

Bill No. 4194, an Ordinance of the City of Wentzville, Missouri, Amending Section 405.160 Agricultural District and Section 405.170 Single Family Residential Districts of Title IV Land Use, Chapter 405 Zoning Regulations of the Municipal Code of the City of Wentzville, Missouri, and Matters Relating Thereto, as Per Application 19-42-PZ.

WHEREAS, the City of Wentzville, Missouri (the "City"), regulates the zoning within the City pursuant to Chapter 405 of the Municipal Code; and

WHEREAS, pursuant to Article X of Chapter 405 of the Municipal Code, the Board of Aldermen shall have the authority to amend, supplement, change, modify or repeal by ordinance the text or map of the zoning regulations; and

WHEREAS, the City's Planning Division has been directed to draft text amendments to Section 405.160 Agricultural District and Section 405.170 Single Family Residential Districts of Chapter 405 of the City of Wentzville's Zoning Code to permit the sale and service of liquor by the drink accessory to approved non-residential land uses in Agricultural and Single Family Residential Districts (the "Text Amendments"); and

WHEREAS, that after proper notice in accordance with applicable legal provisions, a public hearing was held in regard to the Text Amendments before the City's Planning and Zoning Commission (the "Commission") on August 7, 2019, and the Commission made a recommendation to the Board of Aldermen that the Board of Aldermen approve the Text Amendments; and

WHEREAS, the Board of Aldermen, after careful and due deliberation, following a duly noticed public hearing held on August 14, 2019, which public hearing was continued to August 28, 2019, 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: Subsection (C) of Section 405.160 pertaining to conditional uses within the Agricultural District in Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations of the Municipal Code is hereby amended to add a new conditional use within the Agricultural District to read as follows:

(14) Liquor by the drink accessory to approved non-residential and non-agricultural land uses.

Section 2: Subsection (C) of Section 405.170 pertaining to conditional uses within Single Family Residential Districts in Title IV Land Use, Chapter 405 Zoning Regulations; Article II District Regulations of the Municipal Code is hereby amended to add a new conditional use within the Agricultural District to read as follows:

(11) Liquor by the drink accessory to approved non-residential land uses.

Section 3: It is hereby declared to be the intention of the Board of Aldermen that the sections, paragraphs, sentences, clauses, phrases and words of this ordinance are severable, and if any section, paragraph, sentence, clause, phrase or word(s) of his ordinance shall be declared unconstitutional or otherwise invalid, such unconstitutionality or invalidity shall not affect any of the remaining sections, paragraphs, sentences, clauses, phrases and words of this ordinance since the same would have been enacted by the Board of Aldermen without incorporation in the ordinance of any such unconstitutional or invalid portion of this ordinance.

Section 4. This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.


READ TWO TIMES AND PASSED BY THE BOARD OF ALDERMEN OF THE CITY OF WENTZVILLE, MISSOURI THIS 11 DAY OF September, 2019.


Mayor, Nickolas Guccione

Attest:


City Clerk, Kathryn Bowman

APPROVED BY THE MAYOR OF THE CITY OF WENTZVILLE, MISSOURI THIS 12 DAY OF September, 2019.


Mayor, Nickolas Guccione

Attest:


City Clerk, Kathryn Bowman

Approved as to Form:


Attorney

