

BILL NO. 23-057

ORDINANCE NO. 2114

**AN ORDINANCE OF THE CITY OF COTTLEVILLE,  
MISSOURI, AMENDING CHAPTER 405 OF THE  
MUNICIPAL CODE OF THE CITY OF COTTLEVILLE,  
AND PROVIDING FOR A NEW RECREATIONAL ZONING  
DISTRICT**

**WHEREAS**, the Board of Aldermen finds that there is a need in the City of Cottleville to provide for recreational uses within the City; and

**WHEREAS**, the Board of Aldermen finds and determines it to be in the interests of the health, safety, and general welfare of the residents of the City to amend Chapter 405 of the Municipal Code to provide for a specific recreational zoning district; and

**WHEREAS**, the Board of Aldermen and the Planning and Zoning Commission did hold Public Hearings on this proposed amendment; and

**WHEREAS**, at the Public Hearings interested persons and citizens were given an opportunity to be heard on this proposed amendment;

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF COTTLEVILLE, MISSOURI, AS FOLLOWS:**

**SECTION 1.** That Section 405.020 of the Municipal Code of the City of Cottleville, Missouri, be and hereby is amended by enacting new definitions thereto as follows:

**PLANT NURSERY**

A garden, greenhouse, or other cultivated land and related structures designed and intended to be used only for the cultivation and sale of live vegetation and related accessories.

**VEGETATED BUFFER**

Area of plant life or total plant cover established adjacent to and in order to protect a watercourse.

**SECTION 2.** That Section 405.025 of the Municipal Code of the City of Cottleville, Missouri, be and hereby is amended by deleting Section 405.025 in its entirety and enacting, in lieu thereof, a new Section 405.025 to read as follows:

**Section 405.025. Establishment of Zoning Districts.**

The City of Cottleville is hereby divided into the following zoning districts as shown on the Official Zoning Map which, together with all explanatory matter shown thereon, is hereby incorporated by reference and declared part of this Chapter.

“F-P”	Flood Plain District
“R-1A”, “R-1B”, “R-1C”, “R-1D”, “R-1E”	Single Family Residential Districts
“R-2”	Multi-Family Residential District
“S-D/OT”	Special District/Old Town Cottleville
“C-1”	Light Commercial Office District
“C-2”	Limited Commercial Services District
“C-3”	General Commercial Retail District
“C-4”	Regional Commercial Retail District
“C-5”	Commercial Office District
“I-1”	Light Industrial District
“I-2”	Heavy Industrial District
“RD”	Recreational District

**SECTION 3.** That Article II of Chapter 405 of the Municipal Code of the City of Cottleville, Missouri, be and hereby is amended by enacting a new Part 5 thereto, titled, “Recreational District,” which is to consist of a new Section 405.092, to read as follows:

**Chapter 405. Zoning Regulations, Article II, Zoning Districts and District Regulations.**

**Part 5. Recreational District.**

**Section 405.092. “RD” Recreational District.**

A. Purpose. The purpose of the “RD” Recreational District is to provide for park and recreational uses and facilities to enhance and preserve the City’s recreational and scenic areas for use by residents of the City. The City recognizes the important role recreation plays in the provision of a healthy community and, to that end, the permitted and conditional uses provided herein are limited to those activities which support or are related to the preservation of recreational lands and activities.

B. Permitted Uses. The following uses shall be permitted by right in the “RD” District.

- Areas designated for picnicking, jogging, bicycling, hiking, nature preservation, and wildlife sanctuaries
- Baseball/softball fields, without lights
- Outdoor soccer fields, without lights
- Outdoor volleyball, basketball, racquetball, tennis, pickleball, and other similar sports courts, without lights
- Parks and open space
- Playground equipment

C. Conditional Uses. The following uses shall be allowed in the “RD” District if approved in accordance with the conditional use review and approval procedures.

- Baseball/softball fields, with lights
- Concession Stands, if located on the same property as another principal use
- Driving Ranges
- Indoor batting cages
- Indoor soccer fields
- Indoor volleyball, basketball, racquetball, tennis, pickleball, and other similar courts
- Miniature Golf, Putt-Putt
- Mobile Food Vendor
- Outdoor batting cages, with or without lights
- Outdoor soccer fields, with lights
- Outdoor volleyball, basketball, racquetball, tennis, pickleball, and other similar sports courts, with lights
- Plant Nursery
- Pumpkin Patches
- Shops offering the rental, repair, and sale of bicycles and bicycle accessories and supplies
- Swimming pools, indoor and outdoor

D. Property Development Standards. The following property development standards shall apply in the “RD” District.

1. Minimum lot size. The minimum lot size in the “RD” District shall be one (1) acre.
2. Minimum Lot Width. There shall be no minimum lot width in the “RD” District.
3. Minimum Setbacks. The minimum setbacks in the “RD” District shall be as follows:
  - a. Front Setback: 20 feet
  - b. Rear Setback: 10 feet
  - c. Interior side setback: 10 feet
  - d. Street side setback: 20 feet

E. Other Regulations and Standards.

1. Accessory Uses
  - a. No accessory building or structure shall be used prior to the principal building or use, except as a construction facility for the principal building or use.

b. Attached subordinate buildings. A subordinate building or structure attached to the principal building of a lot shall be made a structural part thereof and shall be considered part of the principal building, and not an accessory building or structure.

c. All utility sheds in excess of one hundred fifty (150) square feet shall be constructed of materials and designed architecturally to be in substantial compliance with the primary structure on the property.

