

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

**SPONSOR: GLICK**

**ORDINANCE NO. 3611**

**BILL NO. 16-47**

**AN ORDINANCE AMENDING CHAPTER 466 OF THE ZONING CODE OF THE CITY OF FENTON, MISSOURI BY REPEALING SUBSECTIONS (A)-(C) OF SECTION 466.050 AND ENACTING NEW SUBSECTIONS (A)-(C) AND (J) RELATING TO THE PURPOSE OF AND USES WITHIN "OT-5" OLDE TOWNE MARINA 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 466.050(A)-(C) and the addition of a new Subsection (J) of Chapter 466, "OT-5" Olde Towne Marina 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 (J) of Section 466.050 relating to the purpose of and uses allowed in the "OT-5" Olde Towne Marina 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 466.050 in their entirety and enacting new Subsections (A)-(C) and (J) of 466.050 to read as follows:

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- A. *Purpose.* The "OT-5" Old Towne Marina District provides a combination of retail, office, services, green space and housing. Multi-story buildings are encouraged to provide a mix of residential and nonresidential uses. Offices and dwellings are encouraged to locate above ground-floor retail and services. 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 Land 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.  
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.
- C. *Uses Allowed By Special Use Permit.* The following uses are permissible in the "OT-5" 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:  
Any use allowed by special use permit in the "OT-1" District, except Nursing Homes.  
Marinas for recreational boating.
- J. *Additional Use Regulations.* One use is permitted per floor on multi-storied buildings.

**Section 2.** All other provisions of Section 466.050 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 28<sup>th</sup> day of July, 2016.

  
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MICHAEL D. POLIZZI, MAYOR


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APPROVED this 28<sup>th</sup> 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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