

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

SPONSOR: GLICK

ORDINANCE NO. 3609

BILL NO. 16-45

AN ORDINANCE AMENDING CHAPTER 466 OF THE ZONING CODE OF THE CITY OF FENTON, MISSOURI BY REPEALING SUBSECTIONS (A)-(C) OF SECTION 466.020 AND ENACTING NEW SUBSECTIONS (A)-(C) AND (I) RELATING TO THE PURPOSE OF AND USES WITHIN "OT-2" OLDE TOWNE FAMILY ENTERTAINMENT/COMMERCIAL 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 466.020(A)-(C) and the addition of a new Subsection (I) of Chapter 466, "OT-2" Olde Towne Family Entertainment/Commercial 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) and (I) of Section 466.020 relating to the purpose of and uses allowed in the "OT-2" Olde Towne Family Entertainment/Commercial 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 466.020 in their entirety and enacting new Subsections (A)-(C) and (I) of 466.020 to read as follows:

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- A. *Purpose.* The "OT-2" Olde Towne Family Entertainment/Commercial District is intended to be a setting for development, redevelopment and infill of a wide range of retail uses. While some "OT-2" District areas may continue to meet the needs for auto-oriented uses, it is the City of Fenton's intent the "OT-2" District emphasize safe and convenient mobility, with planning and design that accommodates pedestrians. 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:
Any use permitted in the "OT-1" District subject to the applicable land use regulations, except Bed and Breakfast Inns, Home Occupations, Residential condominiums/town houses, and Single and Two-Family Dwellings are not permitted in the "OT-2" District.
Department Stores, where less than twenty-five percent (25%) of the merchandise is resale.
Discount Stores, where less than twenty-five percent (25%) of the merchandise is resale.
Limited Indoor Recreation Facilities.
- C. *Uses Allowed By Special Use Permit.* The following uses are permissible in the "OT-2" Olde Towne Family Entertainment/Commercial Zone District after consideration by the Planning and Zoning Commission and granting a special use permit by the Board of Aldermen:
Any use allowed by Special Use Permit in the "OT-1" District except docks for boats and watercraft vehicles; and Nursing Homes.
Billiard halls, serving alcohol.
Bowling alleys, serving alcohol.
Department Stores, where twenty-five percent (25%) or more of the merchandise is resale.
Discount Stores, where twenty-five percent (25%) or more of the merchandise is resale.
Electrical substations.
Filling Stations, which may include convenience/food stores, gasoline or petroleum products and services and ancillary car washes.
Hotels.
Limited Outdoor Recreation Facilities, serving or not serving alcohol.
Treatment Facilities for Alcohol and Drug Abuse. The following information must be included with the Special Use Permit application: maximum number of patients treated at the facility at one time and the number of employees at the maximum shift. The treatment facilities may not be located across from or adjacent to residentially zoned properties. There shall be a minimum separation of two thousand five hundred (2,500) feet radius between each facility.

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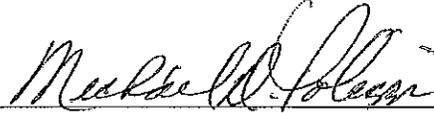
I. *Additional Use Regulations:* One use is permitted per floor on multi-storied buildings.

Section 2. All other provisions of Section 466.020 not specifically amended herein shall remain in full force and effect.

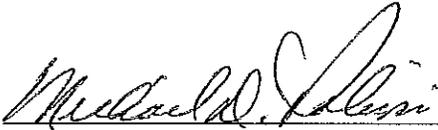
Section 3. If any clause, word, paragraph, section or other part or portion of this Ordinance is held to be invalid, illegal or unconstitutional for any reason, the Board of Aldermen hereby declares it would nevertheless have enacted the remaining portions thereof and such remaining portions shall remain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

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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