



**CITY OF WELDON SPRING
PLANNING & ZONING COMMISSION
ON MONDAY, SEPTEMBER 13, 2021, AT 7:30 P.M.
WELDON SPRING CITY HALL
5401 INDEPENDENCE ROAD
WELDON SPRING, MISSOURI 63304**

******TENTATIVE AGENDA******

A NOTICE IS HEREBY GIVEN that the Planning & Zoning Commission will hold a meeting at 7:30 PM on September 13, 2021, at 5401 Independence Road Weldon Spring, Missouri, 63304, with the following tentative agenda:

******AGENDA******

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF MINUTES**
 - A. Planning & Zoning Minutes: August 2, 2019
- 5. VISITOR'S/PUBLIC COMMENT**
- 6. REPORT OF THE BOARD OF ALDERMEN**
- 7. UNFINISHED BUSINESS:**
 - A. Discussion on Municipal Code changes in Chapter 400 pertaining to shipping containers, senior housing, boundary adjustment plat, minor subdivision, reimbursement of development and review cost, and public use donation
- 8. NEW BUSINESS**
- 9. WORK SESSION**
- 10. ADJOURNMENT**



This notice was posted at 5401 Independence Road on 8-31-21 at 7:15pm by [signature]

**CITY OF WELDON SPRING
PLANNING AND ZONING COMMISSION
AUGUST 2, 2021**

CALL TO ORDER: The regular meeting of the Planning and Zoning Commission of the City of Weldon Spring was held on Monday, August 2, 2021, at approximately 7:30 PM. The meeting was held at the Weldon Spring City Hall at 5401 Independence Road. The meeting was called to order by Commissioner Szilasi.

ROLL CALL: The following Planning and Zoning members were present:

Commissioner Eash	Commissioner Castrop
Commissioner Foster	Commissioner Halbrook
Commissioner Marstall	Commissioner Reiter
Chairman Szilasi	Alderman Martiszus
Mayor Lickliger	

Commissioners Heyl and Nabholz and were absent. Also, present was Michael Padella (City Administrator), Bill Hanks (City Clerk), and Steve Lauer (City Planner).

PLEDGE OF ALLEGIANCE: The Pledge of Allegiance was recited.

APPROVAL OF MINUTES: Commissioner Eash made a motion to approve the June 3, 2019, minutes as written, seconded by Commissioner Halbrook. The **motion carried** with 9 ayes.

CITIZEN COMMENTS: There were no public comments at this time.

REPORT OF THE BOARD OF ALDERMEN: Alderman Martiszus gave an update on Weldon Spring Park Trail Expansion Plan and the Park Master Plan. In addition, Alderman Martiszus mentioned the recent site improvements to 6301 Weldon Spring Road and the planning process for Lot C, located on Siedentop Road.

PUBLIC HEARING:

Consideration of a Conditional Use Permit for “Arch Nemesis Brewing” for the purpose of allowing a “Bar, Tavern, or Lounge” – (Microbrewery) at 5940 S. Highway 94: Chairman Szilasi opened the Public Hearing. There were no public comments. Chairman Szilasi closed the Public Hearing.

Chairman Szilasi told the Board that the applicant withdrew his application for a Conditional Use Permit (CUP) so no decision or discussion is needed on this topic.

Consideration Municipal Code Changes in Chapter 400 pertaining to Shipping Containers, Senior Housing, Boundary Adjustment Plat, Minor Subdivision, Reimbursement of Development and Review Cost, and Public Use Donation: Chairman Szilasi opened the Public Hearing. Chris Pflieger, owner of St. Louis Ball Bowlers, spoke about his concerns with

the code changes regarding shipping containers. Furthermore, he voiced his frustrations about the whole process and how City's staff handled his situation with his two shipping containers. He wanted to go through the whole draft Bill line by line, but Chairman Szilasi told him to stick to highlights and provide a summary of his concerns.

Chairman Szilasi closed the Public Hearing.

