

1st Reading:
2nd Reading:

SPONSOR: HARRELL

ORDINANCE NO. ____

BILL NO. 23-39

**AN ORDINANCE AMENDING SECTION 420.010
DEFINITIONS AND SECTION 420.010 LAND USE MATRIX
RELATED TO TOBACCO SHOPS.**

WHEREAS, the Planning and Zoning Commission held a noticed public meeting on May 2, 2023 regarding amending the Zoning Code by amending Section 400.030 Definitions to add the term Tobacco Shop and amend Section 420.010 Land Use Matrix to allow Tobacco Shops as a Use allowed by Special Use Permit in certain Zoning Districts; and

WHEREAS, after discussion of the proposed amendments, the Commission made a recommendation to the Board of Aldermen that the Zoning Code be amended by amending Section 400.030 Definitions to add the term Tobacco Shop and amend Section 420.010 Land Use Matrix to allow Tobacco Shops as a Use allowed by Special Use Permit in certain Zoning Districts; and

WHEREAS, the Board of Aldermen held a duly noticed public hearing on May 25, 2023, in compliance with the City Code and Chapter 89 RSMo., to hear public comment on the proposed amendments; and

WHEREAS, after consideration of the Commission’s recommendation and the public hearing, the Board of Aldermen agrees with the Commission’s recommendation and finds it in the best interest of the City to approve such text amendments.

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

Section 1. The Zoning Code is hereby amended by amending Section 400.030 Definitions to include the term “Tobacco Shop” to read as follows:

TOBACCO SHOP

A retail establishment that primarily engages in the sale of smoking products or devices including tobacco products, alternative nicotine products, or vapor products and related accessory products and supplies for consumption off site. A Tobacco Shop does not include Marijuana Dispensary Facilities and does not include the sale of marijuana or marijuana-infused products.

ORD. NO. ____

ORD. NO. ____

Section 2. The Zoning Code is hereby amended by amending Section 420.010 Land Use Matrix to allow Tobacco Shops as a Use allowed by Special Use Permit in the “OT-2”, “OT-3”, “C-1”, and “HP-1” Zoning Districts.

Section 3. This ordinance shall be in full force and effect after the date of its passage and approval.

PASSED this 25th day of May, 2023.

JOE MAURATH, MAYOR

APPROVED 25th day of May, 2023.

JOE MAURATH, MAYOR

ATTEST:

Jane Hungler, City Clerk

Motion to approve. Roll Call vote:

Ayes:

Abstain:

Nays:

Absent:

ORD. NO. ____