

# ZONING REGULATIONS

*400 Attachment 12*

## **City of Hollister**

### **APPENDIX 5**

#### **"R-3" Residential Uses District**

**[Added Ord. No. 19-41, 6-20-2019; amended Ord. No. 19-67, 12-5-2019; Ord. No. 19-79, 1-9-2020; Ord. No. 21-05, 2-4-2021; Ord. No. 23-10, 4-6-2023; Ord. No. 23-29, 11-2-2023]**

- A. "R-3" One- and Two-Family Dwelling Permitted Uses.
1. "R-2" One- and Two-Family Dwelling.
  2. The rental or occupancy of manufactured homes.
  3. Conditions of use. For manufactured homes permitted to be placed in the "R-3" District:
    - a. 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:
      - (1) The replacement home or homes possess a valid title, stating they were manufactured within a ten-year period prior to the current calendar year.
      - (2) 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. One (1) manufactured home complying with the following conditions per individually owned residential lot is permitted if:
      - (1) The manufactured home possesses a valid title, stating it was manufactured within a ten-year period prior to the current calendar year.
      - (2) Roofs will be constructed using composition materials and have a minimum pitch of three (3) feet of rise to twelve (12) feet of horizontal run and a minimum roof overhang of six (6) inches.
      - (3) Exterior siding or covering shall be of type, quality and appearance customarily used on conventional homes.

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- (4) The home shall have all wheels, axles, hitches and other mechanisms removed. The home shall be placed on and anchored to a permanent and complete masonry foundation wall around the perimeter that has been constructed in accordance with the current adopted edition of the International Residential Code.
- c. In manufactured home parks: one (1) manufactured home per lot is permitted.
- d. A minimum of fifty (50) manufactured home lots shall be required for the establishment of a manufactured home park.
- e. Mobile homes, as defined in Section 400.020(C), will not be permitted to be placed after the effective date of this amended Attachment 12.
- f. Off-street parking facilities. Two (2) parking spaces for each manufactured home lot shall be provided. No parking space on the manufactured home lot should be placed closer than ten (10) feet to an adjoining home.
- g. Buffer requirements. A landscaped buffer complying with Appendix 6, Table 1, Landscape Buffer Types, No. 6 (a twenty-foot-wide strip of land with the appropriate trees and shrubs as outlined), or a screening fence approved by the Planning Commission must be planted or installed along the property boundary of the manufactured home park and adjoining properties. This buffer is not required along the front property line and shall not extend into any sight triangle at driveway/street or street/street intersections.
- h. Manufactured home park improvements. The following permanent facilities shall be installed and available to and for each manufactured home lot:
  - (1) Sanitary drinking water system inspected and approved by the City of Hollister, providing adequate pressure with appropriate water connections, for manufactured home usage. For fire protection, sanitary water under adequate pressure in standard fire hydrants, which hydrants shall be located within four hundred (400) feet of every individual lot within the manufactured home park.
  - (2) Sanitary sewage disposal system inspected and approved by the Missouri Department of Natural Resources with appropriate sewage connections for manufactured home usage for the safe discharge of waste material. Connections between stormwater drainage systems and sewage disposal systems shall not be permitted.
  - (3) Refuse disposal receptacles are required within the manufactured home park and screened from view.

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- (4) Public utilities with appropriate connection boxes, including, but not limited to, telephone, electricity and/or gas. Street lighting shall be provided as outlined in Section 405.200, Street Lighting.
  - (5) Streets shall be designed in accordance with Section 405.220.
  - (6) Tie-downs and skirting shall be installed prior to the occupancy of any manufactured home.
  - (7) Sidewalks are required on both sides of the streets within manufactured home parks. Sidewalks are to be a minimum of three (3) feet wide and hard surfaced (either portland concrete or asphalt).
- i. Parking requirement. See Section 400.160.
  - j. A map or plat of all manufactured home subdivisions shall be prepared in accordance with the Subdivision Code<sup>1</sup> of the City of Hollister.

### B. "R-3" Residential Conditional Uses.

1. Adult day care facilities may be permitted, provided they will meet the general requirements of this Code and the Planning Department and Administration find the following conditions present or establish provisions therefore:
  - 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:

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.

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<sup>1</sup> Editor's Note: See Ch. 405, Subdivision Regulations.

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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.
  - g. The building must be designed to meet the requirements for an 1-4 Institutional use per the current adopted edition of the International Codes as adopted by the City. This requirement will apply to existing buildings proposed to be used for this purpose. This requirement meets or exceeds the State minimum.
  - h. The facility shall provide paved parking at a rate of one (1) space for each employee on the largest shift plus one (1) visitor parking space for every four (4) participants. An adequately sized paved drop-off/pickup area shall also be provided to accommodate participants who need assistance and can move through the process without causing traffic to back up onto a street.
  - i. No adult day care business will be permitted in an occupied dwelling or home.
2. Child care facility may be permitted, provided the following conditions are present or establish provisions therefor:
    - a. Use as proposed or specific plans filed with the application conforms to these

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regulations and other ordinances of the City.