NEW BUSINESS:

Conditional Use Permit – “Arch Nemesis Brewing”: No action needed

Chapter 400 Zoning Code Change: Steve Lauer (City Planner) started the discussion by summarizing all the recommended code changes. There was a lengthy discussion about the language on shipping containers with an emphasis on the appearance component, storing hazardous materials, anchoring, and screening. A few Commissioners wanted to remove the anchoring requirement, as well as painting the shipping container the same color as the building requirement. It was suggested that painting should only be required in those areas of existing shipping containers that have rust, corrosion, or graffiti on them. It was recommended that the Cottleville Fire Department get involved by checking the current shipping containers to make sure that they are not blocking any of the ingress or egress traffic flow in the Prairieview Industrial Park and that they do not contain any hazardous materials. The discussion turned to the current shipping containers and the possibility of a “grandfather” clause. It was also mentioned screening is needed if the shipping containers are adjacent to residential zoned areas. After the discussion, it was decided that this topic would be tabled until the next Planning & Zoning Commission meeting in September so City staff would have time to make all the suggested changes to the proposed Bill.

ADJOURNMENT: Alderman Martiszus made a motion to adjourn the meeting at 9:12 PM, seconded by Chairman Szilasi. The motion passed with 7 ayes.

Respectfully submitted,

William C. Hanks
City Clerk

Below, the bullet points summarizes the key changes from the discussions at the previous P & Z meeting:

- A definition was added for semi-trailer.
- Anchoring is no longer required for temporary shipping containers
- Semi-trailers will be considered the same as shipping containers if they are in the same location for more than 180 consecutive days.
- Shipping containers/semi-trailers must now be located on a level base of asphalt, concrete, paver stones, or other suitable paving surface.
- Anchoring is no longer required for permanent shipping containers.
- Shipping containers/semi-trailers must be painted in those areas that contain rust, corrosion or graffiti to prevent future rust and corrosion.
- Shipping containers/semi-trailers would be subject to review by the Cottleville Fire Protection District.
- Skilled nursing facilities replaced nursing homes in the design standards for the Architectural Review Commission.
- Shipping containers/semi-trailers that are on property prior to the effective date of the proposed zoning text changes would not have to be totally painted.
- Screening may be required if the shipping container/semi-trailer is located within fifty (50) feet of a residentially zoned lot/parcel and is visible from said residential lot/parcel.

Note: Two additional amendments were added on pages three and four (red text highlighted in yellow) since the amended text changes were sent to you. These two amendments were added to re-enforce the grandfathering (non-conforming) aspect that was discussed at the August 2, 2012 Planning & Zoning Commission meeting.

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE FOLLOWING SECTIONS (402.020, 405 – LAND
USE TABLE ATTACHMENT, 405.180, 405.215, 405.225, 405.295, 405.430, 410.135, 410.630
412.010) AND ENACTING NEW SECTIONS (405.527 & 410.335) OF THE
WELDON SPRING, MISSOURI, MUNICIPAL CODE

WHEREAS, That Missouri cities of the fourth class, Weldon Spring being such, have the authority from time to time to amend, supplement, change, modify or repeal its regulations and restrictions pursuant to the provisions of Section 89.060 of the Missouri Revised Statutes; and

WHEREAS, said notices of public hearings were published at least fifteen (15) days in advance of the Public Hearing held by the Planning & Zoning Commission on August 2, 2021, and the Public Hearing held by the Board of Aldermen on August 10, 2021; and

WHEREAS, the Planning & Zoning Commission has recommended the following amendments, which are outlined and set out in this legislation and “Exhibit A”, to the Board of Aldermen for consideration; and

WHEREAS, the Board of Aldermen has taken up this matter based upon the recommendations made by the Planning & Zoning Commission of the City of Weldon Spring, Missouri.

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

SECTION 1: That Section 402.020 of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ type):

Section 402.020: Definitions

ASSISTED LIVING FACILITY: A residential facility licensed by the State of Missouri that provides twenty-four (24) hour care, services and protective oversight to residents who are provided with shelter and board and who may need assistance with daily living activities.

CONGREGATE CARE FACILITY: A senior residential facility that offers apartment style living for adults who are in good health and do not require medical care. Facilities may offer services such as meals, housekeeping, transportation and other forms of personal care.

PLAT, BOUNDARY ADJUSTMENT: A plat which depicts a change in a recorded subdivision that affects any lot line, provided that no new lot or illegal zoning lot is created.

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RESIDENTIAL CARE FACILITY: A residential facility licensed by the State of Missouri that provides twenty-four (24) hour accommodation and care during short term illness or recuperation.

SEMI-TRAILER: A detachable trailer for hauling freight, with wheels at the rear end, the forward end being supported by the rear of a truck tractor when attached, either with or without axels and wheels.

