



PLANNING AND ZONING COMMISSION

AGENDA REPORT

August 29, 2022

ITEM 5.II: 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.

**RECOMMENDATION:**

Staff recommends approval of the attached ordinance.

Attachments:

1. Findings & Recommendations
2. Ordinance

**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 \_\_\_\_\_ day of September, 2022.

\_\_\_\_\_  
Chair

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 Daily 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