BILL NO. 23-16 ORDINANCE NO. 23-16

AN ORDIANACE AMENDING CHAPTER 400 OF THE ZONING CODE, SPECIFICALLY SECTION 400.350 R-3 MUTLIFAMILY RESIDENCE DISTRICT IN THE CODE OF ORDINANCES OF THE CITY OF BATTLEFIELD, MISSOURI AND REPLACING WITH A NEW SECTION 400.350 "R-3 MUTLIFAMILY RESIDENCE DISTRICT".

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BATTLEFIELD, MISSOURI, AS FOLLOWS:

Section 1. That the attached **Exhibit A** "be amended to the Code of Ordinances for the City of Battlefield after a public hearing held by the Planning and Zoning Commission and said recommendation provided as such to the City of Battlefield Board of Aldermen to approve the creation of such an ordinance."

Section 2. That if any section, subsection, sentence, clause, or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Battlefield, Missouri hereby declares that it would have passed this law, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

Section 3. This ordinance shall be in full force and effect from and after its date of passage.

Passed and approved at a regular meeting of the Board of Aldermen of the City of Battlefield, Missouri, this 21st day of November, 2023.

Mark Crabtree
President of the Board

Attest:

Beth Anne West, Clerk

First Reading and Vote: 4 Ayes - Zac Woods, Mark Crabtree, Rocky Compton, and Jim Clemmons. 0 Nays. Aldermen Samantha Forbes and Jenny Shupert were absent for the vote. 11-21-2023.

Second Reading and Vote: 4 Ayes - Zac Woods, Mark Crabtree, Rocky Compton, and Jim Clemmons. 0 Nays. Aldermen Samantha Forbes and Jenny Shupert were absent for the vote. 11-21-2023

Approved to Form:

City Attorney

Section 400.350 - "R-3" Multifamily Residence District

Permitted Uses. The "R-3" Multifamily Residence District is designed for multifamily residential developments at up to twelve (12) dwelling units per acre and areas of convenience shopping and service facilities in residential neighborhoods. The following uses are permitted in the "R-3" District:

1. Single-family dwellings existing at the time the district is mapped.

2. Two-family dwellings.

3. Multifamily dwellings.

4. Townhouses.

5. Family day-care homes.

6. Group day-care homes.

7. Custodial group homes.

8. Residential group homes. The exterior appearance of the home and property shall be in reasonable conformance with the general neighborhood standards. No group home shall be closer than five hundred (500) feet of another group home.

9. Boardinghouses, rooming houses and lodging houses.

10. Residential, intermediate and skilled nursing care facilities.

11. Bed-and-breakfasts.

12. Churches and other places of worship, including parish houses and Sunday schools, but excluding rescue missions and overnight shelters.

13. Schools, elementary and secondary, or development centers for elementary and secondary school-age children with handicaps or developmental disabilities on a minimum of five (5) acres of land.

14. Public and private parks, playgrounds, community buildings and golf courses, excluding miniature golf courses and driving ranges.

15. Accessory uses in accordance with Article VI, Section 400.410.

16. Temporary uses in accordance with Article VI, Section 400.420.

17. Home occupations, in accordance with Article VI, Section 400.430.

18. The following retail goods and service uses when located on the ground floor of multi-family dwelling unit structures:

    a. Bakeries, delicatessens, and meat markets with on-premises sales.

    b. Convenience stores which do not include gasoline sale or repair facilities for motor vehicles.

    c. Day care centers.

    d. Governmental buildings and uses, including police substations.

e. Laundry and dry-cleaning self-service, provided such use is conducted within a completely enclosed building.

f. Residential, intermediate, or skilled nursing care facilities.

g. Personal services such as barber- or beauty shop, dressmaking, tailoring, shoe repair, household appliance repair and other similar uses.

h. Banks and financial institutions, including automatic teller machines for pedestrian use, but not including drive-through facilities or automatic teller machines for automobiles.

i. Clinics, dental laboratories, and similar medical service facilities.

j. Offices, clerical, research and services not related to goods and merchandise, such as offices of attorneys, physicians, engineers, accountants, insurance agents, stock brokers, travel agents, telecommunications and internet services and government.

k. Restaurants when comprised of 3,000 sq gross floor area or less.