SENIOR HOUSING FACILITY: A premises consisting of age-restricted dwelling units designed for and occupied exclusively by persons fifty-five (55) years of age and older who are in good health and do not require medical or skilled nursing. In the case of individuals residing together either by marriage or domestic partnership, at least one (1) of the residents must be fifty-five (55) years of age or older. Such facilities do not include skilled nursing facilities, residential care facilities, assisted living facilities, congregate care facilities or any other uses which provide medical care.

SHIPPING CONTAINER: A portable storage container designed and manufactured according to specifications from the International Standards Organization (ISO) as a standard, reusable vessel intended to be loaded on a truck, railcar or ship, used primarily for shipping goods.

SHIPPING CONTAINER STRUCTURE: A structure constructed on one (1) or more shipping containers.

SKILLED NURSING FACILITY: A residential facility licensed by the State of Missouri that provides twenty-four (24) hour accommodation, nursing care and treatment services for persons who need nursing care and medical service, but do not require intensive hospital care.

SECTION 2: That the Land Use Table Attachment, which is shown as “Exhibit A”, in Chapter 405 of the City of Weldon Spring, Missouri, Municipal Codes is hereby amended as follows:

In the Residential Principal Uses section of the Land Use Table Nursing Home was deleted, and Congregate Care, Senior Housing and Skilled Nursing Facilities uses were added to Assisted living and Residential Care Facilities uses. These uses are no longer permitted as a conditional use in Agricultural “AG” zoned districts. These uses were added as a conditional use in the “RS 1/2 “- Single-Family Residential District. All the changes are highlighted in “Exhibit A,” which is attached hereto and is incorporated by reference herein.

SECTION 3: That subsection (J) is added to Section 405.180 of the Municipal Code to be hereby amended as followed (the added text is shown in boldface typeface):

J. Temporary Shipping Containers

1. A Land Use Permit may be issued for a temporary shipping container for up to 180 days with a provision allowing for future extension only for demonstrated cause.
 - a. A No-Cost Land Use Permit will be issued for those temporary shipping containers that were placed on the lot/parcel prior to the effective date of this Ordinance.
2. Temporary shipping containers do not require a permanent foundation **or anchoring**.
3. An exemption may be allowed for shipping containers when used temporarily on a site for and during construction of a building having a valid building permit and if used for the storage of equipment/props during a permitted special event.
4. An exemption may be allowed for shipping containers that are stored on construction contractor's business sites that are waiting to be taken to offsite job sites.

SECTION 4: That subsection (D) is added to Section 405.215 of the Municipal Code to be hereby amended as followed (the added text is shown in boldface type):

D. Shipping Containers/Semi-Trailers****

In the same location for more than 180 consecutive days

1. Must be located in the (LI) Light Industrial zoning district.
2. Must be depicted on an approved site plan.
3. A Land Use Permit must be obtained for shipping containers/**semi-trailers** larger than 120 sq. ft. in size.
 - a. Must be located on a level base of asphalt, concrete, paver stones, or other suitable paving surface.
 - b. A No-Cost Land Use Permit will be issued for those shipping containers/semi-trailers that were placed on the

lot/parcel prior to the effective date of this Ordinance. These units will be administratively reviewed and will not require review and approval by the Architectural Review Commission.

4. Must be painted in those areas that contain rust, corrosion, or graffiti to prevent future rust and corrosion.
5. Shipping containers shall be in compliance with Chapter 500 of the Municipal Code and shall be considered a permanent structure unless approval has been granted for the shipping container to be a temporary structure.
6. Shall not be stacked.
7. May be located in either a side or rear yard but no closer to the front lot line than the principal building.
8. Shall not occupy required off street parking spaces, loading zones, building exits, public right-of-ways or impede the flow of traffic within the site development.
9. Shall meet the setback requirements of the underlying zoning district.
10. Shall be a single-unit, stand-alone unit, and shall not be in contact with or supporting any other shipping container or other structure.
11. Materials stored within shipping containers/semi-trailers are subject to review by the Cottleville Fire Protection District. Failure to eliminate any fire hazards as recommended by the Cottleville Fire Protection District shall constitute a violation of municipal code.