- b. Day care centers shall be licensed by the Division of Family Services according to Sections 210.201 through 210.245, RSMo., prior to the issuance of a business license.
  - c. A day care center may have one (1) unlighted identification sign, not exceeding four (4) square feet in area, attached to and parallel with the wall of the day care home. No part of the sign may extend into the required setback area of the structure.
  - d. The use of all lands or buildings arranged, designed or intended for play space, required parking for staff and patrons shall be located behind the front yard setback line. At least one (1) on-site parking space is provided for each on-duty staff person.
  - e. Outdoor play activities shall be provided within a fenced area and limited to the hours between 8:00 A.M. and 8:00 P.M. No structured area for active play or play structures may be located in a front yard or within ten (10) feet of a side or rear lot line.
3. 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.
  4. Recreational vehicle parks.
    - a. Recreational vehicle parks may be permitted provided they meet the general requirements of this Code.
      - 1) Commercial business license shall be obtained from the City of Hollister to operate a RV park.
      - 2) 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%).
      - 3) Minimum of five (5) acres.
      - 4) Shall have one (1) additional vehicle parking space per each

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recreational vehicle site.

- 5) Utilities (electrical, water, and sewer) hook-ups shall be provided.
  - 6) Provisions for waste/trash/garbage disposal in an enclosed area.
  - 7) Registration office shall provide adequate paved parking for RVs and patrons.
  - 8) A recreational vehicle park map layout to include each site clearly numbered and consistent with the placement shown on map layout with dimensions.
  - 9) Provide the City a written copy of park rules prior to issuance of conditional use permit.
  - 10) The recreational vehicles park shall not be expanded except by conditional use permit review.
  - 11) Only on land shown in the designated floodplain as shown on Hollister's Flood Insurance Rate Map (FIRM — official floodplain map).
- b. RVs designed to be self-propelled or permanently towable by a vehicle shall be fully licensed and ready for highway use:
- 1) RVs ready for highway use means that it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and has no permanently attached additions.
  - 2) All vehicles required to tow a towable RV shall be fully licensed and ready for highway use.
  - 3) No tie-downs.
- c. RVs shall not be on a lot site more than one hundred eighty (180) consecutive days. They may change to another lot site that is not adjacent to current lot site.
- d. Well-maintained sites:
- 1) Appliances shall not be permitted outside of a RV.
  - 2) Any furnishings to be assembled with tools shall not be permitted outside of a RV.
  - 3) External storage sheds, outbuildings, racks or shelves shall not be permitted outside of a RV.

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- 4) There shall be no additions built on to any recreational vehicle.
  - 5) Storage under a RV shall not be permitted.
  - 6) Temporary tents (easy ups or similar assemblies) shall be allowed for weather coverage only but are not to be used for overnight lodging or storage.
  - 7) No construction materials shall be permitted outside of a RV.
  - 8) Tarps shall not be permitted to cover up a RV, items on picnic tables or covering up items on lot.
  - 9) No washing of a RV or motor vehicle.
  - 10) No permanent fences allowed. Only portable fences shall be permitted for pets.
  - 11) No RV or vehicle repairs or maintenance shall be permitted on the premises.
  - 12) Sewer connections on the lot site shall be constructed with a threaded end for a screw on cap. Connections to sewer or water shall not have leaks. No discharge of sewage or gray water on the ground.
  - 13) Skirting on RVs shall not be permitted except during the time period from October 1st thru March 31st. All skirting shall be removed during all other times of the year. Plastic sheeting, plywood, tarps or other makeshift skirting items which require tools to attach to a RV shall not be permitted.
- e. One (1) RV to be used for year around employee housing may be placed on a site and shall meet the elevation and anchoring requirements for manufactured homes.

### C. "R-3" Residential Uses District Minimum Requirements.

1. The minimum requirements in the "R-3" Residential Uses District are as follows:
  - a. Minimum lot size: six thousand (6,000) square feet.
  - b. Maximum density (dwelling units per acre): six (6).
  - c. Minimum front setback: twenty-five (25) feet.
  - d. Minimum side setback: ten (10) feet.

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- e. Minimum back setback: ten (10) feet.
  - f. Maximum building height: thirty-five (35) feet.
  - g. Portable accessory structures that are one-hundred twenty (120) square feet in size and smaller.
    - (1) Minimum front setback: twenty-five (25) feet.
    - (2) Minimum side setback: three (3) feet.
    - (3) Minimum back setback: three (3) feet.
2. 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 shall be in working condition.
3. Parking requirements: see Section 400.160.
4. Refuse Disposal Receptacles for Multifamily Dwellings.
- a. All refuse disposal receptacles are required and shall be screened from view.

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- b. The existing structures with refuse disposal receptacles shall be screened from view within six (6) months from the effective date of this Attachment 12.