

1st Reading: July 28, 2016
2nd Reading: July 28, 2016

SPONSOR: GLICK

ORDINANCE NO. 3608

BILL NO. 16-44

AN ORDINANCE AMENDING CHAPTER 466 OF THE ZONING CODE OF THE CITY OF FENTON, MISSOURI BY REPEALING SUBSECTIONS (A)-(C) OF SECTION 466.010 AND ENACTING NEW SUBSECTIONS (A)-(C) RELATING TO THE PURPOSE OF AND USES WITHIN "OT-1" OLDE TOWNE HISTORIC ZONE DISTRICT REGULATIONS.

WHEREAS, the Planning and Zoning Commission held a duly noticed public hearing on June 7, 2016 in compliance with the City Code and Chapter 89 RSMo. relating to amendments to Subsections 466.010(A)-(C) of Chapter 466, "OT-1" Olde Towne Historic Zone District Regulations of the Zoning Code of the City of Fenton, Missouri; and

WHEREAS, the Planning and Zoning Commission held a Workshop open to the public on June 21, 2016 to discuss the proposed amendments and on July 5, 2016, held a Public Hearing for the final review of same; and

WHEREAS, the Commission has made a recommendation to the Board of Aldermen that said amendments be approved; and

WHEREAS, the Board of Aldermen finds it in the best interest of the City to approve new Subsections (A)-(C) of Section 466.010 relating to the purpose of and uses allowed in the "OT-1" Olde Towne Historic Zone District Regulations of the Zoning Code of the City of Fenton.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FENTON, MISSOURI, AS FOLLOWS:

Section 1. Chapter 466 of the City of Fenton Zoning Code is hereby amended by repealing Subsections (A)-(C) of Section 466.010 in their entirety and enacting new Subsections (A)-(C) of 466.010 to read as follows:

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- A. *Purpose.* The "OT-1" Olde Towne Historic District is intended to provide a concentration of retail, civic and cultural uses in addition to complementary uses such as Bed and Breakfast Inns, entertainment and housing. The development standards for the "OT-1" District are intended to encourage a mix of activity in the area while providing for quality development that maintains the rich heritage and historical beginnings of Fenton as well as a sense of pedestrian-oriented character. These regulations are supplemented and qualified by additional general regulations contained elsewhere in this Title and made a part of this Section by reference.
- B. *Permitted Uses.* Except as otherwise provided, a building or premises shall be used only for the following purposes:
- Accessory Buildings and Structures.
 - Accessory Uses.
 - Art Dealers.
 - Artisan and Photograph Studios and Galleries.
 - Bakeries and Bake Shops.
 - Bed and Breakfast Inns.
 - Churches and places of formal worship.
 - Clubs and Civic Lodges.
 - Craftsmen and Handiwork Shops.
 - Day Care Facilities.
 - Entertainment Facilities or Theaters, not serving alcohol.
 - Financial Institutions.
 - Government Administrative Buildings.
 - Health and Membership Clubs.
 - Home Occupations.
 - Indoor performance theaters, including dinner theater.
 - Museums.
 - Offices, General.
 - Public parks and parkways.
 - Personal and Business Service Shops.
 - Pet grooming facilities - no outdoor kennels, medical or overnight care.
 - Pet and pet supply stores - no outdoor kennels or overnight boarding of pets.
 - Pharmacies.
 - Post Offices/Shipping Stores.
 - Residential condominiums/town houses.
 - Restaurants, not serving alcoholic beverages or where less than fifty percent (50%) of the gross sales is from alcoholic beverages consumed on the premises.

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Retail, General Light.
Single and Two-Family Dwellings.

C. *Uses Allowed By Special Use Permit.*

ATM facilities (outdoor, freestanding).

Automotive Repair Shops.

Buildings over three (3) stories in height.

Distilleries.

Docks for boats and watercraft vehicles.

Drive-Through Facilities (see Chapter 450).

Eating/drinking establishments where over fifty percent (50%) of the gross income of the business is derived from the sale of alcoholic beverages consumed on the premises. See Section 600.030(B) of the Fenton Municipal Code.

Entertainment Facilities or Theaters, serving alcohol with at least fifty percent (50%) of the gross income derived from the sale of prepared meals or food consumed on the premises.

Hospitals and clinics for animals — no outdoor kennels or runs.

Microbreweries.

Nursing Homes.

Offices, Medical.

Outdoor dining.

Parking facilities built above or below ground level.

Produce/farmers markets, including indoor and outdoor sales of same.

Sales and rental of unmotorized sports and trail equipment, including the outdoor display of same.

Sales, rental and indoor service of Motorized Vehicles, including the outdoor display thereof. For the purpose of this Section, Motorized Vehicles shall include automobiles and motorcycles; and recreational vehicles, such as boats, scooters, all-terrain vehicles (ATVs) and similar recreational vehicles and personal watercraft.

Wineries.

Section 2. All other provisions of Section 466.010 not specifically amended herein shall remain in full force and effect.

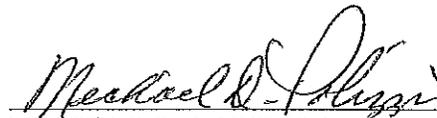
Section 3. If any clause, word, paragraph, section or other part or portion of this Ordinance is held to be invalid, illegal or unconstitutional for any reason, the Board of Aldermen hereby declares it would nevertheless have enacted the remaining portions thereof and such remaining portions shall remain in full force and effect.

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Section 4. This Ordinance shall be in full force and effect after the date of its passage and approval.

PASSED this 28th day of July, 2016.


MICHAEL D. POLIZZI, MAYOR

APPROVED this 28th day of July, 2016.


MICHAEL D. POLIZZI, MAYOR

ATTEST:


Diane S. Monteleone, City Clerk

Motion to approve. Roll Call vote:

Ayes: Bade, Sobey, Voyles, Maurath, Clauss, Borgard, Patton, Glick

Nays: 0

Absent: 0

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