SECTION 5: That Section 405.225 of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~bracket and stricken~~ type):

Section 405.225 Performance Standards for Conditional Uses

E. ~~[Nursing And Residential Care]~~ **Senior Care/Housing Facilities. Assisted Living, Congregate Care, Residential Care, Senior Housing & Skilled Nursing Facilities** ~~[Nursing homes and residential care facilities]~~ may be allowed in the "RS 1/2," "PR," and "PC" zoning districts based on the following criteria:

1. Shall be on a site of at least five (5) acres.

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2. The density of development (for apartment-type units) within a ~~[residential]~~ **Senior care/housing** facility shall not exceed ~~[twenty (20)]~~ **fifteen (15)** dwelling units per acre. Living units with cooking facilities shall count as one (1) dwelling unit and living units without cooking facilities shall count as two-thirds (2/3) of a dwelling unit for purposes of calculating the density of development.
3. ~~[Residential]~~ **Senior care/housing** care facilities shall be primarily residential in character; however, **for Assisted Living, Congregate Care, Residential Care, & Skilled Nursing Facilities**, centralized eating facilities for residents of the facility, medical facilities and similar uses associated with the long- or short-term care of patients may be included.
4. ~~[The maximum floor area ratio, as defined in Chapter 402, shall be two-tenths (0.2). For example, if a five (5) acre site was developed at a FAR of two-tenths (0.2) it may have a single story building with forty-three thousand five hundred sixty (43,560) square feet of gross floor area or a two (2) story building on the same lot with twenty-one thousand seven hundred eighty (21,780) square feet of gross floor area for each level, etc.]~~ **An accessible elevator is required for structures with two or more floors.**
5. **In compliance with** other additional reasonable requirements designed to protect the safety and general welfare of adjoining landowners and other residents of the City.

SECTION 6: That Section 405.295 of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ type):

Section 405.295 Minimum Required Off-Street Parking Spaces

B. General Parking Requirements.

3. Residential Uses.

c. ~~[Assisted living]~~ **Senior housing** facilities: one (1) space per dwelling unit.

~~[f. Congregate care facilities: one and one-half (1 1/2) spaces per resident.]~~

K. Health Care And Social Assistance.

4. ~~[Nursing And Personal Care]~~ **Assisted Living, Residential Care, & Skilled Nursing Facilities** (Uses Within NAICS Code 623): One (1) parking space ~~[per two (2) patient]~~ **for every five (5) beds plus one (1) space for every one (1) employee on the maximum shift.**

5. Congregate Care Facility: One (1) parking space per dwelling unit.

[5] **6. All Other Health Services: One (1) parking space per two hundred fifty (250) square feet of floor area.**

[6] **7. All Other Social Service Uses: One (1) parking space per three hundred (300) square feet of floor area.**

SECTION 7: That Section 405.430(A) of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ type):

Section 405.430 Design Standards

- A. The Architectural Review Commission shall use the following design standards when reviewing land use permit applications in any applicable zoning district for permanent buildings. For purposes of this Section 430.430, residential buildings shall include single-family, single-family attached villas, and multi-family dwellings; commercial buildings shall include retail, office and related uses allowed in the "MED" Medical District, "GC" General Commercial District and "PC" Planned Commercial District; institutional buildings shall include private schools, hospitals, ~~[nursing homes]~~ **skilled nursing facilities**, and similar institutional uses in any applicable zoning district; industrial buildings shall include manufacturing, warehousing and similar industrial uses allowed in "LI" Light Industrial District; major recreational buildings shall include ice rinks, indoor soccer facilities and buildings housing similar uses allowed in the "LI" Light Industrial District; and agricultural buildings shall include barns, kennels and similar buildings, whether principal or accessory, used for agricultural, livestock or large animal support or other accessory uses when located in the "AG" Agricultural District or "RS-3" Single-Family Residential District.

SECTION 8: That subsection (16) is added to Section 405.430 (D) of the Municipal Code to be hereby amended as followed (the added text is shown in boldface type):

Section 405.430 Design Standards

D. Industrial and Major Recreational Building

16. Shipping Containers/~~Semi~~-Trailers

- 1. If the shipping container/semi-trailer is placed on a lot/parcel after the effective date of this Ordinance, it shall be painted in the same or a complimentary color of the principal building. Complimentary colors would consist of an earth tone, white or similar color that blends in with the principal building.**

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2. Words, murals or logos are not allowed on the shipping container/semi-trailer if it is placed on the lot/parcel after the effective date of this Ordinance, except for the current shipping container/semi-trailer owner's business name or logo.
3. Screening may be required if the shipping container/semi-trailer is located within 50 feet of a residentially zoned lot/parcel and is visible from said residential lot/parcel.