2. Off-Street Parking and Loading (See Article VII, Sections 405.495 et seq.)

3. Access (See Section 405.755)

4. Landscaping and Screening (See Article VII, Sections 405.460 et seq.)

5. General Performance Standards (See Section 405.770)

6. Signs (See Article IX, Sections 405.570 et seq.)

7. Architecture (See Section 405.760)

8. Home Occupations (See Section 405.765).

#### F. Miscellaneous Requirements.

1. All exterior solid waste containers and container racks or stands shall be screened from view.

2. All of the lot used for parking of vehicles and all driveways used for vehicle ingress and egress shall be either paved with a sealed surface pavement or be comprised of gravel treated in such a manner that no dust will be produced by continued use.

3. No permanent outdoor storage shall be allowed in the "RD" District.

4. Drive through windows of any kind are not be permitted in the "RD" District.

5. Outdoor lighting, when provided, shall have an arrangement of reflectors and an intensity of lighting which will not interfere with adjacent streets and shall not be of a flashing or intermittent type.

6. All yards unoccupied with buildings or used as traffic ways shall be landscaped with grass and shrubs and maintained in good condition year round.

7. Where a "RD" Recreational District is adjacent to any residential zoning district or use, a landscaping greenbelt at least ten (10) feet in width shall be provided continuously on the back and/or sides of the commercial property lines abutting the residential zoning district or use and shall consist of a compact evergreen hedge, foliage screening, solid masonry wall, solid wood

fence or other type of screening with a minimum height of six (6) feet above grade, so long as the degree of screening is not less than the screening afforded by the fence, etc., and shall be maintained along the appropriate property line by the users of the "RD" property. All landscaping shall be maintained in a healthy growing condition by the property owner. This greenbelt shall not be used for off-street parking facilities or for loading space.

8. All natural watercourses, as defined in Section 510.290, in the "RD" District shall be flanked with vegetated buffers meeting the following requirements:

a. Within such vegetated buffers, there shall be no clearing, grading, construction, or disturbance of vegetation. A vegetated buffer for a natural watercourse shall consist of a vegetated strip of land extending along both sides of a natural watercourse (or alternatively, along one side of the natural watercourse, as applicable depending upon the location of the watercourse on the property in question).

b. The vegetated buffer shall begin at the edge of the bank of the natural watercourse, and extend a minimum width of twenty-five (25) feet along the natural watercourse.

c. For those sites where vegetation does not exist, developers or owners shall allow the vegetated buffer to succeed naturally.

d. Notwithstanding subsection (b) above, any drain field for on-site sewage disposal and treatment system (e.g. buried septic tanks or portable toilets) or raised septic tanks must be a minimum of two-hundred fifty feet from the natural watercourse.

**SECTION 4.** That Section 405.615 of the Municipal Code of the City of Cottleville, Missouri, be and hereby is amended by enacting a new Subsection G. thereto, to read as follows:

G. Signs Permitted In The "RD" Recreational District. Except as otherwise provided by Federal or State law or the Municipal Code of the City of Cottleville, in the recreational district, only the following signs are permitted in accordance with the regulations set forth herein:

1. Ground signs. Ground signs shall be permitted as follows:

a. The maximum height may not exceed twelve (12) feet. The face of such sign may not exceed fifty (50) square feet per sign face or a total area of one hundred (100) square feet.

b. Changeable copy is permitted on ground signs. Changeable copy signs shall not exceed twenty-four (24) square feet per sign facing or forty-eight (48) square feet for the total aggregate sign area. In no case shall the sign flash or contain any other mechanical or electronic contrivance.

2. Wall signs.

a. The total area of each wall sign shall not exceed five percent (5%) of the building facade or thirty-two (32) square feet, whichever is greater. A wall sign shall be permitted on each

wall which parallels or is oriented to a street or access drive. If the building fronts on more than one (1) street or access drive, the sign area for each wall shall be computed separately. Where a building has no wall fronting on a street or access drive, a wall sign shall only be located on the wall which contains the main access point for entry to the property.

b. Awning, canopy and marquee signs anchored to the primary building may be used in place of a wall sign. Awning, canopy and marquee signs used in place of wall signs will be subject to the same frontage and size requirements as a wall sign.

c. All support structures for wall-mounted signs shall be concealed from public view.

d. No signs shall be installed above the roof line.

e. A maximum of three (3) colors shall be used for all wall signs within a multi-tenant shopping center.

