

# Proposed Zoning Ordinance Changes

(Enclosure #3)

**Proposal:** That Chapter 31 of the Code of Ordinances of the City of St. Joseph, Missouri, be, and hereby is, amended by amending section to be numbered, entitled and read as follows:

Note: Bold items reflect the provisions being changed in each section.

Sec. 31-031. C-3 commercial district, paragraph (c) as follows:

(c) *Permitted uses.* The following uses shall be permitted in C-3 districts, provided a conditional use permit is not otherwise required for any portion of the business.

- (1) Any permitted use in District C-2.
- (2) Accessory uses as provided in Section 31-050.
- (3) Agriculture feed stores.
- (4) Agricultural implements and heavy equipment sales and service.
- (5) Athletic fields.
- (6) Auction sales at a permanent location (excluding livestock sales).
- (7) Car washes.
- (8) Driving ranges and miniature golf.
- (9) Dwellings which are in conjunction with an otherwise permitted C-3 use.
- (10) Equipment rental company.
- (11) Food processing.
- (12) Hotels and motels.
- (13) Incidental light manufacturing in conjunction with an otherwise permitted use, including but not limited to, sign printing, cabinet and plumbing shops.
- (14) Kennels and pet shops or veterinary hospital and clinics.
- (15) Mini-storage.
- (16) Recycling center for collection of materials only.
- (17) Skating rinks.
- (18) Travel trailer parks.
- (19) Vehicle body shop.
- (20) Vehicle sales and service, including tire re-capping or retread assembly businesses.
- (21) **Warehousing uses excluding the storage of hazardous materials in which the use is classified as a High-Hazard Group H occupancy as determined by the International Building Code.**
- (22) Wholesale dealers.

Sec. 31-034. M-1 light manufacturing district, paragraph (c) as follows:

(c) *Permitted uses.* The following uses shall be permitted in M-1, light manufacturing districts:

- (1) Accessory uses, as provided in Section 31-050.
- (2) Administrative, business, finance and professional offices.
- (3) Any establishment which provides supplies and/or services primarily to commercial and industrial customers, such as janitorial services, sign shops, packaging or shipping service, locksmith or printing, lithographing, engraving, photocopying, blueprinting, publishing and binding establishments.

- (4) Any manufacturing, production, processing, cleaning, servicing, testing, repair or storage of materials, (**excluding the storage of hazardous materials in which the use is classified as a High-Hazard Group H occupancy as determined by the International Building Code**), goods, products or food products and business and sales offices accessory thereto.
- (5) Athletic clubs, fitness centers and indoor sports facilities.
- (6) Auction sales, flea markets and swap meets.
- (7) Awning and canvas sales and rental.
- (8) Bakeries, retail or wholesale.
- (9) Bars, brew pubs and other drinking establishments.
- (10) Building material supply stores.
- (11) Bus terminals or bus barns.
- (12) Cemeteries.
- (13) Day care centers, provided an approved safety evacuation plan is made available to the city and displayed appropriately in all classrooms.
- (14) Funeral homes, mortuaries and crematoriums.
- (15) Governmental buildings and uses.
- (16) Heating and plumbing sales and service.
- (17) Heavy machinery and equipment sales, rental and service.
- (18) Office/retail/warehouse combinations, provided not more than 25% of the gross building floor area shall be used for retail activities.
- (19) Parking lots and parking garages for permitted and conditionally [permitted] uses in all other zones.
- (20) Pest control services.
- (21) Police and fire stations.
- (22) Public and private parks, playgrounds, golf courses, including miniature golf courses and driving ranges, athletic fields, drive-in theaters, archery and gun clubs, go-cart tracks and other outdoor entertainment facilities.
- (23) Public service and public utility uses, as follows: a. Telecommunication towers, less than 100 feet in height, and related facilities; and b. Water reservoirs, water standpipes and elevated and ground-level water storage tanks.
- (24) Recording studios.
- (25) Recycling centers, provided they are screened from all residential districts and public right-of-ways, and all materials are either stored in an enclosed container or building.
- (26) Restaurants, excluding drive-through restaurants, bakeries, coffee shops, cafes, delicatessens and catering services.
- (27) Retail sales of products customarily produced by the principal use provided that the gross amount of floor area devoted to sales and display does not exceed 25% of the gross floor area of the structure.
- (28) Schools, industrial and trade.
- (29) Self-service storage facilities.
- (30) Service station and commercial garages including vehicle repair, vehicle body shop and car washes.
- (31) Storage of any manufactured materials or products outside an enclosed structure provided all outside storage is screened from any public right-of-way.
- (32) Storage garages.

- (33) Swimming pool sales and display.
- (34) Taxidermists.
- (35) Television and radio studios, and associated broadcasting towers and antennae not exceeding 100 feet in height.
- (36) Temporary uses, provided written permission is given by the Director of Community Services or designated representative, the use does not exceed four months, and the temporary use is directly associated with the primary use.
- (37) Veterinary clinics, animal hospitals and kennels.

Sec. 31-035. M-2 heavy manufacturing district, paragraph (c) as follows:

(c) *Permitted uses.* The following uses shall be permitted in M-2, heavy manufacturing districts.

- (1) Any use permitted in M-1 districts.
- (2) Accessory uses as provided in Section 31-050.
- (3) Any of the following uses unless they are within 300 feet of any residential properties, in such event a conditional use permit shall be required.
  - a. **Manufacturing and storage** of products including, but not limited to; gas, solid or liquid flammable or corrosive materials; fertilizers; glass; roofing and other construction materials; vehicle, aircraft or other heavy equipment; cement, asphalt or other paving materials; or food products **including uses classified as a High-Hazard Group H occupancy as determined by the International Building Code.**
  - b. Manufacturing of products using hazardous substances.
  - c. Metal, wire and metal or wire products manufacturing
  - d. Recycling or reprocessing of plastics, glass, metals, batteries.
  - e. Stock yards, slaughter house or meat processing.
  - f. Water or sewage treatment facilities.

PURPOSE: An ordinance amending Sections:

31-031. entitled “C-3 Commercial District”, paragraph (c).

31-035. entitled “M-2 Heavy Manufacturing District”, paragraph (c).

31-034. entitled “M-1 light manufacturing district”, paragraph (c).

to the Zoning ordinance, which sets forth the policies and procedures pertaining to zoning in the City of St. Joseph, Missouri.

REMARKS: With the recent discussion and known violations regarding the storage of hazardous materials and public concern over the location and storage of chemicals and other hazardous materials, staff wants to ensure safe local regulation of these types of uses. In cooperation with several departments including Fire, Building Development and Water Pollution, Planning and Zoning staff is proposing several changes to the current zoning ordinances to provide improved tracking, and regulation of these types of uses to ensure safety of the public, employees, and city staff.

Within the zoning ordinance, we are proposing additional language that will be more descriptive as to what type of warehousing uses can be utilized within C-3, Commercial Districts, M-1, Light Manufacturing Districts, and M-2, Heavy Manufacturing Districts. The proposed language specifies that storage of hazardous materials will only be allowed within an M-2, Heavy

Manufacturing District by right and cannot be located within 300 feet of a residential use or zoning without the approval of a Conditional Use Permit from the City Council.