

ORDINANCE NO. 4102

AN ORDINANCE APPROVING AMENDMENTS TO CHAPTER 36 OF THE CLINTON CODE OF ORDINANCES REGARDING MAXIMUM HEIGHTS FOR BUILDINGS AND STRUCTURES.

WHEREAS, the Clinton Planning Commission conducted a public hearing on December 5, 2022, to consider amendments to maximum height requirements for buildings and structures in Chapter 36 of the Clinton Code of Ordinances; and

WHEREAS, the Clinton Planning Commission recommended approval of amendments to maximum height requirements for buildings and structures by a vote of 7 Ayes; 0 Nays;

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF CLINTON, MISSOURI AS FOLLOWS:

Section 1. The following amendments to Chapter 36 are hereby approved:

Sec. 36-118. A-1 Agricultural Rural Residential District.

(d) Height, setback, yard and area regulations:

Repeal the following:

- (8) *Maximum structure height.* Buildings and structures shall not exceed 35 feet or exceed 2½ stories in height, with the exception of agricultural storage bins, public or quasi-public buildings, water towers or radio towers which shall not be located closer than any yard requirement or a distance equal to their height to any property line if it is greater than 35 feet, whichever is greater.

Enact the following:

- (8) *Maximum structure height.* Buildings and structures shall not exceed 45 feet or exceed 3 stories in height, with the exception of agricultural storage bins, public or quasi-public buildings which shall not be located closer than any yard requirement or a distance equal to their height to any property line if it is greater than 45 feet, whichever is greater. The height requirements shall not apply to public water towers.

Sec. 36-119. R-1 Single-Family Residential District.

(d) Height, setback, yard and area regulations:

Repeal the following:

- (8) *Maximum structure height.* Buildings and structures shall not exceed 35 feet, and shall not exceed 2½ stories in height except for churches or other public or quasi-public buildings which shall not exceed 75 feet provided that all yard requirements shall be increased by one foot for each foot the building exceeds 35 feet. The height requirements shall not apply to public water towers.

Enact the following:

- (8) *Maximum structure height.* Buildings and structures shall not exceed 45 feet, and shall not exceed 3 stories in height except for churches or other public or quasi-public buildings which shall not exceed 75 feet provided that all yard requirements shall be increased by one foot for each foot the building exceeds 45 feet. The height requirements shall not apply to public water towers.

Sec. 36-122. R-2 Two-Family Residential District.

(d) *Height, setback, yard and area regulations:*

Repeal the following:

- (8) *Maximum structure height.* Buildings and structures shall not exceed 35 feet, and shall not exceed 2½ stories in height except for churches or other public or quasi-public buildings which shall not exceed 75 feet provided that all yard requirements shall be increased by one foot for each foot the building exceeds 35 feet. The height requirements shall not apply to public water towers.

Enact the following:

- (8) *Maximum structure height.* Buildings and structures shall not exceed 45 feet, and shall not exceed 3 stories in height except for churches or other public or quasi-public buildings which shall not exceed 75 feet provided that all yard requirements shall be increased by one foot for each foot the building exceeds 35 feet. The height requirements shall not apply to public water towers.

Sec. 36-127. C-1 Neighborhood Commercial District.

(d) *Height, setback, yard and area regulations.* Where the property is used for a residential purpose the same minimum lot sizes and yards shall be required as those in an R-3 district.

Repeal the following:

- (3) *Maximum structure height.* No building or structure shall exceed 30 feet and shall not exceed two stories.

Enact the following:

- (3) *Maximum structure height.* No building or structure shall exceed 45 feet and shall not exceed 3 stories.

Sec. 36-129. C-3 General Commercial District.

(d) *Height, setback, yard and area regulations.* Where a residential use is proposed that is not above a street level business the lot, yard and setback requirements shall be the same as an R-4 residential zone.

Repeal the following:

- (3) *Maximum structure height.* No building or structure shall exceed 35 feet and shall not exceed three stories.

Enact the following:

- (3) *Maximum structure height.* No building or structure shall exceed 45 feet and shall not exceed 3 stories.

Sec. 36-130. C-4 Open Display Commercial District.

(d) *Height, setback, yard and area regulations.*

Repeal the following:

(3) *Maximum structure height.* No building or structure shall exceed 35 feet.

Enact the following:

(3) *Maximum structure height.* No building or structure shall exceed 45 feet.

Sec. 36-131. I-1 Restricted Light Industrial District.

(d) *Height, setback, yard and area regulations.*

Repeal the following:

(4) *Maximum structure height.* No building shall exceed 45 feet.

Enact the following:

(4) *Maximum structure height.* No building shall exceed 50 feet, unless approved for a Conditional Use Permit with a specified maximum height.

Sec. 36-132. I-2 Light Industrial District.

(d) *Height, setback, yard and area regulations.*

Repeal the following:

(4) *Maximum structure height.* No building shall exceed 45 feet.

Enact the following:

(4) *Maximum structure height.* No building shall exceed 100 feet, unless approved for a Conditional Use Permit with a specified maximum height.

Sec. 36-133. I-3 Heavy Industrial District.

(d) *Height, setback, yard and area regulations.*

Repeal the following:

(4) *Maximum structure height.* Where a lot adjoins a dwelling district, the building shall not exceed 45 feet in height, unless it is set back one foot from all front and side yard lines for each foot of additional height above 45 feet.

Enact the following:

(4) *Maximum structure height.* No building shall exceed 100 feet, unless approved for a Conditional Use Permit with a specified maximum height.

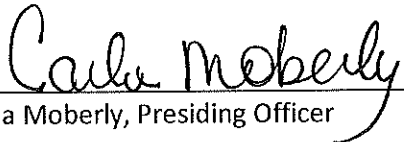
Section 2. All ordinances in conflict with this ordinance are hereby repealed.

Section 3. This ordinance shall become effective immediately upon its passage and approval as provided by law.

Bill No. 2022-24

Read for the first time the 6th day of December, 2022.

Read for a second time and passed this 20th day of December, 2022.



Carla Moberly, Presiding Officer

ATTEST:

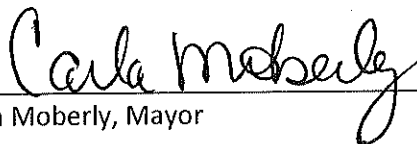
7 Ayes: Gene Henry, Roger House, Cameron Jackson, Martha Nichols, Rick Pereles, Becky Raysik and Daniel Wilson

0 Nays

1 Absent: Debbie Smith



Wendee Seaton, City Clerk



Carla Moberly, Mayor

