

ZONING REGULATIONS

400 Attachment 4

City of Hollister

APPENDIX 1

"C-R" Commercial-Retail District Permitted And Conditional Uses

[Ord. No. 02-21, 7-18-2002; Ord. No. 03-09, 3-20-2003; Ord. No. 03-56, 12-4-2003; Ord. No. 06-57, 12-21-2006; Ord. No. 07-13, 4-19-2007; Ord. No. 09-15, 5-21-2009; Ord. No. 14-21, 1-22-2015; Ord. No. 18-47, 7-5-2018; Ord. No. 19-74, 12-5-2019; Ord. No. 21-08, 2-4-2021; Ord. No. 23-09, 4-6-2023; Ord. No. 23-36, 12-7-2023]

- A. "C-R" Commercial-Retail District Permitted Uses.
1. Alcoholic (intoxicating) beverages.
 - a. Establishments that serve alcoholic (intoxicating) beverages for consumption on the premises: bars, lounges, taverns, restaurants and private clubs shall be permitted in this zoning district, unless the property is adjacent to a residential zone.
 - b. Sale of package beer, wine or liquor sales for consumption off the premises shall be permitted in this zoning district, unless the property is adjacent to a residential zone.
 2. Amusement establishments — bowling alleys, dance halls, and other similar places of recreation when conducted wholly within a completely enclosed building.
 3. Auto parts (including tires) stores.
 4. Bakery shop, including the baking and processing of food products when prepared for retail use on the premises only.
 5. Barbershops, beauty salons and nail salons.
 6. Building supply businesses (retail only).
 7. Business and professional offices when they do not exceed thirty percent (30%) of the gross leasable area of any platted commercial subdivision having retail uses.
 8. Camera and photographic supply shops for retail sales.
 9. Candy and ice cream stores.
 10. Convenience stores.
 11. Department stores.

HOLLISTER CITY CODE

12. Drug stores.
13. Dry goods store, haberdashery and wearing apparel stores.
14. Electrical appliance stores.
15. Feed and seed stores/farm supply.
16. Florist shop and conservatory for retail trade on premises only.
17. Food and fruit stores.
18. Funeral home/mortuary.
19. Furniture stores and upholstery.
20. Furrier, when conducted for retail trade on the premises only.
21. Garden supplies and seed stores.
22. Hardware stores.
23. Hobby stores.
24. Hotels, including dining and meeting rooms, when retail shop uses occupy the street frontage except for an entrance to the hotel lobby.
25. Leather goods and luggage stores.
26. Meat markets.
27. Mobile food vendors.
28. Off-premises contacts (OPC) located inside a building.
29. Paint and wallpaper stores.
30. Pet shop, when conducted wholly within an enclosed building.
31. Photography studio, art gallery or studio, including the developing of film and pictures when conducted as part, of the retail business on the premises.
32. Restaurant, non-drive-in and drive-in, car service.
33. Sporting goods stores.
34. Tailor shops.

ZONING REGULATIONS

35. Theaters, indoor.
 36. Tobacco stores.
 37. Variety stores.
 38. Wearing apparel stores.
 39. Any similar business not listed shall be zoned accordingly.
- B. "C-R" Commercial-Retail District Conditional Uses.
1. Brewery.
 - a. A building or establishment for producing (brewing) beer, ale or other malt liquors. This facility may include retail sales of any beer, ale or other malt liquors produced at that location.
 - b. No brewery shall be located within five hundred (500) feet of any then-existing elementary or secondary school, State-licensed day care, or church.
 - c. For purposes of determining distances, used in Subsection (B)(1)(b) of this Section, from elementary or secondary schools, State-licensed day cares or churches, the distance will be measured in a straight line from the nearest, exterior, structural surface of the primary building; excluding steps, overhangs, awnings, entryways, etc., of a school, church or day care to the nearest, exterior, structural surface of the primary brewery building; excluding steps, overhangs, awnings, entryways, etc. This measurement will be expressed in feet.
 2. Campground — Real property, other than State-owned property, which contains parcels for rent to transient guests for pay or compensation, which may include temporary utility hookups for use by transient guests, and where such transient guests generally use tents, recreational vehicles or some other form of temporary shelter while on the rented premises. Campground shall be construed to include tourist camps, tourist cabins and tourist courts.
 - 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%).

HOLLISTER CITY CODE

- c. Minimum of three (3) acres.
 - d. One (1) RV unit and one (1) vehicle parking per site.
 - e. Utilities (electrical, water, and sewer) hook-ups shall be provided.
 - f. Provisions of an on-site waste disposal.
 - g. Registration office shall provide adequate paved parking for RV's and patrons.
 - h. A campground map layout to include each site clearly numbered and consistent with the placement shown on map layout with dimensions.
 - i. A campground may have a home for the owner/manager's private use.
 - j. The campground shall not be expanded except by conditional permit review.
3. Child care facility may be permitted, provided the following conditions are present or establish provisions therefore.
- a. Use as proposed or specific plans filed with the application conforms to these 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 — 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 shall extend into the required setback area of the structure.
 - d. The use of all lands or buildings arranged, designed or intended for recreational space, required parking for staff and patrons shall be located behind the front yard setback line. At least one (1) on-site parking space shall be provided for each on-duty staff person.
 - e. Outdoor 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 recreational structures shall be located in a front yard or within ten (10) feet of a side or rear lot line.
4. Churches or similar places of worship with their accessory structures.
- a. Not including mission or revival tents.

