

Bill No. 4500, an Ordinance of the City of Wentzville, Missouri, Amending Title IV Land Use, Chapter 405 Zoning Regulations; Pertaining to Article I in General, Section 405.050 Definitions; Article II District Regulations, Pertaining to Parts of Section 405.220 Neighborhood Commercial Zoning, Section 405.230 General Commercial Zoning, Section 405.240 Highway Commercial Zoning, Section 405.250 Light Industrial Zoning, and Section 405.260 Heavy Industrial Zoning; and Article III Supplementary District Regulations; Section 405.490 Fence Regulations, as Per Application 22-52-PZ

WHEREAS, pursuant to Chapter 405, Article X Amendments, the City's Planning Division has been directed to draft Text Amendments to Chapter 405 of the City of Wentzville's Zoning Code (the "Text Amendments"); and

WHEREAS, Chapter 10 of the City's adopted Comprehensive Plan has established Land Use & Growth Management objectives which direct the community to update and monitor the Community's ordinances to ensure compatibility, desired development activities, and to maintain a progressive ordinance; and

WHEREAS, that after proper notice in accordance with applicable legal provisions, a public hearing was held in regard to the Text Amendments by the City's Planning and Zoning Commission (the "Commission") on May 31, 2022, and the Commission made a recommendation to the Board of Aldermen (the "Board") that the Board approve the Text Amendments; and

WHEREAS, the Board, after careful and due deliberation, following a duly noticed public hearing held on June 8, 2022, has concluded that the proposed Text Amendments are desired and necessary and accordingly would be in the interests of the health, safety and welfare of the citizens of the City.

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

Section 1: Title IV Land Use, Chapter 405 Zoning Regulations; Article I In General, Section 405.050 Definitions, is hereby amended to update certain existing definitions and to enact new definitions to read as follows:

Automobile (motor vehicle) means a passenger car, van, pickup truck, bus, or recreational vehicle, usually four-wheeled, propelled by an engine, meant for traveling on streets or roads, but excluding tractor-trailers and other large commercial trucks.

Automobile repair facility means any structure or premises conducting major automobile repair work within enclosed service bays or stalls, including the installation or removal of engines, radiators, transmissions, differentials, fenders, doors, bumpers or other major body or mechanical parts, or spray painting, but not including tire recapping or vulcanizing, and not including the outdoor storage of wrecked or otherwise damaged and immobilized vehicles.

Automobile service establishment means any structure or premises used for the servicing and minor repair of automobiles within enclosed service bays or stalls, including diagnostic services, lubrication of vehicles, washing/waxing of vehicles and minor engine repair such as tune-ups, and the sale and installation of minor parts and accessories such as tires, batteries, shock absorbers, brakes, mufflers and tailpipes. This use shall not include any establishment engaged in major repair work such as the installation or removal of engines, radiators, transmissions, differentials, fenders, doors, bumpers or other major body or mechanical parts, spray painting, tire recapping or vulcanizing, or the storage of wrecked or damaged and immobilized vehicles.

Automobile service station means any structure or premises used for dispensing or sale, at retail, of automobile fuels or lubricants, including lubrication of automobiles and replacement or installation of minor parts and accessories, but not primarily engaged in major repair work such as engine replacement, body and fender repair or spray painting.

Commercial truck means a licensed motor vehicle, truck, tractor-trailer or bus designed to carry passengers, freight, and/or merchandise for the purpose of this Chapter that is licensed by a State as a commercial vehicle or in any case exceeds twenty-four (24) feet in length;

Commercial truck repair facility means any structure or premises conducting major commercial truck repair work within enclosed service bays or stalls, including the installation or removal of engines, radiators, transmissions, differentials, fenders, doors, bumpers or other major body or mechanical parts, or spray painting, but not including tire recapping or vulcanizing, and not including the outdoor storage of wrecked or otherwise damaged and immobilized vehicles.

Commercial truck service establishment means any structure or premises used for the servicing and minor repair of commercial trucks within enclosed service bays or stalls, including diagnostic services, lubrication of such vehicles, washing/waxing of such vehicles and minor engine repair such as tune-ups, and the sale and installation of minor parts and accessories such as tires, batteries, shock absorbers, brakes, mufflers and tailpipes. This use shall not include any establishment engaged in major repair work such as the installation or removal of engines, radiators, transmissions, differentials, fenders, doors, bumpers or other major body or mechanical parts, spray painting, tire recapping or vulcanizing, and shall not include the storage of wrecked or damaged and immobilized vehicles.

Commercial truck service station means any structure or premises used for dispensing or sale, at retail, of diesel or other fuels or lubricants for general use in commercial trucks, including lubrication of commercial trucks and replacement or installation of minor parts and accessories, but not primarily engaged in major repair work such as engine replacement, body and fender repair or spray painting.