3. Electronic message signs. Electronic message signs are permitted in conjunction with ground or freestanding signs. An electronic message sign shall adhere to the following:

a. A maximum of one (1) message shall be displayed during any point in time. No continuous or rolling displays shall be permitted.

b. The minimum display time per message shall be five (5) seconds.

c. The intensity of the lights used in the message board shall not constitute a visual hazard for vehicular or pedestrian traffic and shall comply with all requirements of the Municipal Code of the City of Cottleville.

4. Outdoor Advertising Fence Signs. Consistent with Section 405.640(A)(4), outdoor advertising fence signs, as that term is defined in Section 405.360(B), are permitted to be placed on the interior of any fence that encloses an athletic field or sports court, as those terms are defined in Section 405.630(B), so long as such signs adhere to the following:

a. The sign shall not exceed the height of the fence on which it is placed.

b. There shall be at least a five (5) inch gap between the edges of each sign placed on the fence.

**SECTION 5.** That Subsection (B) of Section 405.630 of the Municipal Code of the City of Cottleville, Missouri, be and hereby is amended by adding new definitions to Subsection (B) of Section 405.630 to read as follows:

ATHLETIC FIELDS

Any athletic field that is allowed, either as a conditional or permitted use in the City's Recreational District, including, but not limited to, soccer fields, softball and baseball fields, driving ranges, batting cages, and other similar uses.

#### SPORTS COURTS

Any sports court that is allowed, either as a conditional or permitted use in the City's Recreational District, including, but not limited to, basketball courts, volleyball courts, pickleball courts, tennis courts, racquetball courts, and other similar uses.

#### OUTDOOR ADVERTISING FENCE SIGNS

An outdoor sign, display, figure, painting, message, plaque, poster, or other thing designed to advertise or inform, which is placed on the interior of any fence that encloses an athletic field or sports court and is intended to be viewed by those who are spectators or participants of the event or activity taking place at the applicable athletic field or sports court.

**SECTION 6.** That Subsection (A) of Section 405.640 of the Municipal Code of the City of Cottleville, Missouri, be and hereby is amended by deleting Subsection (A) of Section 405.640 in its entirety and enacting, in lieu thereof, a new Subsection (A) of Section 405.640 to read as follows:

A. No outdoor advertising signs shall be permitted within six hundred sixty (660) feet of the nearest edge of the right-of-way and visible from the main traveled way of any highway which is part of the primary system, located in the City of Cottleville, except the following:

1. Directional and other official signs, including, but not limited to, signs pertaining to natural wonders, scenic, cultural (including agricultural activities or attractions), scientific, educational, religious sites, and historical attractions, which are required or authorized by law;
2. Signs, displays, and devices advertising activities conducted on the property upon which they are located, or services and products therein provided;
3. The provisions of this Section shall not be construed to require removal of signs advertising churches or items of religious significance, items of native arts and crafts, woodworking in native products, or native items of artistic, historical, geologic significance, or hospitals or airports.
4. The provisions of this Section shall not be construed to prohibit or otherwise require the removal of outdoor advertising fence signs located in the City's Recreational District.


**SECTION 7.** Effective Date: This Ordinance shall be in full force and take effect from and after its final passage and approval.

**SECTION 8.** Savings Clause: Except as expressly set forth herein, nothing contained in this Ordinance shall in any manner be deemed or construed to alter, modify, supersede, supplant

or otherwise nullify any other Ordinance of the City or the requirements thereof whether or not relating to or in any manner connected with the subject matter hereof.

**SECTION 9. Severability Clause:** If any term, condition, or provision of this Ordinance shall, to any extent, be held to be invalid or unenforceable, the remainder hereof shall be valid in all other respects and continue to be effective and each and every remaining provision hereof shall be valid and shall be enforced to the fullest extent permitted by law, it being the intent of the Board of Aldermen that it would have enacted this Ordinance without the invalid or unenforceable provisions. In the event of a subsequent change in applicable law so that the provision which had been held invalid is no longer invalid, said provision shall thereupon return to full force and effect without further action by the City and shall thereafter be binding.

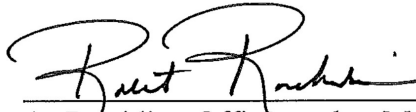
Read the first (1<sup>st</sup>) time this 18 day of October, 2023.



As Presiding Officer and as Mayor

Attest: Aly C. Lewis  
City Clerk

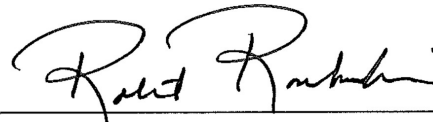
Read the second (2<sup>nd</sup>) time and passed this 18 day of October, 2023.



As Presiding Officer and as Mayor

Attest: Aly C. Lewis  
City Clerk

Approved this 18 day of October, 2023.



Mayor

Attest: Aly C. Lewis  
City Clerk