BILL 2015-41

****** First Reading ******

AGENDA ITEM

TO: Mayor and City Council

FROM: Tim Hamilton, Community Development Director

DATE: Tuesday, July 14, 2015

RE: Zoning Changes; Article 20, CM-P; Paragraph 2 Permitted Uses.

Please find the attached Ordinance for your consideration. This is a staff and Commission initiated review of the Permitted Uses in Article 20 "CM-P Commercial & Manufacturing Planned District". Currently, the Cameron Zoning Ordinance lists "M-1, Light Manufacturing" uses as permitted within a "CM-P" District.

A public hearing before the Planning and Zoning Commission was conducted on Monday, June 8, and continued to Monday, July 13, 2015. The purpose was to consider the potential conflicts between the more intense "M-1" permitted uses and less intense commercial and residential uses. These more intense uses which could be of detriment to existing retail and residential property include: Acid manufacture, Explosives manufacturer or storage, Fat rendering, Garbage, offal or dead animals, reduction or dumping, Refining of petroleum or its products, Stockyard or the slaughter of animals.

Concern was raised by the Commission that the more intense uses listed above would not only pose potential harm to the value of properties with existing retail and commercial uses, but also deter commercial and residential development in the future for areas currently designated as, or adjacent to "CM-P". Public safety was also a concern as the manufacture of certain items above could pose significant danger to adjacent properties and the general public. In a vote of four (4) yes and zero (0) no, the Commission recommend the removal of the M-1 "Permitted Uses" from the "CM-P" District. No comments or concerns were submitted by the public.

Recommendation Planning & Zoning as well as staff recommend approval of the attached Ordinance.

Council Options:

1. Approve the attached Ordinance as submitted;
2. Make no changes to the current wording of the "CM-P" District. This option would leave in the "M-1, Light Manufacturing "uses.

Bill 2015-41

A BILL FOR THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI AMENDING CHAPTER 13 "ZONING" OF CAMERON CITY CODE ARTICLE 20, SECTIONS 2, 3 AND 13, ESTABLISHING ADDITIONAL CONDITIONAL USES FOR THE "CM-P, COMMERCIAL AND MANUFACTURING PLANNED DISTRICT"; AND AMENDING ARTICLE 31 OF THE ZONING ORDINANCE, "CONDITIONAL USES" TO REVISE THE LIST OF USES INCLUDED THEREIN

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WHEREAS, public notice regarding the above petition was published in the *Cameron Citizen-Observer*, a newspaper of general circulation, on September 24th, 2015. A Public Hearing concerning said matter was held at City Hall in Cameron Missouri at 6:00 p.m. on October 12th, 2015; and

WHEREAS, Cameron Planning and Zoning Commission, out of concern for public safety and general welfare, is recommending certain permitted uses currently allowed in the CM-P District, be classified as Conditional Uses by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CAMERON, CLINTON AND DeKALB COUNTIES, MISSOURI, AS FOLLOWS:

Section 1. Article 20, Section 2, "Permitted Uses" shall be repealed, and a new Section 2 shall read as follows:

"2. Permitted Uses: Any use permitted in "C-1" and "C-2" categories."

Section 2. Article 20, Section 3, "Use Limitations" shall be repealed, and a new Section 3 shall read as follows:

"3. Use Limitations: Use limitations shall be consistent with those for "C-1" or "C-2".

Section 3. Article 20, Section 13, "Conditional Uses" shall be repealed and a new Section 13 shall read as follows:

"13. Conditional Uses: The following uses are permitted in the CM-P District only by obtaining a conditional use permit. See Article 31 Conditional Uses for complete information on the procedure and requirements.

A. Radio, television, microwave and mobile telephone towers.
B. Golf driving ranges.
C. Taxicabs.
D. Billboards or outdoor poster panels.
E. Outdoor gun clubs, skeet shoots or target ranges.