Truckstop means a gasoline station or gasoline station with convenience store that dispenses diesel or any other fuel or petroleum product used by commercial trucks, and which includes one or more of the following additional facilities: (1) a parking area designed for use by commercial trucks, (2) weight scales designed for use by commercial trucks, (3) a raised canopy used primarily or exclusively by commercial trucks to dispense diesel or other commercial truck fuel that is separate or distinct from the canopy or area used to dispense fuel to automobiles, (4) facilities for the maintenance and/or repair of commercial trucks, (5) facilities for the overnight parking or storage of commercial trucks, (6) shower facilities made available to crews of commercial trucks, (7) specially designed entrances and exits to accommodate access by numerous commercial trucks or (8) any other specialized facility or amenity designed

specifically for the use of commercial trucks or the crews of commercial trucks.

Ornamental Fencing means any fence made with decorative material, including wrought-iron, stone, brick, aluminum, or vinyl. An *ornamental fence* shall not include fences constructed of chain link or wood materials.

Architectural Metal Panels means any exterior interlocking metal siding or cladding product, including, but not limited to insulated/coated metal panels, composite wall panels, decorative metal cladding, etc. Architectural metal panels do not include corrugated metal siding or any materials which utilize exposed fasteners visible from the exterior of the building.

Establishment means a primary business building for use by employees and customers of one or more businesses, which building is connected to public sanitary sewer and water utilities and is intended for occupancy.

Section 2: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.220.b Permitted Uses, of the *C-1 Neighborhood Commercial Zoning District*, is hereby amended to repeal subsections b.11, b.18, and b.21 and to replace these subsections as follows to state:

- (11) Offices for doctors, chiropractors, dentists, optometrists or other similar health care professionals.
- (18) Retail sales within stores and shops for apparel and accessories, bicycles, books, cameras and photographic supplies, flooring, drugs, furniture, flowers, hobby supplies, jewelry or clocks, novelties or souvenirs, shoes, sporting goods and similar products.
- (21) Utility substations for gas, electric, telephone, cable and internet services.

Section 3: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.220.c Conditional Uses, of the *C-1 Neighborhood Commercial Zoning District*, is hereby amended to repeal subsection c.17 and to enact in its place a new subsection c.17 to state:

- (17) Public parking lots and garages, but excluding self-storage lots for motor vehicles, recreational vehicles, boats and trailers.

Section 4: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.220.d Regulations and Performance Standards, of the *C-1 Neighborhood Commercial Zoning District*, Subsection 7.b is hereby amended to repeal subsection 7.b and to enact in its place a new subsection 7.b to state:

- b. No separate business tenant or occupancy within an establishment shall occupy more than 5,000 square feet of floor space.

Section 5: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.220.d Regulations and Performance Standards, of the *C-1*

Neighborhood Commercial Zoning District, is hereby amended to repeal subsection 7.g and to enact in its place a new subsection 7.g to state:

- g. Stormwater shall be detained underground, in retention basins or utilize adjacent project detention facilities as applicable per ordinance, subject to Site Plan Approval.

Section 6: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.220.d Regulations and Performance Standards, of the C-1 Neighborhood Commercial Zoning District, is hereby amended to repeal subsections 9.a and 9.d. and to enact in its place new subsections 9.a and 9.d to state:

- a. *Suggested building materials.* Commercial buildings shall have exterior wall material of brick, stone, decorative concrete masonry unit, and glass. Accent materials consisting of, EIFS/Dryvit, vinyl, architectural metal panel or wood siding at an elevation of at least eight feet above the adjacent grade are permissive subject to site plan approval, but shall not exceed 20 percent of any wall elevation. No new commercial building shall have an exterior material consisting of exposed fastener metal or concrete cinder block.
- d. *Front facade.* The front facade facing any street where signage is permissive of every commercial building in the "C-1" Neighborhood Commercial District, excluding window glass and doors, shall be comprised of brick, stone or architecturally enhanced masonry material for 100 percent of the facades facing a public street. All buildings shall present a well-maintained frontage, harmonious in design to the surrounding vicinity. Creative use and design of other materials are encouraged to accent brick, stone or enhanced masonry work on the front facades, but shall not exceed 20 percent of the total wall elevation area. EIFS or Stucco material used as an accent material shall not be constructed closer than 8 feet to the adjacent grade of any building.

Section 7: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.230.b Permitted Uses, of the C-2 *General Commercial Zoning District*, is hereby amended to repeal subsections b.12, b.15, b.26, and b.32 and to replace these subsections with new subsections as follows to state:

- (12) Carpentry craft shops or woodworking shops.
- (15) Convenience store or food shop, including accessory automobile fuel sales
- (26) Landscaping contracting services or landscape nurseries for growing plants, trees and shrubs.
- (32) Printing, publishing, photo finishing or engraving service.

