

1st Reading: October 25, 2018  
2nd Reading: October 25, 2018

**SPONSOR: GLICK**

**ORDINANCE NO. 3861**

**BILL NO. 18-97**

**AN ORDINANCE AMENDING CHAPTER 475 AND SECTION 400.030 OF THE MUNICIPAL CODE OF THE CITY OF FENTON, MISSOURI RELATING TO REQUIRED BUFFER AREAS AND SITE LANDSCAPING.**

**WHEREAS**, the Planning and Zoning Commission has been working on code amendments and has discussed during its workshops and meetings amendments to the landscape and buffer requirements; and

**WHEREAS**, the Planning and Zoning Commission held duly noticed public hearings on September 4 and October 2, 2018 in compliance with the City Code and Chapter 89 RSMo. regarding amending Section 400.030, Definitions, by deleting the term “Buffer Strip” and inserting a new term “Buffer Area” and amending Chapter 475 regarding the buffer and landscape requirements for the Business Zone Districts; and

**WHEREAS**, after discussion of the proposed amendments, the Commission made a recommendation to the Board of Aldermen that Section 400.030 and Chapter 475 be amended as presented by staff; and

**WHEREAS**, the Board of Aldermen reviewed the Planning and Zoning Commission’s recommendation, 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.** Section 400.030, Definitions, of the Municipal Code of the City of Fenton, Missouri is hereby amended by repealing the existing definition of “Buffer Strip” and enacting a new definition to read as follows:

**BUFFER AREA**

An area of land undeveloped (except for landscaping, fences, and/or open space) used to protect a use situated on one (1) lot from the deleterious effects of a use on an adjacent lot.

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**Section 2.** Section 475.010, “BP-1” Business Park – Corporate Office Center District, of the Municipal Code of the City of Fenton, Missouri is hereby amended by repealing Subsections (H)(3-4) and enacting new Subsections (H)(3-4) to read as follows:

**3. Setback areas.**

- a. Front setback.** Each lot shall have a front setback of not less than fifty (50) feet.
- b. Side setback.** Each lot shall have a side setback of not less than twenty-five (25) feet.
- c. Rear setback.** Each lot shall have a rear setback of not less than twenty-five (25) feet.

**4. Buffer area.** Each lot shall have landscaped buffer areas of not less than thirty (30) feet from the front lot line(s) and fifteen (15) feet from the side and rear lot lines. Parking lots may encroach the required setbacks provided in Sections (3)(a-c) above, but shall not encroach the required landscaped buffer areas provided herein.

**Section 3.** Section 475.020, “BP-2” Business Park – General Office Centers, Warehousing District, of the Municipal Code of the City of Fenton, Missouri is hereby amended by repealing Subsections (H)(3-4) and enacting new Subsections (H)(3-4) to read as follows:

**3. Setback areas.**

- a. Front setback.** Each lot shall have a front setback of not less than fifty (50) feet.
- b. Side setback.** Each lot shall have a side setback of not less than twenty-five (25) feet.
- c. Rear setback.** Each lot shall have a rear setback of not less than twenty-five (25) feet.

**4. Buffer area.** Each lot shall have landscaped buffer areas of not less than thirty (30) feet from the front lot line(s) and fifteen (15) feet from the side and rear lot lines. Parking lots may encroach the required setbacks provided in Sections (3)(a-c) above, but shall not encroach the required landscaped buffer areas provided herein.

**Section 4.** Section 475.030, “BP-3” Business Park – General Office Centers, Small Warehousing District, of the Municipal Code of the City of Fenton, Missouri is hereby amended by repealing Subsections (H)(3-4) and enacting new Subsections (H)(3-4) to read as follows:

**3. Setbacks areas.**

- a. Front setback.** Each lot shall have a front setback of not less than fifty (50) feet.

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**b. *Side setback.*** Each lot shall have a side setback of not less than fifteen (15) feet. Furthermore, any side lot line adjoining any residentially zoned property shall have an additional side setback of five (5) feet for each one (1) foot of building height in excess of fifteen (15) feet; said setback being determined by the wall facing the lot line. (Note: For comparative purposes, a thirty (30) foot high building subject to the above provision would be set back ninety (90) feet from any adjoining residential lot line.)

**c. *Rear setback.*** Each lot shall have rear setback of not less than fifteen (15) feet. Furthermore, any rear lot line adjoining any residentially zoned property shall have an additional rear setback of five (5) feet for each one (1) foot of building height in excess of fifteen (15) feet; said setback being determined by the wall facing the lot line. (Note: For comparative purposes, a thirty (30) foot high building subject to the above provision would be set back ninety (90) feet from any adjoining residential lot line.)