SECTION 9: That Section 405.527 of the Municipal Code is enacted as follows:

Section 405.527 Shipping Container Compliance

- A. All owners of property within the City of Weldon Spring shall have 120 days from the effective date of the ordinance certified in this Ordinance to bring the properties which contain shipping containers that are in violation of the terms of this Ordinance, into full compliance with the provision of this Ordinance.
- B. If a shipping container is found to be in a zoning district where it is prohibited, the Zoning Commissioner shall cause written notice to be served upon the owner of the property on which the shipping container is located. Such notice shall state that the shipping container shall be removed within thirty (30) business days of receipt of notice. In addition, the provisions of Section 405.530. Violations and Penalties of the Municipal Code of the City of Weldon Spring shall be applicable.

SECTION 10: That Section 410.135 of the Municipal Code is hereby amended as followed (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ typeface):

Section 410.135 Definition of Minor Subdivision

Any subdivision containing not more than two (2) lots fronting on an existing street or access easement, not involving the creation of a commercial access easement, a new street, the extension of City facilities or the creation of any public improvements and not adversely affecting the remainder of the parcel or adjoining property and not in conflict with any provision or portion of the Comprehensive Plan, Zoning Ordinance or these regulations ~~including lot line adjustments~~. One (1) minor subdivision shall be permitted per parcel from the City incorporation date (November 8, 1984) or the annexation date of the parcel, whichever is earlier.

SECTION 11: That Section 410.335 of the Municipal Code is enacted as follows:

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Section 410.335 Boundary Adjustment Plat

A. Three (3) folded prints of the boundary adjustment plat shall be submitted to the City Planner. In addition to the three (3) paper prints and a digitized version that complies with St. Charles County mapping standards shall be submitted. The digitized version should be accompanied by the information consistent with the final plat. All Boundary Adjustment Plats shall be prepared by a Missouri registered professional land surveyor and/or Missouri registered professional engineer and bear their signature and seal. The filing/review fee for a Boundary Adjustment Plat is found in Section 412.010.

- 1. Boundary Adjustment Plats must be made on official forms and shall be submitted with all required fees. Official forms are available at City Hall and on the City's website (www.weldonspring.org). Fees are established by the Board of Aldermen and listed on the official "Weldon Spring Fee Schedule" which is also available at City Hall and on the City's website (www.weldonspring.org).**
- 2. Boundary Adjustment Plats must be approved administratively by the City Planner and City Engineer.**

B. Boundary Adjustment Plats must also meet the following criteria:

- 1. No additional lot shall be created by any boundary adjustment.**
- 2. The resulting lot or lots shall not be reduced below the minimum sizes and dimensions required by the current zoning district.**
- 3. Existing zoning shall not be affected by this procedure.**

C. Boundary Adjustment Plats shall include, at a minimum, the following:

- 1. Name of plat and names of those who prepared the plat.**
- 2. North point, date of survey, and scale used.**
- 3. Location of original and adjusted lot lines and their relation to established section lines, fractional section lines or U.S. survey lines.**
- 4. Acreage of original and adjusted lots.**
- 5. Setback lines, location of easements.**
- 6. Street numbers of each lot.**
- 7. Certification as to acreage boundaries, monuments made by a registered land surveyor, testifying that the above were made by the surveyor.**

8. **Owner of record signature(s) and lienholder's statement.** These signatures must be acknowledged by a public notary prior to recording the plat.
9. The statement "This Boundary Adjustment Plat is approved for recording this _____ day of _____." The statement shall also include a three (3) inch line with the title "City Planner" directly below the line for his/her signature.

D. Boundary Adjustment Plat Approval. No Boundary Adjustment Plat shall be filed for record or recorded in the office of the Recorder of Deeds for St. Charles County, Missouri, unless and until the approval of the City Planner is endorsed thereon.

