

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

SPONSOR: GLICK

ORDINANCE NO. 3610

BILL NO. 16-46

AN ORDINANCE AMENDING CHAPTER 466 OF THE ZONING CODE OF THE CITY OF FENTON, MISSOURI BY REPEALING SUBSECTIONS (B)-(C) OF SECTION 466.030 AND ENACTING NEW SUBSECTIONS (B)-(C) RELATING TO THE USES WITHIN "OT-3" OLDE TOWNE MIXED USE 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 466.030(B)-(C) of Chapter 466, "OT-3" Olde Towne Mixed Use 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 (B)-(C) of Section 466.030 relating to the uses allowed in the "OT-3" Olde Towne Mixed Use 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 (B)-(C) of Section 466.030 in their entirety and enacting new Subsections (B)-(C) of 466.030 to read as follows:

ORD. NO. 3610

ORD. NO. 3610

- B. *Permitted Land Uses.* Except as otherwise provided, a building or premises shall be used only for the following purposes:
- Accessory Buildings and Structures.
 - Accessory Uses.
 - Banquet facilities, including bar service, with at least fifty percent (50%) of the gross income derived from the sale of prepared meals or food consumed on the premises.
 - Day Care Facilities.
 - 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.
 - Financial Institutions.
 - Government and Administrative Buildings.
 - Health and Membership Clubs.
 - Home service contractor/consultant offices, including indoor storage of and/or display of products for sale and warehouse with light assembly of materials for such products.
 - Limited Indoor Recreation Facilities.
 - Offices, General.
 - Public parks and parkways.
 - Personal and Business Service Shops.
 - Pharmacies.
 - Post Offices/Shipping Stores.
 - Restaurants, not serving alcoholic beverages or where less than fifty percent (50%) of the gross sales are from alcoholic beverages consumed on the premises.
 - Retail, General Light.
 - Warehouses, with light assembly and distribution.
- C. *Uses Allowed By Special Use Permit.* The following uses are permissible in the "OT-3" Olde Towne Mixed Use Zone District after consideration by the Planning and Zoning Commission and granted a special use permit by the Board of Aldermen:
- ATM facilities (outdoor, freestanding).
 - Buildings over three (3) stories in height.
 - 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.
 - Distilleries.
 - Drive-Through Facilities (see Chapter 450).
 - Hospitals and clinics for animals — no outdoor kennels or runs.
 - Microbreweries.
 - Offices, Medical.

ORD. NO. 3610

Outdoor dining.

Self-Storage Facilities, which may include a truck and trailer rental facility affiliated with and subordinated to the Self-Storage Facility on the same property.

Technical/vocational schools.

Wineries.

Section 2. All other provisions of Section 466.030 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.

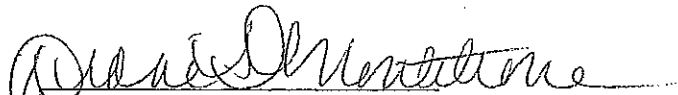
PASSED this 28th day of July, 2016.


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

