

**CUNNINGHAM, VOGEL & ROST, P.C.**

*legal counselors to local government*

333 S. Kirkwood Road, Suite 300

St. Louis, Missouri 63122

TEL: 314.446.0800

FAX: 314.446.0801

[www.municipalfirm.com](http://www.municipalfirm.com)

**CITY ATTORNEY REPORT**

TO: Mayor & Board of Aldermen, City of Twin Oaks

CC: Frank Johnson, City Clerk

FROM: Paul Rost, City Attorney

RE: City Attorney Report

DATE: December 8, 2020

---

**Summary of Zoning Code**

As stated previously, the Planning & Zoning Commission has completed its review and has made a recommendation for amendments to the City's Zoning Code, Chapter 400, of the Municipal Code including an updated zoning district map.

The following is a summary of the major changes to the Zoning Code:

- Definitions thoroughly reviewed. Unused definitions removed, unclear definitions revised, uses added, other new definitions to yards added
- Changes to where accessory structures can be located and allowable sizes
  - An *accessory structure* is a “structure, the use of which is clearly customarily incidental and subordinate to the principal building or use on the same lot. Examples include gazebos, detached pergolas, unenclosed outbuildings, pavilions, arbors, playground equipment, and similar structures.”
  - *Accessory buildings* are structures that are “roofed building, enclosed on all sides, clearly incident to and located on the same lot occupied by the principal use or building.”
  - So, now, the accessory building or structure’s size and location is *proportionate to the size of the lot* on which is proposed to be built:

Lot Size (square feet)	Maximum Cubic Feet	Maximum Height (feet)
Up to 10,980	960	12 ½
10,981 to 21,780	1440	12 ½
21,781 to 43,560	1960	12 ½
Greater than 43,560	3072	12 ½

Setbacks for Accessory Buildings/Structures:

Lot Size (square feet)	Side Yard Setback (feet)	Rear Yard Setback (feet)
Up to 10,980	11	5
10,981 to 21,780	11	5
21,781 to 43,560	16.5	7.5
Greater than 43,560	22	10

- Residents are still allowed to have both an attached and detached garage on a single lot, each up to a maximum of 700 square feet
- Total revamp of parking regulations on residential property (no more references to parking pads, parking pad connector, etc.; clarifies commercial vehicle regulations, and RVs, etc.).
  - Circular drives are now allowed *provided* they are separated by more than 50 feet and do not exceed 13 feet in width
  - No more than 2 Recreational vehicles and off-road vehicles parked on a lot if not stored under roof; such vehicles if parked outdoors, must be parked on a driveway behind the front elevation line (A line that follows the contours of the elevation of the principal building facing the front lot line and that extends out from the corners of that elevation on a line generally parallel to the front lot line to the lot lines intersecting the applicable front lot line)
  - Vehicles have to be parked on a driveway (if not in a garage)
  - Heavy-duty commercial vehicles cannot be parked in the A&B district (except if delivering or picking up merchandise for delivery or employed in performing a repair or construction service may park for the purpose of making such pickup, delivery or repair) – *Heavy Duty* means a commercial vehicle with a gross vehicle weight of 14,000 pounds or more -- primarily Class 4-9 trucks (see attached) but also includes heavy construction equipment, such as excavators, backhoes, bulldozers, dump trucks, graders, and cranes, tracked vehicles, etc.
  - Driveways can now be closer than 11 feet from the property line. The smaller the lot, the closer to the property line:

Lot Size (square feet) and street frontage of > 50 feet*	Side Yard Setback (feet)
Up to 10,980	1
10,981 to 21,780	3
21,781 to 43,560	6
Greater than 43,560	10

\*Street frontage of 50 feet or Less: Notwithstanding the above and regardless of lot size, where a lot's street frontage is less than fifty feet, the side yard setback is one (1) foot.

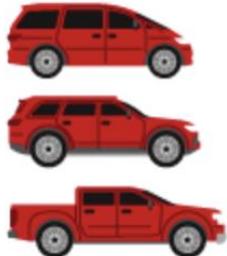
- No new driveway shall extend beyond the rear elevation line of the dwelling unless connected to a detached garage
  - New gravel drives still not allowed
  - Clarifications for development plan process in Commercial District; such as a clear process for amending already approved final development plans
  - Review of uses in Commercial District
  - Addition of **special event** permit process for limited time activities
  - Cleanup of official titles throughout of who administers and enforces zoning code
  - Clearly defines P&Z makeup (7 citizen members, the Mayor, and a Board representative, for a total of 9 members)
  - Addition of clear and concise standards for Board of Adjustment to grant a variance
  - Slight Change to *Urban Design Guidelines* to allow “fiber cement panels and siding” in the Commercial District (See Section A.5)
  - Updated the official zoning map
-

## EVER WONDER WHAT EACH CLASS OF TRUCK LOOKS LIKE?

US TOO.  
WE CREATED  
THIS HANDY  
INFOGRAPHIC  
FOR YOU  
TO USE!

### CLASS 1-3 NON-COMMERCIAL VEHICLES

No concern of ours  
Anyone can drive a minivan or a station wagon  
Famous representation: Lightning McQueen



IF YOUR SHOP  
HANDLES ANY  
CLASSES, CHECK  
OUT FULLBAY AND  
SEE WHAT WE CAN  
DO FOR YOU!

### CLASS 4 BETWEEN 14,000-16,000 POUNDS

You can drive these yourself, but be careful  
Box trucks and some delivery trucks  
Famous representation: The COSTCO food delivery truck



### CLASS 5 BETWEEN 16,001-19,500 POUNDS

Lots of farming equipment  
Bucket trucks, cherry pickers  
Famous representation: Your local electrical company probably probably has a fleet of bucket trucks



### CLASS 6 BETWEEN 19,501-26,000 POUNDS

Beverage trucks, rack trucks, and school buses  
You need a CDL for this type of vehicle  
Famous representation: The Magic School Bus



### CLASS 7 BETWEEN 26,001-33,000 POUNDS

Working trucks you see on a daily basis  
Street sweepers, garbage trucks, and city transit buses  
Famous representation: GDM-5303 (a.k.a. that bus from Speed)



### CLASS 8 OVER 33,001 POUNDS

Heavy isn't enough of an adjective – these trucks are called severe-duty  
Most big rigs, along with cement trucks and dump trucks  
Famous representation: Optimus Prime



### CLASS 9 FOR VEHICLES THAT DEFY CLASSIFICATION

"The Great Beyond"  
A big 18-wheeler can weigh up to 80,000 pounds  
Might need to obtain special permits and stick to specific routes  
Famous representation: Unicron

