

CITY OF WARRENSBURG
COMMUNITY DEVELOPMENT

September 8, 2022

Honorable Mayor and
Members of the City Council
City of Warrensburg, Missouri

Dear Mayor and Council Members:

SUBJECT: Public Hearing on An Ordinance Amending Section 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Non-Residential Land Use References

BACKGROUND:

City staff is proposing the attached ordinance updating two existing sections of the zoning ordinance. When the ordinance adopting the medical marijuana provisions were adopted these two sections, 27-350 (g) (2) and 27-480 (b), should have been updated to include the new land use codes 28.000-28.320. Staff is proposing language that will hopefully prevent this type of oversight in the future. Text in ~~red strikethrough~~ is to be deleted and text in **red bold** is to be inserted into the ordinance.

Existing Language for Section 27-480 (b):

Site plans for construction or change of use related to land use groups 1.300 to 27.200 or any construction located in a special flood hazard area, or requiring a conditional use permit are required to be prepared by a registered, professional engineer or land surveyor licensed by the state of Missouri. The site plan shall be made with an engineer's scale, and drawn to a scale commonly used for such plans on paper no greater than twenty-four (24) inches by thirty-six (36) inches.

Proposed Language for Section 27-350 (g) (2):

Site plans for construction or change of use related to land use groups 1.300 ~~to 27.200~~ and **all subsequently adopted land use groups**, or any construction located in a special flood hazard area, or requiring a conditional use permit are required to be prepared by a registered, professional engineer or land surveyor licensed by the state of Missouri. The site plan shall be made with an engineer's scale, and drawn to a scale commonly used for such plans on paper no greater than twenty-four (24) inches by thirty-six (36) inches.

Existing Language for Section 27-480 (b):

For nonresidential land uses (land use categories #2.000 to #25.000) the off-street parking facilities required shall be within one hundred fifty (150) feet of the building they are intended to serve, measured between the nearest point of the off-street parking facilities and the nearest point of the tract of land upon which the use is situated. Remote parking shall be clearly identified.

Proposed Language for Section 27-480 (b):

For nonresidential land uses (land use categories #2.000 ~~to #25.000~~ and **all subsequently adopted land use categories**) the off-street parking facilities required shall be within one hundred fifty (150) feet of the building they are intended to serve, measured between the

nearest point of the off-street parking facilities and the nearest point of the tract of land upon which the use is situated. Remote parking shall be clearly identified.

ISSUE: To consider an ordinance amending the zoning ordinance to update references to land use codes.

STRATEGIC PLAN:

This item is not addressed in the Strategic Plan.

FISCAL IMPACT:

N/A

ECONOMIC BENEFITS/IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of the ordinances. At their September 7, 2022 meeting, the Planning and Zoning Commission recommended approval of the ordinance. Their written finding and recommendation is attached.

Sincerely,



Barbara Carroll
Director of Community Development

- Attachments:
1. Proposed ordinance
 2. PZ Findings & Recommendations
 3. Publisher's Affidavit

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF CITY ORDINANCES OF THE CITY OF WARRENSBURG, MISSOURI, REGARDING NON-RESIDENTIAL LAND USE REFERENCES

WHEREAS, the Planning and Zoning Commission of the City of Warrensburg held a public meeting regarding references to land use groups and categories on September 7, 2022 and recommended approval of the ordinance to the City Council, and

WHEREAS, public notice of the hearing before City Council of the City of Warrensburg was published in the Warrensburg Star Journal on August 26, 2022,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARRENSBURG AS FOLLOWS:

Section 1. That Section 27-350 (g) (2) is hereby amended to read as follows, leaving all other provisions of section 27-350 in effect, unaltered:

Sec. 27-350 (g) (2):

Site plans for construction or change of use related to land use groups 1.300 and all subsequently adopted land use groups, or any construction located in a special flood hazard area, or requiring a conditional use permit are required to be prepared by a registered, professional engineer or land surveyor licensed by the state of Missouri. The site plan shall be made with an engineer's scale, and drawn to a scale commonly used for such plans on paper no greater than twenty-four (24) inches by thirty-six (36) inches.

