registered land surveyor in the State of Missouri.

SWAP MEET — An indoor or outdoor activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces; and where a fee may be charged to prospective buyers for admission and a fee may be charged for the privilege of offering or displaying such merchandise.

TAVERN — An establishment where fifty percent (50%) or more of gross income is derived from the sale of alcoholic beverages by the drink for consumption on the property and where the serving of food and non-alcoholic beverages for consumption on the property may be accessory uses.

TELECOMMUNICATIONS FACILITIES — Any cables, wires, lines, wave guides, antennas and any other equipment or facilities associated with the wireless transmission or reception of wireless telecommunications as authorized by the FCC which a person seeks to locate or has installed upon a tower or antenna support structure. However, the term "*telecommunications facilities*" shall not include:

1. Any satellite earth station antenna two (2) meters in diameter or less which is located in an area zoned and used for industrial or commercial purposes.

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2. Any satellite earth station antenna one (1) meter or less in diameter, regardless of zoning category.
3. Any satellite earth station in excess of two (2) meters in diameter which is utilized for the reception of broadcast television, video or radio signals and which is an ancillary use to a structure on the premises of the holder of the broadcast license.

TOWER — A self-supporting lattice, guyed or monopole structure constructed from grade which supports wireless telecommunications facilities. The term "*tower*" shall not include amateur radio operators' equipment as licensed by the FCC or utility poles that are utilized for the support of electrical, telephone, cable television or other similar cables and wires, are located on public rights-of-way or easements for that purpose and are part of a system of such poles throughout the City of Willard, Missouri.

TRACT — A lot. The term "*tract*" is used interchangeably with the term "*lot*", particularly in the context of subdivisions, where one (1) tract is subdivided into several lots.

UNDEVELOPED LAND — Land in its natural state before development.

USE — The purpose for which land or a building is arranged, designed, or intended, or for which either land or a building is or may be occupied or maintained.

VARIANCE — A grant of permission that permits the recipient to not comply with a specific provision of this Chapter, granted because of the practical difficulties or unnecessary hardship that would be imposed by the strict application of that provision of the ordinance.

VEHICLE, COMMERCIAL — Any vehicle designed, maintained, or used primarily for the transportation of property or persons for hire.

WORKING DAYS — The days of the week, excluding Saturdays, Sundays and recognized holidays, during which normal business is conducted by the City of Willard.

YARD — An open space at grade between a building and the adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided in this Chapter.

YARD, FRONT — An open space extending across the full width of the lot between the principal building and the front lot line and measured perpendicular to the front lot line. On a corner lot the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

YARD, REAR — An open space extending across the full width of the lot between the nearest principal building and the rear lot line and measured perpendicular to the rear lot line.

YARD, SIDE — An open space extending from the front yard to the rear yard between the nearest principal building and the side lot line and measured perpendicular from the side lot line

Read two times and passed at a meeting of the Board of Aldermen of the City of Willard, Missouri on the 9th day of June, 2025

Approved as to Form:_____

Nate Dally, City Attorney

Approved By: _____

Troy Smith, Mayor

Attested By: _____

Rebecca Hansen City Clerk.

First Reading:

Second Reading

Bill No:

Ordinance No:

AN ORDINANCE ADDING SECTION 400.521 OF THE CITY CODE ACCESSORY DWELLING UNITS (ADU)

WHEREAS, the city would like attainable housing, and

WHEREAS, the City would like to meet the changing needs of the community, and

WHEREAS, accessory dwelling units can provide a housing choice while preserving the character of the neighborhood in which it is located, and

WHEREAS, in response to a changing economy many households have need to secure additional income; and

WHEREAS, accessory dwellings may reduce the cost of housing by increasing housing density.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF THE CITY OF WILLARD, AS FOLLOWS:

ADD SECTION 400.521-ACCESSORY DWELLING UNITS (ADU)

Section 400.521 is hereby defined by the following:

Section 400.521 Accessory Dwelling Units

- A. **Purpose.** Accessory dwelling units (**ADUs**) are a household living use that is accessory to the principal use and located on the same lot. The purpose of this section is to:
1. Meet the changing needs of the community;
 2. Provide housing choice while preserving the character of the neighborhood in which it is located;
 3. Respond to the changing economy and the necessity for many households to secure additional income; and
 4. Reduce the cost of housing by increasing housing density and doing so in a manner:

(i) That may be more compatible with neighborhoods where detached dwellings predominate; and

(ii) Where the benefits of additional income are distributed throughout the community to the individual landowners and renters.