Section 8: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.230.d Regulations and Performance Standards, of the C-2 General Commercial Zoning District, is hereby amended to repeal subsections 9.a and d.

and to enact in its place subsections new 9.a and 9.d to state:

- a. *Suggested building materials.* Commercial buildings shall have exterior wall material of brick, stone, decorative concrete masonry unit, concrete with textured finish, vinyl, wood, or cement fiber (Hardie Board) siding, or architectural metal panel and glass. EIFS/Dryvit, stucco or other accent material that does not exceed 20 percent of any wall elevation and is to be constructed at an elevation of at least eight feet above the adjacent grade may be allowed subject to site plan approval. No new commercial building shall have an exterior material consisting of exposed fastener metal or concrete cinder block.
- d. *Front facade.* The front facade facing any street where signage is permissive of every commercial building in the "C-2" General Commercial District, excluding window glass and doors, shall be comprised of brick, stone or masonry material for 100 percent of the facades facing a street. All buildings shall present a well-maintained frontage, harmonious in design to the surrounding vicinity. Creative use and design of other materials are encouraged to accent brick, stone or enhanced masonry work on the front facades, but shall not exceed 20 percent of the total wall elevation area, subject to site plan approval.

Section 9: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.240.b Permitted Uses, of the *C-3 Highway Commercial Zoning District*, is hereby amended to repeal subsections b.5, b.6, b.7, b.9, b.14, b.16, and b.17 and to replace these subsections with new subsections as follows to state:

- (5) Auditorium, arena or fieldhouse, convention center, museum, or planetarium.
- (6) Baking facility, bottling works or food packaging.
- (7) Boat and boat trailer leasing, sales, or service establishment, including accessory storage associated with such leasing, sales or service establishment provided such storage is within a completely enclosed building, and provided all units are in a usable condition.
- (9) Furniture sales, refinishing, repair, or re-upholstery.
- (14) Printing, publishing, painting or engraving services and shops.
- (16) Recreational vehicles, travel trailers (not including mobile homes), or camper sales, leasing or service establishment, and accessory storage associated with such leasing, sales or service provided such storage is within a completely enclosed building, and provided all units are in a usable condition.
- (17) Establishment for rental, sales or services of yard and garden equipment, trailers (not mobile homes) and other such items, and accessory storage associated with such rental, sales or service provided such storage is within a completely enclosed building.

Section 10: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District

Regulations, Section 405.240.b Permitted Uses, of the *C-3 Highway Commercial Zoning District*, is hereby amended to add an additional listed permissive land use as subsection b.20, to state:

- (20) Climate-controlled indoor self-storage establishment, excluding any form of outdoor self-storage for motor vehicles, recreational vehicles, boats or trailers, material goods or property. Self-storage units shall be accessed solely from the interior of the building. No storage unit doors shall open to the exterior of the building.

Section 11: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.240.c Conditional Uses, of the *C-3 Highway Commercial Zoning District*, is hereby amended to repeal subsections c.4, c.5, c.14, and to replace these subsections with new subsections as follows to state:

- (4) Leasing or sales of bottled gas.
- (5) Construction equipment sales, leasing, rental or repair establishment, and accessory storage associated with such rental, sales or service provided such storage is within a completely enclosed building.
- (14) Public parking lots or garages, but excluding self-storage lots for motor vehicles, recreational vehicles, boats or trailers.

Section 12: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.240.c Conditional Uses of the *C-3 Highway Commercial Zoning District* is hereby amended to add a new land use as an available conditional use as subsection c.25 to state:

- (25) Commercial truck service station, commercial truck service establishment, commercial truck repair facility or truck stop on a site not less than 5 acres in size and located at least 500 feet away from any established residential platted neighborhood. The 500 feet distance shall be measured from property line to property line.

Section 13: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.240.d Regulations and Performance Standards, of the *C-3 Highway Commercial Zoning District*, Subsection 9.a. and d. is hereby amended to repeal subsections 9.a and d. and to enact in their place new subsections 9.a and 9.d to state:

- a. *Suggested building materials.* Commercial buildings shall have exterior wall material of brick, stone, decorative concrete masonry unit, concrete with textured finish, vinyl, wood, or cement fiber (Hardie Board) siding, or architectural metal panel and glass. EIFS/Dryvit, stucco or other accent material not to exceed 20 percent of any wall elevation and is to be constructed at an elevation of at least eight feet above the adjacent grade may be allowed subject to site plan approval. No new commercial building shall have an exterior material consisting of exposed fastener metal or concrete

cinder block.

