

**AN ORDINANCE TO AMEND APPENDIX 1 "C-3" COMMERCIAL DISTRICT PERMITTED AND CONDITIONAL USES SECTIONS B. & C. OF THE CODE OF THE CITY OF HOLLISTER, MISSOURI.**

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HOLLISTER, MISSOURI AS FOLLOWS:**

**APPENDIX 1**

**"C-3" Commercial District Permitted And Conditional Uses**

B. "C-3" Commercial District Conditional Uses.

10. High-rise building. Height of seventy-six (76) feet and above shall meet the requirements of our current adopted International Fire Code.

11. Hospitals or penal or correctional institutions.

a. Minimum of five (5) acres.

b. Penal or correctional institutions shall be prohibited within the area circumscribed by a circle that has a radius of fifteen hundred (1,500) feet from any residential zoning district, school, park, or church.

12. Massage therapists.

a. Shall be licensed in the Missouri Division of Professional Registration: Board of Therapeutic Massage and submit copies of their license.

b. Shall keep their license current with the Missouri Division of Professional Registration through the required continuing education.

c. They may work in a doctor's office in any zone where the office is physically located.

13. Multiple-family dwellings.

a. For new structures built as multi-family dwellings in "C-3" zone — maximum density, lot dimensions, setbacks and building height shall meet the requirements of Table 400.1 for the "R-4" zone.

b. For structures built as mixed commercial and residential in "C-3" zone only. The residential use shall be above the commercial uses and shall not be accessed through the commercial uses.

- c. All other zoning regulations would apply such as parking and buffering requirements.
14. Nursing and convalescent homes. An institution or agency licensed by Missouri Department of Health and Senior Services for reception, board care, or treatment of three (3) or more unrelated individuals.
15. Open-air flea market (temporary).
- a. Shall be licensed to operate for not more than sixty (60) days in a calendar year.
  - b. Days of operation shall not exceed fourteen (14) consecutive days at any one time.
  - c. All requirements of Section 400.180(B) of this Section and other ordinances of the City of Hollister shall be followed.
  - d. With the application a site plan shall be submitted showing the layout of the sales area with approximate number of vendor spaces, parking with approximate number of spaces available, circulation routes and location of restroom facilities.
  - e. All parking shall be off-street parking.
16. Outdoor amusement/recreation establishments operated for pecuniary profit.
- a. Hours of operation shall be limited from 10:00 A.M. to 12:00 P.M.
  - b. Adequate restroom facilities for both sexes shall be provided on the premises of such amusement or entertainment. Such facilities may be of a temporary nature.
  - c. All electrical wiring and lighting shall be inspected and approved by the City Building Department and shall meet the current adopted National Electrical Code Section 590.
  - d. Adequate facilities for the disposal of trash and debris shall be provided on the premises.
  - e. The area or premises where such amusement or recreation is conducted shall be cleaned and policed after the cessation of such amusement or recreation and all trash, litter and debris shall be removed.
17. Pet grooming businesses.
- a. Pets shall be on a leash or in a carrier at all times while in transit from a vehicle to the shop and from the shop to a vehicle.

b. The pet owners and shop operator are responsible for any necessary cleaning up after the pets whether on sidewalk, street, grass or inside the shop.

c. Pets shall not be boarded at the shop.

d. Any outside waste containers shall have lids that seal to avoid the potential to draw insects or other animals. Excess flies, rodents or other animals around the exterior area shall be considered a nuisance.

e. A purpose-built hair strainer shall be used to eliminate clogging and contamination of wastewater transfer infrastructure.

18. Picnic areas and/or fishing lakes.

a. All parking shall be off-street parking.

b. Adequate restroom facilities shall be provided to accommodate the number of people anticipated in the facility's design.

