

AN ORDINANCE OF THE CITY OF AURORA, MISSOURI, AMENDING CHAPTER 400 "ZONING REGULATIONS" ARTICLE II "SPECIFIC DISTRICT REGULATIONS" SECTION 400.130 "R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT".

WHEREAS, the City of Aurora, Missouri (the "City"), is a city of the third class and political subdivision of the State of Missouri, duly created, organized and existing under and by virtue of the constitution and laws of the State of Missouri; and

WHEREAS, the City Council of the City of Aurora, Missouri (the "City") finds it necessary to amend Section 400.130 of the Municipal Code of Ordinances; and

WHEREAS, the Building Official and the City Council having reviewed the current ordinance and the basis for the proposed changes, determined the need to amend Chapter 400 "Zoning Regulations, Article II "Specific District Regulations", Section 400.130 "R-1 Single-Family Residential "in the Municipal Code of Ordinances.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF AND FOR THE CITY OF AURORA, MISSOURI, AS FOLLOWS:

Section One. The City Council hereby amends Chapter 400 "Zoning Regulations" Article II "Specific District Regulations", Section 400.130 "R-1 Single-Family Residential" to read as follows:

Section 400.130 "**R-1" Single-Family Residential District.**

[R.O. 1993 § 400.130; Ord. No. 85-1897, App. B § III, 11-11-1985; Ord. No. 94-2169 §§ I — II, 11-22-1994; Ord. No. 2000-2424 § 1, 2-22-2000; Ord. No. 2003-2535 § 1, 3-25-2003; Ord. No. 2004-2592 § 1, 5-25-2004; Ord. No. 2004-2600 § 1, 6-22-2004; Ord. No. 2005-2705 § 1, 1-10-2006; Ord. No. 2006-2720 § 1, 5-9-2006; Ord. No. 2006-2723 § 1, 6-13-2006; Ord. No. 2014-2984 § 1, 3-10-2014; Ord. No. 2014-3005 § 1, 7-14-2014]

A. Uses Permitted.

1. Public schools, churches, parks, playgrounds, museums, libraries, recreational or community buildings, fire stations, or other public buildings or uses owned, controlled and operated exclusively by the City of Aurora, the State of Missouri, or the United States shall be permitted.
2. Single-family dwellings or private residences, not including mobile homes.
3. Accessory buildings, including a private garage, when situated upon the same lot with the main building and not less than sixty (60) feet from the front street line, and in a case of corner lots, no closer to the side street than is permitted for residences on the street; except that a private garage may be constructed as an integral part of the main building, subject to the height, area and building line regulations of the main building shall be permitted. Accessory buildings shall not cover more than twenty percent (20%) of that area of the lot. Accessory buildings shall be limited to one (1) such building per lot. Any additional accessory buildings must be approved by the Planning and Zoning Commission and the City Council. Temporary buildings for uses incidental to construction work, which buildings shall be immediately adjacent to said construction work and which buildings shall be removed upon completion or abandonment of the construction are allowed. [Also see Subsection **(D)** of this Section and Section **400.280**, Accessory Buildings.] **[Ord. No. 2016-3095 § 1, 12-13-2016]**
4. Portable building, for storage only, when situated upon the same lot with the main building and not to

exceed the front line of the main structured building, and in a case of corner lots, no closer to the side street than is permitted for residences on the street. Portable buildings shall not cover more than twenty percent (20%) of that area of the lot or be larger in size than twelve (12) feet in width and twenty (20) feet in length. Portable building shall be limited to one (1) such building per lot. Portable building shall meet all the standard building codes for construction of wooden or metal structures. [Also see Subsection **(D)** of this Section and Section **400.280**, Accessory Buildings.]

