

1st Reading: March 28, 2024
2nd Reading: March 28, 2024

SPONSOR: HARRELL

ORDINANCE NO. 4419

BILL NO. 24-21

AN ORDINANCE AMENDING SECTIONS 410.030 AND 420.010 OF THE ZONING CODE RELATED TO RESIDENTIAL USES IN THE “OT-3” OLDE TOWNE AND “C-1” COMMERCIAL ZONING DISTRICTS.

WHEREAS, the Planning and Zoning Commission (“Commission”) adopted an amended Comprehensive Development Plan for the City of Fenton on December 5, 2023 via Resolution R-23-01 (“Comprehensive Plan”); and

WHEREAS, the Comprehensive Plan prohibits residential uses with the Commercial Planning Area; and

WHEREAS, the Comprehensive Plan’s Commercial Planning Area contains property located in the “OT-3” Olde Towne and “C-1” Commercial Zoning Districts; and

WHEREAS, the Commission held a duly noticed public meeting on March 5, 2024 regarding amendments to the City’s Zoning Code related to residential uses in the “OT-3” and “C-1” Zoning Districts to comply with the Comprehensive Plan; and

WHEREAS, the Commission discussed amendments to Section 410.030 Scope of Restrictiveness of the Zoning Code to prohibit the placement of any residential dwelling units in the “OT-3” and “C-1” Commercial Districts; and

WHEREAS, the Commission also discussed amendments to Section 420.010 Land Use Matrix of the Zoning Code to delete “Lofts” as a Use allowed by Special Use Permit under the Land Use Matrix in the “OT-3” and “C-1” Commercial Districts; and

WHEREAS, after discussion of the proposed amendments, the Commission made a recommendation to the Board of Aldermen that Section 410.030 Scope of Restrictiveness and Section 420.010 Land Use Matrix of the Zoning Code should be amended by prohibiting residential uses in the “OT-3” and “C-1” Zoning Districts to comply with the Comprehensive Plan; and

WHEREAS, the Board of Aldermen held a duly noticed public hearing on March 28, 2024, in compliance with the City Code and Chapter 89 RSMo., to hear public comment on the proposed amendments; and

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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 deleting Subsection (C)(2) of Section 410.030 Scope of Restrictiveness, in its entirety and enacting a new Subsection 410.030(C)(2) to read as follows:

This Code prohibits the placement of any Residential Dwelling Unit within any Non-Residential District, except for "OT-1," OT-4,"and "OT-5," Districts as provided for under the Land Use Matrix (see Chapter 420) and in conformity with the Comprehensive Development Plan.

Section 2. The Zoning Code is hereby amended by amending Section 420.010 Land Use Matrix by deleting “Lofts” as a Use allowed by Special Use Permit under the Land Use Matrix in the “OT-3” Olde Towne and “C-1” Commercial Districts.

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

PASSED this 28th day of March, 2024.



JOE MAURATH, MAYOR

APPROVED 28th day of March, 2024.

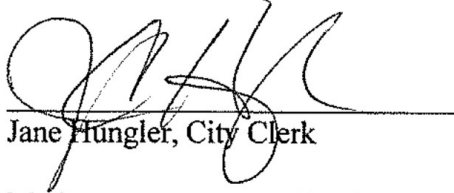


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ATTEST:



Jane Hüngler, City Clerk

Motion to approve. Roll Call vote:

Ayes: Cruts, Wisbrock, Harrell, Clauss, Huels, Maserang, Jokerst

Abstain: 0

Nays: 0

Absent: Bereitschaft

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