19. Radio, television and other communication towers.

a. Towers shall be positioned on the property so that no part of the tower lay across the property line if the tower came down (i.e., if the tower is two hundred (200) feet tall, it shall be at least two hundred (200) feet from any property line).

b. The property for tower locations shall be platted with road frontage (not just accessed via an easement across another property).

c. Co-location of facilities. At times it may be possible to co-locate telecommunications systems on City towers through permission of the Board of Aldermen. Telecommunication towers constructed within the City limits by a telecommunication service provider may be capable of accommodating antennas for two (2) or more additional telecommunication service providers (hereinafter referred to as "additional capacity").

20. Self-service storage (mini-storage).

a. All driving surfaces up to and in front of the doors of the buildings shall be paved. This would include the public street accessing the compound.

b. The entire area that has rental space shall be fenced and gated. That fence shall meet the regulations of Hollister's Fence Code Section 500.280 through Section 500.310.

c. All other requirements of Section 400.180(B) shall be met.

21. Tanning beds as an accessory use to beauty/barber shops shall comply with City Code Section 605.210.

22. Tanning salons shall comply with City Code Section 605.210.

23. Tattoo parlors.

a. The facility, operator and all artists shall comply with the provisions of City Code Chapter 640.

b. Tattoo artists shall comply and show proof of compliance Missouri Division of Professional Registration: Office of Tattooing, Body Piercing & Branding and submit copies of their license.

24. Recreational vehicle parks less than four hundred (400) square feet in area:

a. Commercial business license shall be obtained from the City of Hollister to operate a campground.

b. Pursuant to the authority granted by Sections 67.1360 and 67.1362, RSMo., a tax for tourism purposes is hereby imposed on charges for sleeping rooms to be paid by transient guests of hotels, motels, nightly rentals, bed and breakfast inns, campgrounds and any docking facility which rents slips to recreational boats which are used for sleeping to the extent and in the manner provided for in Sections 37.1360 and 67.1362, RSMo. The rate of the tax shall be five percent (5%).

c. Minimum of five (5) acres.

d. Recreational vehicle shall be less than four hundred (400) square feet in area.

e. Shall have one (1) additional vehicle parking space per each recreational vehicle site.

f. Utilities (electrical, water, and sewer) hook-ups shall be provided.

g. Provisions for on-site waste disposal.

h. Registration office shall provide adequate paved parking for RV's and patrons.

i. A recreational vehicles park map layout to include each site clearly numbered and consistent with the placement shown on map layout with dimensions.

- j. A recreational vehicles park may have a home for the owner/manager's private use.
- k. The recreational vehicles park shall not be expanded except by conditional permit review.
- l. The recreational vehicle shall not be anchored down.
- m. The recreational vehicle shall be fully licensed and ready for highway use.
- n. There can be no additions built on to any recreational vehicle.

25. Veterinarians or kennel.

- a. Any outdoor exercise area for the animals shall be enclosed by a privacy fence and must be behind the building.
- b. Outside animal runs shall be sanitized regularly to control odor, disease and insects.
- c. Between the hours of 8:00 P.M. and 8:00 A.M. all animals shall be kept in an enclosed, adequately ventilated heated and/or air-conditioned space that not only protects the animals from the elements but is soundproofed enough that the sound level coming from the building measured at adjoining property lines shall not exceed sixty (60) dbA.

C. "C-3" Commercial District Minimum Requirements.

- 1. The minimum requirements in the "C-3" Commercial District are as follows:
  - a. Minimum lot size: ten thousand (10,000) square feet.
  - b. Maximum density building area per floor is determined by engineering for site and approved by jurisdiction having authority.
  - c. Minimum front setback: twenty-five (25) feet.
  - d. Minimum side setback: None.
  - e. Minimum back setback.

(1) Building height of thirty-five (35) feet or less shall have ten-foot setback.

(2) Building height of more than thirty-five (35) feet shall have twenty-five (25) foot setback.

f. Maximum building height: seventy-five (75) feet/ seven (7) stories.

**READ THIS FIRST AND SECOND TIME AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF HOLLISTER, MISSOURI THIS 4<sup>TH</sup> DAY OF FEBRUARY 2021.**

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**David G. Tate, Mayor**

**ATTEST:**

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**Bridget Epps, City Clerk**