B. Limitations. All ADUs shall comply with the following use limitations:

1. The provisions within this section are limited to zoning districts with a legal conforming single-family dwelling as the principal structure.
2. No lot may have more than one ADU.
3. Accessory dwelling units may be attached or detached from the principal dwelling unit. If attached to the principal dwelling, the lot setbacks and building standards for the principal building shall apply. If detached the ADU shall be a minimum of 10' behind the primary residence and comply with this **Section & 400.520 Tables A&B**
4. **Maximum Height:** The maximum height of an ADU shall not exceed 25 feet or the height of the primary residence, whichever is smaller. Height shall comply with **Section 400.520 Table A**
5. **The Maximum Footprint:** The maximum size of an ADU shall be 80% of the primary residence and comply with **Section 400.520 Table B**
6. The ADU shall be limited to two bedrooms.
7. Exterior stairs to provide access to an upper level accessory dwelling unit are allowed only on sides of the building facing the interior of the lot.

C. General Provisions. The following provisions will apply to any ADU permitted in the City of Willard MO.

1. Must be constructed on a permanent foundation.
2. The applicant must obtain any required building permits deemed by the Building Official or their designee prior to the issuance of a Certificate of Occupancy.
3. The structure may not be occupied until a Certificate of Occupancy has been issued.
4. The applicant shall provide an affidavit stating the following:
 - i. The owner of the subject property intends to reside either in the principal structure or ADU.
 - ii. That the ADU may be inspected for health and safety as required by appointment with the owner of the principal residence.

D. Development Standards

- a. Setbacks. If attached shall abide by the principal structure's zoning district setback requirements. If detached shall follow the requirements of **Section 400.520.G-Table A** along with the following requirements.
 - i. Shall not be located in any front yard.

- ii. Shall not be constructed closer than ten (10) feet to the principal structure or any other accessory structure on the lot.
 - iii. Shall be designed and constructed in a similar manner as the surrounding residences
- E. **Parking.** At least one additional off-street parking space per bedroom, constructed of concrete or asphalt surfaces, will be required.
 - a. This requirement may be exempted if the existing off-street parking of the lot has more than the required minimums. If additional construction of parking is required, it must meet the dimensions set forth in **Article IX Off- Street Parking and Loading Requirements.**
 - b. All driveways accessing ADUs from a public right-of-way shall obtain approval from the Building Department prior to construction of the driveway.
- F. **Access.** If the appropriate fire services cannot be served by the placement of the ADU fire access shall be constructed.
- G. **Utilities:** All detached ADU's shall be served and metered separate of the primary residence

Read two times and passed at a meeting of the Board of Aldermen of the City of Willard, Missouri on the 9th day of June, 2025

Approved as to Form: _____

Nate Dally, City Attorney

Approved By: _____

Troy Smith, Mayor

Attested By: _____

Rebecca Hansen City Clerk

First Reading:**Bill No:****Second Reading****Ordinance No:****AN ORDINANCE ADDING SECTION 400.515 OF THE CITY CODE-PLANNED DEVELOPMENT DISTRICT (PDD)**

WHEREAS, the city would like attainable housing, and

WHEREAS, diversity of lot sizes and buildings is unobtainable in regular zoning, and

WHEREAS, the planned development district allows for unconventional, or innovative arrangements of land uses and public facilities that, but for the provisions of these regulations, would otherwise be difficult to develop under the conventional land use and development regulations of the City.

NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF THE CITY OF WILLARD, AS FOLLOWS:

SECTION 1 ADD SECTION 400.515-PLANNED DEVELOPMENT DISTRICT (PDD)

Section 400.515 is hereby defined by the following:

400.515 A development plan for a Planned Development District may be approved in any district in the City of Willard, subject to the procedures and standards in this Article.

A. Purpose And Intent

The purpose of the Planned Development District regulations is to allow for unconventional, or innovative arrangements of land uses and public facilities that, but for the provisions of these regulations, would otherwise be difficult to develop under the conventional land use and development regulations of the City.

B. Applicability

1. **Eligibility To Submit An Application For A Planned Development.** An application for a Planned Development District shall be submitted by the legal owner(s) of the real property subject to the application, or by a duly authorized representative of such owner, or by an individual or organization with a legitimate contractual interest in the purchase of the subject real property.

C. Eligibility Requirements For Planned Developments A proposal for a Planned Development District shall demonstrate substantial congruence with each of the following conditions in order to be considered eligible for approval.