SECTION 12: That Section 410.630 of the Municipal Code is hereby amended as follows (added text is shown in boldface type, deleted text shown in ~~[bracket and stricken]~~ type):

Section 410.630 Public Uses

A. Parks, Playgrounds And Recreation Areas.

1. **Recreation Standards.** The City shall require that land be reserved for parks, playgrounds and other recreation purposes in locations designated by the City's Comprehensive Plan, **Parks & Greenways Master Plan** or where such reservations are deemed appropriate. Each reservation shall be of suitable size, dimension, topography and general character, and shall have adequate street access for the particular purpose envisioned by the Planning and Zoning Commission. The area shall be shown and marked on the plat "Reserved for Park and/or Recreation Purposes." When recreation areas are required, the Planning and Zoning Commission shall determine the number of acres to be reserved based on Table 3. The applicant shall dedicate all such recreation areas to the City or to a homeowners' association at the discretion of the City. For multi-family uses, the City shall determine **the overall site, and density, and apply the appropriate percent of public use donation based upon the Table 3.** ~~acreage for reservation based on the number of dwelling units per acre.~~

Table 3 Recreational Requirements	
Size of Single Family Lot	Percentage of Total Land in Subdivision to be Reserved for Recreation Purposes
80,000 sq. ft. (§ 1.8 acres) and greater	4.0%
40,000 sq. ft. (§ 0.92 acres)	5.0%
20,000 sq. ft. (§ 10.46 acres) or less	6.0%

Table 3 Public Use Requirements

Lot Size (Sq. Ft.) based upon Density	Public Use Donation %	Lot Size (Sq. Ft.) based upon Density	Public Use Donation %
200,000 or greater	2.5%	20,000	6.0%
160,000	3.0%	15,000	6.5%
120,000	3.5%	10,000	7.0%
80,000	4.0%	7,500	7.5%
60,000	4.5%	5,000	8.0%
40,000	5.0%	3,750	8.5%
30,000	5.5%	2,500 or less	9.0%

2. Minimum Size of Park And Playground Reservations. In general, land reserved for recreation purposes shall **apply to proposed development sites consisting of 15 acres or larger, if less than 15 acres then the Subsection (A)(4) Alternative Procedure may apply** ~~have an area of at least four (4) acres~~. When the percentages from Table 3 would create less than four (4) acres, the Planning and Zoning Commission may require that the recreation area be located at a suitable place on the edge of the subdivision so that additional land may be added when the adjacent land is subdivided. In no case shall an area of less than two (2) acres be reserved for recreation purposes if it will be impractical or impossible to secure additional lands in order to increase its area. When recreation land is not reserved in a subdivision or the land reserved is less than the percentage in Subsection **(A)(1)** above, the provisions of Section (A)(4) hereof shall be applicable.

SECTION 13: That Section 412.010 of the Municipal Code is hereby amended as follows (the deleted text shown in ~~bracket and stricken~~ type):

Section 412.010 Application Fees

~~[Notes:~~

~~All fees apply to the initial submittal and one (1) resubmittal in response to initial review comments. Subsequent submittals, beyond the first two (2), will be charged additional fees for the actual time and expenses of the City at the chargeout rates and fee schedule effective upon the date of subsequent reviews plus the additional percentage allowed by State Statute. After project review is complete (as determined by the City), if the amount spent by the City on project review and procedure is less than the fees collected by the City, the applicant will be reimbursed the difference of those two (2) amounts minus the additional percentage allowed by State Statute.~~

SECTION 14: That this ordinance shall be in full force and effect from and after its enactment and approval.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, AS FOLLOWS:

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READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WELDON SPRING, MISSOURI, THIS _____ DAY OF _____, 2021.

Donald D. Licklider, Mayor

Attest:

William C. Hanks, City Cle

To approve Bill #

Motioned: _____

Seconded: _____

	<u>Aye</u>	<u>Nay</u>	<u>Abstention</u>
Baker	_____	_____	_____
Clutter	_____	_____	_____
Kolb	_____	_____	_____
Martiszus	_____	_____	_____
Schwaab	_____	_____	_____
Yeager	_____	_____	_____
Licklider	_____	_____	_____

Absent: _____

EXHIBIT A
Chapter 400: Land Use Table

Land Use Table

The Land Use Table provides a tabular summary of the principal land uses allowed within each zoning district. Please refer to the specific district regulations and all other applicable requirements and procedures contained in Chapter 400.