HOLLISTER CITY CODE

- b. No Microbrewery shall be located within five hundred (500) feet of any then-existing elementary or secondary school, State-licensed day care, or church.
 - c. For purposes of determining distances, used in Subsection (B)(8)(b) of this Section, from elementary or secondary schools, State-licensed day cares or churches, the distance will be measured in a straight line from the nearest, exterior, structural surface of the primary building; excluding steps, overhangs, awnings, entryways, etc., of a school, church or day care to the nearest, exterior, structural surface of the primary microbrewery building; excluding steps, overhangs, awnings, entryways, etc. This measurement will be expressed in feet.
10. Offices, business and professional.
- a. When located in an existing building that is not part of larger complex of buildings on the same property; and
 - b. The site does not have adequate facilities for retail uses; and
 - c. Does not require modifications to existing parking or infrastructure.
11. 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.
12. 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.

ZONING REGULATIONS

- c. All electrical wiring and lighting shall be inspected and approved by the City Building Department and meet 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.
13. 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.
14. 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 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.

HOLLISTER CITY CODE

- 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.
 - 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.

ZONING REGULATIONS

- 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.
15. Tanning beds as an accessory use to beauty/barber shops shall comply with City Code Section 605.210.
 16. Tanning salons shall comply with City Code Section 605.210.
 17. 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 with all State Statutes regulating such work.
 18. Winery.
 - a. A building or establishment for producing (fermenting) wine. This facility may include retail sales of any wine produced at that location.
 - b. No Winery shall be located within five hundred (500) feet of any then-existing elementary or secondary school, State-licensed day care, or church.

HOLLISTER CITY CODE

- c. For purposes of determining distances, used in Subsection (B)(18)(b) of this Section, from elementary or secondary schools, State-licensed day cares or churches, the distance will be measured in a straight line from the nearest, exterior, structural surface of the primary building; excluding steps, overhangs, awnings, entryways, etc., of a school, church or day care to the nearest, exterior, structural surface of the primary winery building; excluding steps, overhangs, awnings, entryways, etc. This measurement will be expressed in feet.
- C. "C-R" Commercial Retail District Minimum Requirements.
1. The minimum requirements in the "C-R" Commercial Retail 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-foot setback.
 - f. Maximum building height: seventy-five (75) feet/seven (7) stories.
 2. Except as hereinafter provided:
 - a. No building or land shall be used or occupied and no building or part thereof shall be erected, moved or altered unless in conformity with the regulations specified for the district in which it is located.
 - (1) Commercial businesses that rely on outside sales such as lumberyards, auto dealership, boat sales lot, manufactured home sales lot, etc., shall be on property that is zoned properly.
 - (2) Commercial businesses that wish to have goods displayed outside may do so if: the square footage of the outside display area does not exceed twenty percent (20%) of the square footage of the inside display area up to a maximum of one thousand (1,000) square feet of outside display area, the outside display does not block sidewalks, drives or required parking and the use is an approved use in the district. This is

ZONING REGULATIONS

not permitted in "H-1" Historic District, "C-1" Commercial District, home occupations, food service and tavern type establishments. Businesses wishing to exceed these limits will need a Special Use Permit.

- b. No building shall 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 shall be included as a part of a yard or other open space similarly required for another building.
3. Within the "C-R" Commercial-Retail District, the following regulations shall apply:
- a. Intended purpose. This district is for commercial uses of a retail sales nature; also allowing business and professional offices when they do not exceed thirty percent (30%) of the gross leasable area of any platted commercial subdivision having retail uses that depend on high visibility and generate high traffic volumes or cater to the traveling public.
 - b. District area. This district area includes properties with access from Birch Street, State Highway "V", properties with U.S. Highway 65 frontage located South of the Business 65/V interchange, and properties with Highway 76 frontage located from the 76/Business 65 intersection east to the Hollister City limits.
 - c. Buffer zone. On lots abutting any residential district there shall be provided one (1) twenty-foot wide landscaped buffer planted in accordance with Appendix 6 of Chapter 400. A landscape plan shall be submitted along with the site plan and the owner shall maintain all plantings. A combination of plantings and fencing or other methods (such as berms or ornamental walls) may also be used if approved by the Planning Commission as long as the desired effect of shielding residential areas from commercial areas is accomplished.
 - (1) No less than twenty percent (20%) of the total lot area shall be devoted to open space including required buffer zones. Open space shall contain living ground cover and other landscaping and materials.
 - (2) Maximum impervious surface of all buildings, structures, parking, loading or any other surfaces that reduce and prevent absorption of stormwater shall not exceed eighty percent (80%) of this total area.

HOLLISTER CITY CODE

- d. Use limitations.
 - (1) No use shall emit noise or odor that will or may create a nuisance considered detrimental to the neighborhood. Maximum sound level measured at the boundary of any residential district shall not exceed sixty (60) dbA.
 - (2) All refuse storage areas shall be screened from view.
 - (3) Lighting shall be designed to reflect away from residential areas.
- e. Parking requirements. See Section 400.160.
 - (1) Each owner shall keep available on its building site a maintained paved parking lot large enough to prevent on-street parking.
 - (2) Accessible parking spaces shall be provided in compliance with the Accessibility Chapter of the current adopted Edition of the International Building Code and ICC A117.1 Accessible and Usable Buildings and Facilities.