1. The Planned Development District should not have an adverse impact on the property value of adjacent land, nor should it hinder the implementation of the Willard Comprehensive Plan & other plans.
2. The proposed development plan shall involve a diverse mixture or variation of densities.
3. The proposed development plan shall involve the provision of all infrastructure deemed necessary to adequately serve the potential development.
4. No Planned Development District should impose an undue burden on public services, facilities and infrastructure.
5. The proposed development plan shall involve design elements shown to lessen congestion in the streets; increase active transportation, support trails, interconnectivity, addition of parks and other recreation areas within the development.
6. A Planned Development District may be developed in phases, provided that no phase or unit of development shall be constructed without proportional development of recreation space and amenities.
7. The applicant shall provide and record easements and covenants and furnish other guarantees deemed necessary by the Board of Aldermen to assure performance in accordance with the final development plan and to protect the public interest in the event of abandonment before the development's completion.

Planned Development District Zoning			
	Overlay	Rezone	Annexation
PDD-R	Yes	No	Yes
MU	No	Yes	Yes

D. PDD-R, Planned Development District- Residential

1. **Intent.** The intent of the PDD-R district is to support private residential development by providing incentives encouraging the use of innovative design techniques in order to achieve high-quality residential development.
 2. **Size.** Lot sizes must be large enough to enable its development as a complete identifiable unit and through the flexibility allowed by the PDD process provide a bona-fide benefit to the residents and users of the PDD.
 3. Minimum lot size for a detached single-family residential lot is **6,600 square feet.**
 4. **Permitted uses.** For the PDD-R, the following uses shall be permitted, subject to meeting the adopted review criteria:
 5. All uses in the R-1, R-2, and R-3 zoning districts may be allowed for use in a Planned Development District
- E. The starting total number of dwelling units in a Planned Development District-R shall be defined by the underlying zoning district. The density of dwelling units in a Planned Development District shall also conform with the lot and bulk regulations of this Chapter. A development plan may include design and infrastructure elements to accommodate greater densities in localized areas of the development using these guidelines:
1. Any reduction in minimum lot size shall be compensated by common, open, additional landscaping or recreation space, trails, and or donation to other areas in the city that positively enhance services or spaces as approved by the Board of Aldermen. These items shall be highlighted in the development plan.
 2. The Commission shall, in its determination, also consider that the physical characteristics of the site may make increased densities appropriate in a particular location.
 3. The total ground area occupied by buildings and structures shall not exceed thirty-five percent (35%) of the total ground area of the planned development. If previous development in the neighborhood exceeds coverage of thirty-five percent (35%), the coverage area of the Planned Development District may be increased to correspond with that of the neighborhood as a whole as approved by the Board of Aldermen.
- F. All single family residential lots in a Planned Development District shall meet the following minimum lot requirements:
- Minimum twenty-five-foot front yard setback.
 - Minimum twenty-five-foot rear yard setback.
 - Minimum ten-foot side yard setbacks.

- A minimum lot width of Seventy (70) feet.
- Cul-de-sac lots shall conform to **Section 400.560.A.3**

G. PDD-C Planned Development District Commercial:

1. **Intent.** The intent of the PDD-C district is to promote the architectural grouping of commercial and professional consumer oriented activities creating a harmonious relationship between people, structures and motor vehicles through the use of a well planned circulation, parking, pedestrian ways, courtyards, and landscaped open space areas.
2. **Size.** There is no minimum lot size for the PDD-C district, provided the proposed development is functional.
3. **Permitted uses.** For the PDD-C, the following uses shall be permitted, subject to meeting the adopted review criteria: all nonresidential uses in the **C-1** (Neighborhood Business District), **C-2** (General Business District), and **O** (Office District) zone. Business Districts within the 160 Parkway Corridor shall comply with **Section 400.500**

H. Procedure

Planned Development District shall proceed toward the planned improvements, subdivision, and/or marketing according to the following process:

- I. Procedure For Rezoning.** The applicant shall apply to have an overlay zoned to the property in accordance with the hearing process set forth in Section **400.360** of the Willard Municipal Code. In addition to the legal description of the property. The development plan shall be submitted with the zoning request and shall be subject to review, modification and approval by the Planning and Zoning Commission and Council as allowed in this Chapter.
- J. Development Plan Review.** Upon application for an overlay zone for the Planned Development District, the Planning & Development Department shall arrange a meeting for the review of the development plan submitted in accordance with the requirements and provisions of Section **400.530**. The Planning Department staff and local utility providers shall communicate, in writing, any known deficiencies relative to the requirements contained herein as well as a determination of eligibility. Upon the satisfactory completion of that review, the Planning & Development Department shall arrange for all necessary legal notices and forward the application and development plan to the Planning and Zoning Commission for hearing and consideration. A fee, as provided for in the fee schedule found in **Section 500.110** shall be paid to the City at the time of submittal, to defray the cost of review.