- A. **Permitted (By-Right):** Uses identified in a zoning district column of the Use Table with a “●” are “permitted by-right” and shall be permitted in such zoning district subject to all other requirements of this Zoning Ordinance.
- B. **Conditional Uses:** Uses identified in a zoning district column of the Use Table with a “C” are “Conditional Uses” and shall be permitted in such zoning district in accordance with the standards and procedures contained in Article IX.
- C. **Unlisted Uses:** Any use not shown as a use permitted by right or a conditional use in a zoning district is specifically prohibited in that district. Uses not listed have been determined either not to be appropriate in any district, incompatible with certain existing uses, or sufficiently rare or unexpected as to be incapable of being listed at the time of adoption of this Code. Any use not shown as a use permitted by right or a conditional use in any zoning district, but constituting a use that is required to be permitted by law, shall be subject to the conditions of the most appropriate zoning district and the following requirements.
1. The use shall be permitted only to the extent required by law;
 2. The use shall be approved only as a Conditional Use in the City’s “LI” Industrial District, except if by law it is required to be permitted by right;
 3. The use shall be located no closer than 1,000 feet from any residence, residential property, park, school, or church, except as may be modified by the Board of Aldermen via a Conditional Use Permit;
 4. The use shall maintain a distance of at least 1,000 feet from any other such use having the same description, except as may be modified by the Board of Aldermen via a Conditional Use Permit;
- D. **Old Town” & Village Center Overlay (Shell Districts):** As of the adoption of this Chapter, no property may be rezoned to the “OT” Old Town District or “VC” Village Center. All preexisting “OT” and “VC” property shall be permitted all lawful uses as of the effective date of this Code. After the effective date of this Code revision, no additional land shall be rezoned to the “OT” or “VC” Overlay District. Any proposed subdivisions, including lot splits, change of use, new construction or other alterations not permitted under the respective district regulations shall require rezoning to an

Chapter 400: Land Use Table

applicable zoning district. Use of property maintaining the "OT" and "VC" preexisting zoning shall be subject to all other regulations of this Code.

City of Weldon Spring Land Use Table													
Use is permitted by right:												•	
Use permitted as a conditional use:												C	
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LI	Reserved
RESIDENTIAL PRINCIPAL USES													
Dormitories													
Group Home	C	C	C	C	C	C							
Lofts										C			
Modular Home	C												
Multi-Family ("Apartment")										C			
[Nursing Home,] Assisted Living, Congregate Care, Residential Care, Senior Housing, Skilled Nursing Facilities	C				C	C			•	C			
Single-Family (individual home sites)	•	•	•	•	•	•				C			
Single-Family (Conservation Subdivisions)	•	•	•	•	•	•				C			
Single-Family (Conventional Subdivisions)	C	C	•	•	•	C				C			
Townhomes, Condos, Multiplex										C			
Two-Family Attached ("Villa")						C				C			
NON-RESIDENTIAL PRINCIPAL USES													

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LI	Reserved
Agriculturally related limited commercial uses, i.e. commercial nursery activities.	C												
Antique Sales										•			
Arts, Entertainment, Museums, Parks & Recreation	•	•	•	•	•	•	•	•	•	•	•		
Automotive Customizing Shop											C	•	
Automotive Parts and Supply Store											•		
Automotive Filling Station (Convenience Store)											C	C	
Animal Production (beef & dairy cattle, poultry and egg production, and sheep & goat farming),	•												
Animal Production, limited (chicken egg production and animal aquaculture)	•	C											
Automotive Rental Agency											C	•	
Automotive Repair (Body/Paint) Shop											C	•	
Automotive (Vehicle, Boat, or RV) Sales											C		
Automotive Service Station (i.e. Jiffy Lube)											C		
Automotive Wash Services											C	•	
Bakeries (Retail)											•	•	
Bar, Tavern or Lounge											C	C	

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LJ	Reserved
Barber Shop, Beauty Salon or Spa							C				•		
Bed and Breakfast Inns										•	•		
Broadcasting, Telecommunications, Radio, TV, and Cable Networks								•			•	•	
Building Material Sales & Services											•	•	
Bus, Truck & Rail Terminals												•	
Catering Service								•			•		
Cemetery, Crematory, and Mausoleum	C	C	C	C	C		•						
Church, Temple , Synagogue (places of worship)	•	•	•	•	•	•	•						
Clinic-Out Patient (Medical, Dental, etc.)							•	•		•	•		
Club, Civic, Religious, or Fraternal Organization							•	•	•	•	•	•	
Co-Branded Structure (Gas, Food Sales, etc.)											•	•	
Construction Contractor												•	
Couriers and Messengers								•			•		
Crop Production	•	•											
Data Center								C		C	C		
Day Care – Adult					C	C	•		•				
Day Care – Child Nursery	C	C			C	C	•		•		•		