**4. *Buffer area.***

**a.** Each lot shall have landscaped buffer areas of not less than thirty (30) feet from the front lot line(s) and fifteen (15) feet from the side and rear lot lines. Parking lots may encroach the required front setback provided in Section (3)(a) above, but shall not encroach the required landscaped buffer areas area provided herein.

**b.** Notwithstanding the above, any portion of a side or rear lot line abutting a residentially zoned property shall have a minimum twenty-five (25) foot wide buffer area, or more if deemed necessary by the City under Site Plan Review, extending the length of the adjacent lot. Said area shall be planted with trees and shrubs to provide a dense screen at maturity, throughout the year, as approved by the City under Site Plan Review. No parking areas or accessory uses will be allowed in the landscaped buffer areas.

**Section 5.** Section 475.040, "CP-1" Commercial Park, of the Municipal Code of the City of Fenton, Missouri is hereby amended by repealing Subsections (H)(3-4) and enacting new Subsections (H)(3-4) to read as follows:

**3. *Setback areas.***

**a. *Front setback.*** Each lot shall have a front setback of not less than fifty (50) feet.

**b. *Side setback.*** Each lot shall have a side setback of not less than twenty-five (25) feet.

**c. *Rear setback.*** Each lot shall have rear setback of not less than twenty-five (25) feet.

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**4. Buffer area.** Each lot shall have landscaped buffer areas of not less than thirty (30) feet from the front lot line(s) and fifteen (15) feet from the side and rear lot lines. Parking lots may encroach the required setbacks provided in Sections (3)(a-c) above, but shall not encroach the required landscaped buffer areas provided herein.

**Section 6.** Section 475.050, “HP-1” Hospitality Park – Hotel, Restaurant, Entertainment Business Park District, of the Municipal Code of the City of Fenton, Missouri is hereby amended by repealing Subsections (H)(3-4) and enacting new Subsections (H)(3-4) to read as follows:

**3. Setback areas.**

**a. Front setback.** Each lot shall have a front setback of not less than fifty (50) feet.

**b. Side setback.** Each lot shall have a side setback of not less than fifteen (15) feet.

**c. Rear setback.** Each lot shall have a rear setback of not less than fifteen (15) feet.

**4. Buffer area.** Each lot shall have landscaped buffer areas of not less than thirty (30) feet from the front lot line(s) and fifteen (15) feet from the side and rear lot lines. Parking lots may encroach the required front setback provided in Section (3)(a) above, but shall not encroach the required landscaped buffer areas provided herein.

**Section 7.** Section 475.060, “IP-1” Industrial Park – Light, Medium, Industry, Distribution, Assembly Warehousing District, of the Municipal Code of the City of Fenton, Missouri is hereby amended by repealing Subsections (H)(3-4) and enacting new Subsections (H)(3-4) to read as follows:

**3. Setback areas.**

**a. Front setback.** Each lot shall have a front setback of not less than fifty (50) feet.

**b. Side setback.** Each lot shall have a side setback of not less than fifteen (15) feet.

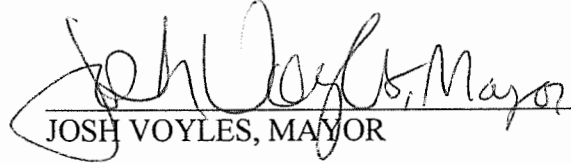
**c. Rear setback.** Each lot shall have a rear setback of not less than fifteen (15) feet.

**4. Buffer area.** Each lot shall have landscaped buffer areas of not less than twenty (20) feet from the front lot line(s) and ten (10) feet from the side and rear lot lines. Parking lots may encroach the required setbacks provided in Sections (3)(a-c) above, but shall not encroach the required landscaped buffer areas provided herein.

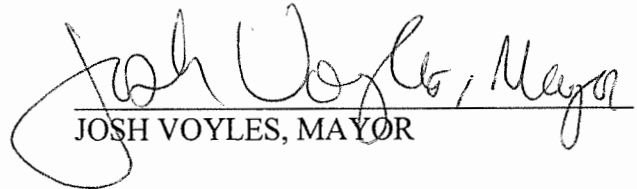
**Section 8.** This ordinance shall be in full force and effect after the date of its passage and approval.

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PASSED this 25 day of October, 2018.

  
JOSH VOYLES, MAYOR

APPROVED 25 day of October, 2018.

  
JOSH VOYLES, MAYOR

ATTEST:

  
Morgan Kuepfert, City Clerk

Motion to approve. Roll Call vote:

Ayes: Sobey, Hefele, Maurath, Clauss, Brasses, Patton, Glick

Nays:

Absent: Seemayer

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