

# ZONING REGULATIONS

## *400 Attachment 11*

### **City of Hollister**

#### **APPENDIX 5**

#### **"R-2" One- and Two-Family Dwelling District**

**[Added Ord. No. 19-40, 6-20-2019; amended Ord. No. 19-66, 12-5-2019; Ord. No. 19-78, 1-9-2020; Ord. No. 21-27, 1-6-2022]**

- A. "R-2" One- and Two-Family Dwelling Permitted Uses
1. All "R-1" Single-Family Dwelling District [See conditional uses, (B)(5), below].
  2. Duplexes.
    - a. Will be a minimum of eight hundred (800) square feet per occupancy unit and two (2) bedrooms per occupancy unit.
    - b. Off-street parking. See Section 400.160.
    - c. One-hour fire-rated partition wall from foundation to roof decking between dwelling units.
  3. This Section in no way overrides subdivision covenants.
  4. Existing non-conforming use (mobile homes or manufactured homes or mobile home parks) shall be considered as compliant ("grandfathered") uses and once removed may only be replaced if the mobile homes, manufactured homes or mobile home parks are destroyed as a result of a fire or an Act of God and:
    - a. The replacement home or homes possess a valid title, stating they were manufactured within a ten-year period prior to the current calendar year.
    - b. The replacement home or homes shall have a valid certificate of occupancy within one (1) year subsequent to the date of destruction of the original home.
- B. "R-2" One- and Two-Family Dwelling Conditional Uses.
1. Adult day care facilities may be permitted, provided they will meet the general requirements of this Code listed in Section 400.180(B) and the Planning Department and Administration find the following conditions present or establish provisions therefor:
    - a. The following as defined in Missouri Statute 660.400 and the current adopted edition of the International Building Code shall apply for adult day care facilities:

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**ADULT** — An individual over the age of eighteen (18).

**ADULT DAY CARE FACILITIES** — Includes buildings and structures occupied by more than five (5) persons over the age of eighteen (18) who receive custodial care for fewer than twenty-four (24) hours per day by persons other than parents or guardian, relatives by blood, marriage or adoption, and in a place other than the home of the person cared for.

**ADULT DAY CARE PROGRAM** — A group program designed to provide care and supervision to meet the needs of five (5) or more functionally impaired adults for periods of less than twenty-four (24) hours but more than two (2) hours per day in a place other than the adult's own home.

**ADULT DAY CARE PROVIDER** — The person, corporation, partnership, association or organization legally responsible for the overall operation of the adult day care program.

**CUSTODIAL CARE** — Assistance with day-to-day living tasks.

**DEPARTMENT** — The Missouri Department of Social Services.

**PARTICIPANT** — A functionally impaired adult who is enrolled in an adult day care program.

**RELATED** — Any of the following by blood, marriage or adoption: parent, child, grandchild, brother, sister, half-brother, half-sister, stepparent, uncle, aunt, niece, nephew, or first cousin.

- b. The facility must be licensed per Missouri Statutes 660.402 to 660.420.
- c. Must be on a parcel of land or lot sized appropriately based on the number of participants and staff to meet these requirements: a drop-off and pickup area large enough to allow for multiple vehicles to be off the right-of-way, off-street parking, providing outdoor recreation area, and where this use is adjacent to residential uses a landscaped buffer per Appendix 6 of Chapter 400 of the City Code if a privacy fence is not used. In no case shall this use be on a residentially zoned parcel that is less than fifteen thousand (15,000) square feet.
- d. The side and rear property lines shall be fenced, preferably by a privacy fence that will act as a buffer.
- e. The side and rear setback (yard area) shall be a minimum of twenty-five (25) feet for a newly constructed facility.
- f. The facility must provide an outdoor recreation or relaxation area. This may be in the twenty-five-foot-wide area of the setbacks.



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4. Picnic areas.
    - 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.
  5. All "R-1" Single-Family Dwelling District uses shall meet the minimum requirements as follows:
    - a. Minimum lot size: seven thousand five hundred (7,500) square feet.
    - b. Maximum density (dwelling units per acre): five (5).
    - c. Minimum front setback: twenty-five (25) feet.
    - d. Minimum side setback: ten (10) feet.
    - e. Minimum back setback: ten (10) feet.
    - f. Maximum building height: thirty-five (35) feet.
- C. "R-2" One- and Two-Family Dwelling District Minimum Requirements.
1. The minimum requirements in the R-2 One- and Two-Family Dwelling District are as follows:
    - a. Minimum lot size: ten thousand (10,000) square feet.
    - b. Maximum density (dwelling units per acre): 8.
    - c. Minimum front setback: twenty-five (25) feet.
    - d. Minimum side setback: ten (10) feet.
    - e. Minimum back setback: ten (10) feet.
    - f. Maximum building height: thirty-five (35) feet.
  2. Townhouses: zero-foot side setback is allowed in the party/common wall side for townhouses on lots or property that provide at least six thousand (6,000) square feet per dwelling unit (i.e., twelve thousand (12,000) square feet for two-dwelling townhouse, eighteen thousand (18,000) square feet for three-dwelling townhouses, etc.).

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3. Portable accessory structures that are one hundred twenty (120) square feet in size and smaller.
  - a. Minimum front setback: twenty-five (25) feet.
  - b. Minimum side setback: three (3) feet.
  - c. Minimum back setback: three (3) feet.
4. Except as hereinafter provided:
  - a. No building or land should be used or occupied and no building or part thereof should be erected, moved or altered unless in conformity with the regulations specified for the district in which it is located.
  - b. No building should be erected or altered to have a narrower or smaller rear yard, front yard, side yard, inner or outer court than is specified for the district in which such building is to be located.
  - c. No part of a yard or other open space about any buildings required for the purpose of complying with the provisions of the standards in this Chapter should be included as a part of a yard or other open space similarly required for another building.
  - d. Recreational vehicles — travel trailers, motor homes, etc. No person shall occupy any motor home, travel trailer, pickup camper or camper trailer (recreational vehicle) on any premises that is situated outside an approved recreational vehicle park, except that a motor home, travel trailer, pickup camper or camper trailer (recreational vehicle) may be parked at a person's residence, provided:
    - (1) The recreational vehicle is unoccupied.
    - (2) It is being kept at the person's residence for storage purposes only.
    - (3) The recreational vehicle must be in working condition.
5. Parking Requirements: see Section 400.160.
6. Refuse Disposal Receptacles for Multifamily Dwellings.
  - a. All refuse disposal receptacles are required and shall be screened from view.
  - b. The existing structures with refuse disposal receptacles shall be screened from view within six (6) months from the effective date of this Chapter.