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LI	Reserved
Drug Store (Pharmacy)									•		•		
Dry Cleaning & Laundry Pick-up								•		•	•	•	
Dry Cleaning Plant												•	
Equipment Sales, Rental & Leasing												•	
Financial Services-banking								•		•	•		
Fishing Lakes	•	C											
Food/Bakery Product Manufacturing													
Forestry and Logging	•	•										C	
Funeral Home, Mortuaries										C	C		
Furniture, Appliance or Electronics Sales										•	•		
Golf Courses and Country Clubs	•	C	•	•	•	•	•	•		•	•		
Golf, Miniature											•		
Greenhouse, Plant Nursery & Garden Supplies	C											•	
Grocery Store- Retail										•	•		
Hospital									•		•		
Health Care, Social Services, Vocational Rehab, and Family Services							•	•	•	•	•		

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LI	Reserved
Health Club, Fitness Center & Gymnasiums								•	•		•		
Hotel								•		•	•		
Hotel, Extended Stay										C	C		
Industrial, Heavy												C	
Industrial, Light								C		C		•	
Information Services and Data Processing								•		•	•		
Kennels, Pet Care, and Dog Daycares	•	C								•	•		
Liquor Store										•	•		
Laundromat- self service											•		
Massage Therapy Establishment (licensed)										C	•		
Mini-Warehouse (Self-Storage Facility)										C		•	
Night Club, Dance Hall or Private Club										C			
Office								•	•	•	•	•	
Park, Playgrounds & Open Space (Public)	•	•	•	•	•	•	•	•		•	•	•	
Postal, Mail, and Coping Services							•	•		•	•	•	
Printing & Publishing Facility								•		•	•	•	
Psychiatric and Substance Abuse Hospitals							C		C				

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LI	Reserved
Public Administration, Police, Fire, Government	•	•	•	•	•	•	•	•	•	•	•	•	
Public Administration, (Other than Weldon Spring)	C	C	C	C	C	C	C	C	C	C	C	C	
Recreation Facility or Area (Commercial)								•	•	•	C	•	
Repair Services								C		C	•	•	
Research, Development & Testing Services								•	•	•	C	•	
Restaurant, Fast Food								C	C	•	•	•	
Restaurant, General								•	•	•	•	•	
Retail Sales & Services							•		•	•	•	•	
Resale (Consignment) Sales, Thrift Shops										•	•	•	
Schools (Studios), Art, Dance, Music or Beauty								•		•	•	•	
Schools, Business, Vocational or Trade School								•	•	•	•	•	
Schools (College, Junior College)								•	•	•	•	•	
Schools, Public (Elementary and Secondary)	•	•	•	•	•	•	•			•	•	•	
Schools, Private (Elementary and Secondary)	C	C	C	C			C			•			
Schools (Middle & High)										C	C	C	
Tanning Salon (State licensed)									•	•			
Tattoo Establishment (State licensed)										C			

Chapter 400: Land Use Table

City of Weldon Spring Land Use Table													
Use is permitted by right:	•												
Use permitted as a conditional use:	C												
Use not permitted:													
USES	Ag	RS3	RS2	RS1	RS½	PR	SP	HTO	MED	PC	GC	LI	Reserved
Telecommunication Antennas (concealed, roof-mounted, stealth, and utility pole-mounted) by administrative permit via Section 405.215 & 405.175 as an accessory use.	•						•	•	C	•	•	•	
Tobacco Store											C		
Wireless communication Towers as per Section 405.225(B) as an accessory use.	C						C	C		C	C	C	
Theater, Cinemas,										•	C		
Theater, Performing Arts									•	C	C		
Utilities, Major (water & wastewater treatment plants, power generation facilities, transmission towers, substations, lift stations, and similar uses)	C									C	C	C	
Utilities, Minor (lift stations, water towers, and similar uses)	C	C	C	C	C	C			•	•	C	C	
Vaporizer (Vap)/Electric Cigarette (E-Cig) Store											C		
Veterinary Clinic								•	•	•	•	•	
Warehouse, Mini (Self-Storage)										C	•	•	
Warehouse, storage, and wholesale trade										C		•	
Reserved													