F. Field crops.
G. Inflatables more than fifteen (15) feet high and greater than twenty (20) square feet in surface area
H. Institutional schools for human care except where they are incidental to a primary permitted use.
I. Acid manufacture.
J. Cement, lime, gypsum or plaster of paris manufacture.
K. Distillation of bones and glue manufacture or storage.
L. Waste to energy facility (incinerator).
M. Explosives manufacturer or storage.
N. Fat rendering and fertilizer manufacturer.
O. Garbage, offal or dead animals, reduction or dumping.
P. Refining of petroleum or its products;
Q. Smelting of tin, copper, zinc or iron ores.
R. Stockyard or the slaughter of animals.
S. Storage of flammable or combustible liquids."

Section 4. Article 31, Section 4 "Established" shall be repealed, and a new Section 4 shall read as follows:

"4. Established: The following are established conditional uses which may be located in the districts as indicated on the "Conditional Uses by District" table or as specified as a Conditional Use within the provisions of a specific zoning Article by obtaining a conditional use permit:
A. Kennels.
B. Telecommunication towers.
C. Riding stables, riding academies and tracks.
D. Private athletic fields.
E. Rodeo and fair grounds.
F. Golf driving ranges.
G. Taxicabs.
H. Bed & breakfasts.
I. Photo studios.
J. Professional offices.
K. Billboards.
L. Adult bookstores (see Article 31.8 Definitions).
M. Adult entertainment facilities (see Article 31.8 Definitions).
N. Bathhouses (see Article 31.8 Definitions).
O. Massage Shops (see Article 31.8 Definitions).
P. Modeling studios (see Article 31.8 Definitions).
Q. Outdoor gun clubs, skeet shoots or target ranges.
R. Small animal confinement systems.
S. Private corrections institutions.
T. Field Crops.
U. Multiple dogs, provided that the applicant shall have owned said dogs upon moving to Cameron.

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V. Institutional schools for human care except where they are incidental to a primary permitted use.
W. Acid manufacture.
X. Cement, lime, gypsum or plaster of paris manufacture.
Y. Distillation of bones and glue manufacture or storage.
Z. Waste to energy facility (incinerator).
AA. Explosives manufacturer or storage.
BB. Fat rendering and fertilizer manufacturer.
CC. Garbage, offal or dead animals, reduction or dumping.
DD. Refining of petroleum or its products;
EE. Smelting of tin, copper, zinc or iron ores.
FF. Stockyard or the slaughter of animals.
GG. Storage of flammable or combustible liquids."
HH. Day care centers, provided the City Council finds the following conditions present or establishes provisions therefore:

1) Use as proposed or specific plans filed with the application which conforms with these regulations and other ordinances of the City.
2) Day care centers shall be licenses as required by the Division of Family Services according to Sections 210.201-210.245, Missouri Revised Statutes, prior to the commencement of operations and caring for clients.
3) Signs: See Article 23.
4) The use of all lands or buildings arranged, designed or intended for play space and/or required parking for staff and patrons shall be located behind the front yard setback line.
5) Outdoor play activities shall be provided within a fenced area and limited to the hours between 8:00 a.m. and 8:00 p.m.
6) The area designated for day care shall provide a minimum of thirty-five (35) square feet of usable floor space per child. Floor space occupied by permanent built-in cabinets or shelves, or large pieces of furniture or equipment not intended for children's use, may not be considered as usable floor space. Kitchen and bathroom areas shall not be counted as usable floor space.

II. Inflatables over fifteen (15) feet in height and greater than twenty (20) square feet in surface area."

Section 5. The Mayor is authorized to sign this ordinance approving it on behalf of the City.

Section 6. The City Clerk is directed to attest to the Mayor's signature.

Section 7. This Ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved on first reading this 2nd day of November 2015.
Passed and approved on second reading this day of 2015.
Passed and approved on third and final reading this day of 2015.

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Mayor Dennis M. Clark

ATTEST:

_____
City Clerk/Finance Clerk

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