Section 2. That Section 27-408 (b) is hereby amended to read as follows, leaving all other provisions of section 27-408 in effect, unaltered:

Sec. 27-408 (b):

For nonresidential land uses (land use categories #2.000 and all subsequently adopted land use categories) the off-street parking facilities required shall be within one hundred fifty (150) feet of the building they are intended to serve, measured between the nearest point of the off-street parking facilities and the nearest point of the tract of land upon which the use is situated. Remote parking shall be clearly identified.

Section 3. If any section, subsection, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, but shall remain in full force and effect.

Section 4. It is intended that Sections 1 and 2 of this ordinance be incorporated into the Code of Ordinances of the City of Warrensburg and it may be renumbered to accomplish that purpose.

Section 5. This ordinance shall be in full force and effect from and after passage.

Read two (2) times and passed by title this _____ day of September, 2022.

Jim Kushner, Mayor

Attest:

Jodi L. Schneider, City Clerk

**PLANNING AND ZONING COMMISSION
FINDINGS AND RECOMMENDATION**

Request to consider An Ordinance Amending Section 27 of the Code of City Ordinances of the City of Warrensburg, Missouri Regarding Non-Residential Land Use References

The Planning and Zoning Commission has considered the ordinance at an open public meeting and makes the following findings and recommendations based upon the evidence presented with respect to these matters:

1. On September 7, 2022, the Planning & Zoning Commission considered An Ordinance Amending Section 27 of the Code of City Ordinances of the City of Warrensburg, Missouri Regarding Non-Residential Land Use References.
2. The proposed ordinance will _____ will not further the goals and objectives of the City's Comprehensive Plan.
3. The proposed ordinance will _____ will not contribute to and promote the welfare and convenience of the public if the ordinance is passed.
4. The proposed ordinance _____ will will not cause substantial injury to the value of property in the community.
5. Additional Comments: _____

Concerning the proposed ordinance, the Planning and Zoning Commission:

Recommends Approval

Disapproves _____

Passed by the Planning & Zoning Commission this 7th day of September, 2022.



Chair

AFFIDAVIT OF PUBLICATION

STATE OF MISSOURI) ss.
COUNTY OF JOHNSON

I, Linda Gosnell, being duly sworn according to law, state that I am the publisher of the Warrensburg Star Journal, a bi-weekly newspaper of general circulation in the County of Johnson, where located; which has been admitted to the Post Office as periodical matter in the City of Warrensburg, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050 Revised Statutes of Missouri, 2000. The affixed notice appeared in said newspaper for 1 time(s) as follows:

From 08/26/2022 to 08/26/2022 both inclusive.

- 1st insertion, Vol. 157, No. 68, 08/26/2022
- 2nd insertion, Vol. , No. ,
- 3rd insertion, Vol. , No. ,
- 4th insertion, Vol. , No. ,

Linda Gosnell

Subscribed to and sworn to before me this 08/26/2022

Jennifer N. Monsees
Jennifer N. Monsees, Notary Public

My commission expires June 30, 2023

Filed and Recorded 8/29/22

(Publication Fee, \$45.50)

**CITY COUNCIL
PUBLIC HEARING NOTICE**

Public Notice is hereby given that the City Council of the City of Warrensburg, Missouri, will meet on September 12, 2022, at 7:00 p.m., at the Warrensburg Municipal Center, 200 S. Holden St., to consider the following matters:

1. A public hearing to consider an Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Non-Residential Land Use References
2. A public hearing to consider an Ordinance Amending Section 27-28 (b) of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Nonconforming Status of Master-Planned Residential Developments

The public hearings will give all interested parties an opportunity to provide input on these matters. The full text of the proposed amendments may be obtained by contacting the City Clerk. For further information, please contact Barbara Carroll, Director of Community Development, 660-747-9135.
1x-8/26 2022

JENNIFER N MONSEES
Notary Public - Notary Seal
STATE OF MISSOURI
Pettis County
My Commission Expires: June 30, 2023
Commission #19394075