- d. *Front facade.* The front facade facing any street where signage is permissive of every commercial building in the "C-3" Highway Commercial District, excluding window glass and doors, shall be comprised of brick, stone or masonry material for 100 percent of the facades facing a street. All buildings shall present a well-maintained frontage, harmonious in design to the surrounding vicinity. Creative use and design of other materials are encouraged to accent brick, stone or enhanced masonry work on the front facades, but shall not exceed 20 percent of the total wall elevation area subject to site plan approval.

Section 14: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.250.b Permitted Uses of the I-1 Light Industrial Zoning District is hereby amended to repeal subsections b.8, b.16, and b.19 and to replace these subsections with new subsections as follows to state:

- (8) Laboratories, or research, experimental or testing facilities, excluding explosives.
- (16) Commercial or industrial machinery or equipment rental, sales or repair establishment, and accessory storage associated with such rental, sales or repair provided such storage is within a completely enclosed building.
- (19) Utility substation for electric, gas, cable, telephone or internet.

Section 15: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.250.b Permitted Uses of the I-1 Light Industrial Zoning District is hereby amended to add a new land use as an available permitted use as subsection b.24 to state:

- (24) Climate-controlled indoor self-storage establishment, excluding any form of outdoor self-storage for motor vehicles, recreational vehicles, boats or trailers, material goods or property. Self-storage units shall be accessed solely from the interior of the building. No storage unit doors shall open to the exterior of the building.

Section 16: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.250.c Conditional Uses of the I-1 Light Industrial Zoning District is hereby amended to repeal subsections b.8, and to replace this subsection with new subsection as follows to state:

- (8) Public parking lot or garage, including self-storage lots for motor vehicles, recreational vehicles, boats or trailers.

Section 17: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.250.c Conditional Uses of the I-1 Light Industrial Zoning District is

hereby amended to add a new land use as an available Conditional Use as subsection c.13 to state:

- (13) Commercial truck service station, commercial truck service establishment, commercial truck repair facility, or truck stop on a site not less than five acres in size that is at least 500 feet away from the property line(s) of any established residential platted neighborhood.

Section 18: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.260.c Conditional Uses of the I-2 Heavy Industrial Zoning District is hereby amended to repeal subsections c.16, and to replace this subsection with new subsection c.16 as follows to state:

- (16) Public parking lot or garage, including self-storage lots for motor vehicles, recreational vehicles, boats or trailers.

Section 19: Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations, Section 405.260.c Conditional Uses of the I-2 Heavy Industrial Zoning District is hereby amended to add a new land use as an available Conditional Use as subsection c.24 to state:

- (24) Commercial truck service station, commercial truck service establishment, commercial truck repair facility, or truck stop on a site not less than five acres in size that is at least 500 feet away from the property line(s) of any established residential platted neighborhood.

Section 20: Title IV Land Use, Chapter 405 Zoning Regulations; Article III Supplementary District Regulations, Section 405.490 Fence Requirements, Subsection a. General Rules is hereby repealed in its entirety, and a new subsection a. General Rules is enacted to state:

(a) General rules.

- (1) Barbed wire fences or barbed wire on fences shall be prohibited except as specified.
- (2) Chain link fences shall be the double knuckle type at the top.
- (3) The use of the property shall supersede the zoning of the property.
- (4) All fences shall be of adequate strength to resist required wind pressures.
- (5) Fences or enclosures charged with, or designed to be charged with, electric current are prohibited.
- (6) It shall be the responsibility of the property owner to ensure that a fence does not block or obstruct the flow of stormwater.

Section 21: Title IV Land Use, Chapter 405 Zoning Regulations; Article III Supplementary District Regulations, Section 405.490 Fence Requirements, Subsection a. General Rules is

hereby repealed in its entirety, and a new subsection a. General Rules is enacted to state:

(2) *Residential areas.*

- a. No person shall erect or maintain a fence between the front building line of the residence and the public roadway. On corner lots, no person shall erect or maintain a fence between the residential building line and public roadway for the front/primary elevation of the home. Fences on corner lots along the secondary street frontage shall not be established closer than 10 feet to the property line along the secondary frontage provided such placement of a fence adjacent to a secondary street frontage shall not cause any sight distance or safety issues for automobile travel. Due to the exceptional nature of double frontage lots (or through lots), fences proposed along the rear of the property adjacent to public streets shall not be located any closer than the street right-of-way.

Section 22: This ordinance shall be in full force and effective immediately upon enactment and approval.

READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WENTZVILLE, MISSOURI THIS 13 DAY OF July, 2022.


Mayor, Nickolas Guccione

Attest:


City Clerk, Kathryn Bowman

APPROVED BY THE MAYOR OF THE CITY OF WENTZVILLE, MISSOURI THIS 14 DAY OF July, 2022.


Mayor, Nickolas Guccione

Attest:


City Clerk, Kathryn Bowman

Approved as to Form:


Attorney