Commented [1]: Section 400.515

- K. Planning And Zoning Commission Consideration.** The City's Planning and Zoning Commission will hold a public hearing concerning the application to rezone and the development plan, such hearing having been properly publicized as required for zoning amendments. The purpose of the hearing is for the Commission to find certain facts pertaining to the development plans conformity to the requirements of this Article as well the adopted plans of the City. Upon the closing of the public hearing, the Commission shall render their findings and vote to make a recommendation to the City Council concerning the approval of the proposed Planned Development District rezone and the approval of the development plan.
- L. Board of Aldermen Consideration.** The Board of Aldermen shall receive the findings of facts and recommendation of the Planning and Zoning Commission and will consider whether to approve, revise or reject the proposed Planned Development District rezone by ordinance.
- M. Rezoning And Development Plan Approval.** Upon approval of the rezoning to Planned Development District, the development plan submitted with the rezoning request shall become the general guiding document for the uses to be established in the Planned Development District. The final plat shall be in substantial conformance with the development plan.
- N. Infrastructure Design And Construction.** Approved Planned Developments shall be allowed to proceed toward the design and engineering of all necessary public improvements in accordance with the adopted standards and specifications of the City of Willard.
1. All designs shall be reviewed and approved by the Community Development Department and Public Works Department prior to permitting and construction.
 2. No construction shall commence except upon the issuance of a permit for the work to be performed.
- O. Platting.** Upon the acceptance of the construction of all permitted infrastructure, the Planned Development District may be subdivided by the approval and recording of a final plat pursuant to the requirements and procedures of Chapter **400** of the City of Willard Municipal Code.
- P. Building Permits.** Upon the approval and recording of a final plat or else upon the securing of all necessary public infrastructure by an appropriate financial surety, permits may be issued for the construction of buildings within the Planned Development District, provided that conditions pertaining to protection of life and safety sufficiently present as determined by the various code officials of the City, including the Building Code and Fire Code officials.
- Q. Development Plans**

Minimum Requirements. Development plans accompanying an application for a new Planned Development District will be reviewed by City staff to verify satisfaction of the

following minimum requirements to being forwarded to the Planning and Zoning Commission for consideration:

1. **Identification Of Permitted Land Uses.** All land uses to be permitted within the Planned Development defined in **Section 400.530** shall be identified in sufficient detail with regard to density, intensity and location of the use. In this context, "sufficient detail" means a description of the permitted land use so as to explicitly limit the use of land in a way that is meaningful for the purposes of making determinations as to whether the particular land in question may be used for a specific purpose. Overly vague or ambiguous land use descriptions that evade predictability and certainty as to what sorts of land uses may be permitted shall not be allowed.
2. **Traffic Analysis:** The proposed development shall provide a traffic analysis and street study shall be done showing the effect of the development on traffic conditions on new and abutting streets shall be shown. The traffic analysis must extend from the proposed subdivision to the nearest arterial. The analysis shall be done on all accesses to the project and note loads on all affected streets. The traffic report shall show traffic discharge at a minimum of two points within the project. The proposed development plan shall articulate a plan for the circulation of vehicle and pedestrian traffic throughout the development according to the report.
3. **Development Summary:** As part of the development time schedule each phase must have a summary of the number of units of each type of use, the number of dwelling units, the acreage devoted to residential, nonresidential, recreation, open space, non-encroachable area, streets (both public and private), off-street parking, and other major land uses, density, public lands (existing and proposed), and the total number of acres contained in each development phase. A summary of the total number of units of each type of use, number of dwelling units, the acreage devoted to all major land uses, the acreage of public lands and areas proposed for public ownership, the acreage of the total area proposed to be developed, and the overall net density of the development;
4. **Identification Of Utility Sources.** The proposed development plan shall accurately identify the location of proposed sources and any necessary extension or expansion of utilities to serve the identified land uses. The intent of this provision is merely to ensure that the necessary services are available and of adequate capacity, either presently or as a result of planned expansion, to serve the proposed development.
5. **Identification Of Transitional Elements.** The proposed development plan shall identify the general location and type of transitional elements between dissimilar or normally incompatible land uses. These transitional elements may include screens, required buffer-yards, or other architectural and landscaping features that serve to lessen the visual, auditory, and olfactory impacts of land uses having significant differences in intensity.
6. **Identification Of Other Amenities.** The proposed development plan shall define and identify the location and type of planned amenities, pocket parks, trails, park connectors,

parks, and recreation areas that bolster a sense of community, and support the purpose of this Article.