- B. Signs. Advertisement signs no larger than four (4) square feet shall be permitted per Section **530.030**. Such sign shall be removed when construction, sale or event is completed or within one (1) year of placement with the exception of signs being placed within designated City parks being approved by the Aurora Park Board. Exception: Churches and schools located in residentially zoned area may erect signs approved by the Planning and Zoning Commission.
- C. Regulations. In District "R-1," the height of buildings, the minimum dimensions of yards, the minimum lot area, the minimum floor space and garage space permitted upon any lot shall be as follows:
1. Height. No building hereafter erected or structurally altered shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height, except as provided hereafter.
 2. Rear Yard. The depth of the rear yard shall be not less than thirty percent (30%) of the depth of the lot or thirty (30) feet, whichever is less.
 3. Front Yard. There shall be a front yard of not less than twenty-five (25) feet. Exception: unattached, non-enclosed portable carports may be situated within ten (10) feet of the front lot line; all other carports enclosed on more than two (2) sides shall be required to meet twenty-five-foot front line setbacks and all other setback requirements.
 4. Side Yard. There shall be a side yard on each side of a building not less than ten (10) feet in width, with the exception of corner lots as provided in Subsection **(C)(8)** herein. Provided this regulation shall not be so interpreted as to reduce the buildable width of a corner lot of record at the time of the passage of this Section on November 22, 1994, not less than sixty-five percent (65%) of the total width of such lot and provided, further, minimum side yard regulations herein must be observed. Accessory buildings on corner lots, where interior lots have been platted on side streets, shall not project beyond the front yard line established on the side street; provided this regulation shall not reduce the buildable width to less than twenty (20) feet. This requirement shall apply to single-family dwellings in all zoning districts.
 5. Required Lot Area. Every building or portion of building hereafter erected, moved or altered for residence purposes in District "R-1" shall provide a lot area of not less than seven thousand five hundred (7,500) square feet per family or unit with a dimension of not less than seventy (70) feet at the front setback line, not less than forty-five (45) feet at the front lot line and not less than sixty (60) feet at any side building line. This requirement shall apply to all single-family dwellings in all zoning districts, except that nothing shall prevent the use of lots that do not meet the minimum size limitations described in this Subsection, providing the lots or subdivisions were legally platted and adopted by ordinance by the City of Aurora prior to the enacting of this Zoning Ordinance on November 11, 1985. Substandard Lots or lots that do not meet the minimum size limitations within the City shall be subject to the regulations for Small Houses detailed in Section 400.410 Small Houses. All other limitations listed for offsets, yard requirements, parking, zoning, etc., and any other limitations

set by ordinance, Statute or regulatory agencies will still apply.

6. House Area Of Floor Space Per Family. Every building or portion of building hereafter erected, moved or altered for residence purposes in District "R-1" shall contain not less than one thousand forty (1,040) square feet of floor space, exclusive of garage or carport, per family. This requirement shall apply to all single-family dwellings in all zoning districts.
 7. Garage Area Per Lot. In District "R-1," no private garages shall provide storage for more than one (1) vehicle for every two thousand five hundred (2,500) square feet of lot area (see off-street parking requirements, Section **400.340**). This requirement shall apply to all single-family dwellings in all zoning districts.
 8. Street Setback. Any buildings on corner lots where interior lots have been platted on a side street shall provide a side yard adjacent to the side street of not less than twenty-five (25) feet from the adjacent side street and frontage street for any building or portion of building hereafter erected, moved or altered for residential purposes, or any accessory building, including private garages.
- D. Home Occupations.
1. None of the provisions of this Chapter shall be construed to prohibit customary home occupations, such as the office of a physician, dentist, surgeon, dressmaker, tailor, musician, artist, beautician, barber or similar activity which does not involve sales at wholesale or retail.
 2. The following restrictions apply:
 - a. That such uses are located in the dwelling used by a person as his or her private residence.
 - b. That no person, other than an assistant, receptionist or secretary, not a member of the family household is employed on site or reports to work at the site in conduct of the home occupation.
 - c. Nor shall there be external evidence of such operations except an unilluminated sign of not more than two (2) square feet in area used to advertise the same per Section **530.030**. Such sign shall be affixed to the structure.
 - d. The house area of flooring space devoted to the establishment of a home occupation shall not be included in the minimum space required [one thousand forty (1,040) square feet] for the residence.
 - e. Only one (1) vehicle may be used for the home occupation, and it shall not exceed one (1) ton in capacity. One (1) trailer only may be used in the conduct of a home occupation, and it shall be stored in an enclosed garage on the premises or stored off site at a location approved for such storage.
 - f. This use shall not generate vehicular or pedestrian traffic in excess of that which is normally associated with residential uses in the same zone.
 3. The following uses are expressly prohibited as or in conjunction with home occupations:
 - a. Any type of repair or assembly of vehicles or equipment with internal combustion engines (such as autos, motorcycles, scooters, snowmobiles, outboard marine engines, lawn mowers, chain saws, and other small engines), large appliances (such as washing machines, dryers, and refrigerators), or any

other work related to automobiles and their parts;

- b. Dispatch centers or other businesses where employees come to the site and are dispatched to other locations;
- c. Animal grooming, care, or boarding;
- d. Retail sales.

Section Two: All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section Three: This ordinance shall be in full force and effect upon passage by the City Council.

NOTE: Language that is highlighted has been added.

*PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AURORA, MISSOURI
ON THIS 27th DAY OF APRIL, 2021.*

APPROVED:

Dawn Oplinger, Mayor

ATTEST:

Kimberly Breedlove, City Clerk