R. Evaluation Criteria. The development plans proposed for any Planned Development District shall be evaluated by the City staff, the Planning and Zoning Commission, and the Board of Aldermen with regard to the following criteria:

1. Satisfaction of the purpose and intent of this Article.
2. Conformity with the adopted Comprehensive Plan and other adopted plans of the City of Willard
3. The ability of the available or planned infrastructure to provide adequate service to the proposed development.
4. The proposed development plan shall involve design elements shown to lessen congestion in the streets; increase active transportation, support trails, interconnectivity, addition of parks and other recreation areas within the development.
5. The estimated impact of the proposed development on surrounding properties based on facts found pertaining to the purpose and intent in section
6. A reliable and valid estimate of the costs and benefits of the proposed development upon the community.
7. The duly authorized partnership of the public and private sectors for mutual benefit

S. Rights/Privileges Conferred Upon Development Plan Approval. The approval of a Planned Development District by ordinance of the Board of Aldermen of the City of Willard shall confer upon the applicant and any successive owners of the real property the conditional right to develop the land in accordance with the approved development plan.

Infrastructure Design And Construction

T. Procedure. The design, review and permitting of the construction of the infrastructure planned for the development shall proceed according to the provisions of Section **405** of the City of Willard Municipal Code.

U. Evaluation Criteria. Permits for land disturbance or construction of any improvements to the real property shall not be issued except upon a determination by the Community Development Department that the designs are in substantial conformity to the approved development plan. Substantial conformity shall be determined according to the following criteria:

1. Conformity to the arrangement and type of land uses articulated by the approved development plan.
2. Conformity to the traffic study articulated by the approved development plan.
3. Conformity to the Standards and Specifications for Public Improvements.
4. Conformity to the transitional elements articulated by the approved development plan.

5. Conformity to the applicable minimum requirements of the City of Willard Municipal Code and other adopted codes or laws of the City, State, or Federal governments.
 6. Conformity to amenities, open space, trails, parks and other design elements that foster a more interconnected and active development as articulated by the approved development plan.
 7. If the Planning Department determines the design of the development to not be in substantial conformity, the Planning & Development Director and/or their designee shall transmit such findings, in writing, to the applicant along with a statement of the specific areas found to be in non-conformity. A determination of non-conformity may be appealed to the Board of Adjustment pursuant to the provisions of Section 400.170 of the City of Willard Municipal Code.
- V. Amendments To The Plan.** Minor amendments to the development plan shall be submitted for staff review and approval. If staff determine that the changes are a substantial change to the development plan then the matter may be referred to the Planning Commission & Board of Aldermen to approve, amend or deny the proposed changes.

W. Platting

1. **Tentative Plat Approval.** The development plan reviewed by the Planning and Zoning Commission and approved by the Board of Aldermen may serve as a preliminary plat. If a more specific and detailed preliminary plat is required by either the Planning & Development Director or the applicant, such preliminary plat shall conform to the requirements of Article **XIV** of Chapter **400** and shall be reviewed by the Planning and Zoning Commission and approved by the Board of Aldermen
 2. If phased construction is not planned the construction and final platting shall be completed within four (4) years of the date of approval of the development plan.
 3. If phased construction is planned the construction and final platting of the first phase shall be completed within two (2) years of the date of approval of the development plan. If the first phase has been constructed and a final plat issued, subsequent phases may be submitted covering portions of the approved development plan; provided, however, that all phases of the development plan and final platting must be completed within eight (8) years of the date of approval of the development plan.
 4. If the development plan and final platting have not been completed within the timeline set in this Section, then the development plan shall be resubmitted to the City for extension. Extension of the development plan shall be forwarded and reviewed by the Planning Commission and Board of Aldermen according to the same procedure for original adoption. One extension may be granted by the Board. If granted an extension will be for a maximum 1 year. If an extension and approval is not granted, the original development plan approval shall be null and void. It shall not be the responsibility of the City to notify the applicant of an expired development plan.
- X. Final Plat Approval.** Upon the satisfactory completion of the construction of all required infrastructure and other site elements or amenities, or else by the security of the same by

an appropriate financial surety, the applicant may submit a final plat document in accordance with the provisions of Chapter **400.1190** of the City of Willard Municipal Code.

Read two times and passed at a meeting of the Board of Aldermen of the City of Willard, Missouri on the 9th day of June, 2025

Approved as to Form:_____

Nate Dally, City Attorney

Approved By: _____

Troy Smith, Mayor

Attested By: _____

Rebecca Hansen City Clerk