

ORDINANCE NO. 2212

AN ORDINANCE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI, AMENDING VARIOUS PROVISIONS OF CHAPTER 405 OF THE MUNICIPAL CODE OF THE CITY OF DARDENNE PRAIRIE, MISSOURI; AND PROVIDING FOR MOBILE VENDING BUSINESS EATING AND DRINKING GARDENS AS A CONDITIONAL USE IN THE C-3, RETAIL COMMERCIAL DISTRICT.

WHEREAS, the Planning and Zoning Commission of the City of Dardenne Prairie, Missouri (the “City”), did consider and recommend certain amendments to certain provisions of Chapter of the Municipal Code of the City of Dardenne Prairie, Missouri, to allow for mobile vending business eating and drinking gardens as a conditional use in the C-3, Retail Commercial District; and

WHEREAS, after publishing notice, the Board of Aldermen of the City (the “Board of Aldermen”) and the Planning and Zoning Commission of the City did hold duly advertised public hearings on the proposed amendments to the City’s zoning regulations; and

WHEREAS, at these public hearings all interested persons and residents were given an opportunity to be heard on the proposed amendments; and

WHEREAS, the Board of Aldermen hereby finds and determines that it is to the benefit of the health, safety and general welfare of the residents of the City to provide for certain amendments Chapter 405 of the Municipal Code of the City of Dardenne Prairie, Missouri, to allow for mobile vending business eating and drinking gardens as a conditional use in the C-3, Retail Commercial District;

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

SECTION 1. That Section 405.080 of the Municipal Code of the City of Dardenne Prairie, Missouri, be and is hereby amended by adding thereto the following defined terms:

MOBILE VENDING BUSINESS EATING AND DRINKING GARDEN

Shall have the same meaning as set forth in Chapter 632 of the City Code.

SECTION 2. That Subsection (C) of Section 405.195 of the Municipal Code of the City of Dardenne Prairie, Missouri, be and is hereby deleted in its entirety and enacted, in lieu thereof, is a new Subsection (C) of Section 405.195, which shall read as follows:

Section 405.195 “C-3” Retail Commercial District.

...

C. Conditional Uses.

1. Accessory dwelling units, provided that no more than one (1) accessory dwelling unit shall be permitted per lot.
2. Alcoholic beverages (liquor, beer and wine), retail.
3. Automobile and other motor vehicles, fuel sales (without repair services).
4. Automobile and other motor vehicles, drive-through oil-change facilities.
5. Automobile and other motor vehicles, parts and equipment sales, retail.
6. Automobiles and other passenger vehicles, rental services.
7. Banks, savings and loans, and credit unions with drive-through facilities (does not include check-cashing, payday loans and similar facilities).
8. Banquet hall and party centers.
9. Bars, pubs, nightclubs and taverns.
10. Bowling alleys.
11. Car washes (excluding semi-trailer trucks).
12. Commercial recreation not elsewhere listed, provided all buildings are two hundred (200) feet from a "R" District.
13. Convenience stores (with fuel sales).
14. Drive-through facilities (restaurants, pharmacy, grocery, etc.).
15. Electronic entertainment and communication products, repair.
16. Farmers markets.
17. Farms (roadside stands), retail.
18. Garden centers, greenhouses (commercial) and nurseries, retail only.
19. Gun shops and gunsmiths.
20. Hotels, motels, extended-stay hotels.
21. Health and fitness clubs.
22. Microbreweries within restaurants and do-it-yourself beer- and wine-making stores.
23. **Mobile Vending Business Eating and Drinking Garden**
24. Outdoor storage or display in connection with, and accessory to, a permitted retail use on the site. Material, product, inventory, goods and/or equipment not displayed for sale or lease on the site may be permitted in the side and/or rear yard, provided items are screened or enclosed by a masonry wall, sight-proof fence or equivalent landscape hedge not less than six (6) feet in height. Outdoor display of merchandise and goods for lease or sale at retail may be approved without screening subject to any conditions of the conditional use permit.
25. Pet stores.
26. Pool and billiard halls.
27. Secondhand merchandise (including consignment, but not including pawnshops), retail.
28. Sign manufacturing conducted in conjunction with retail sales of signs on the premises. Outdoor storage of any material, product, inventory, goods and/or equipment is prohibited.
29. Wholesale establishment or warehouse in a completely enclosed building.
30. Wireless support structures and wireless facilities.
31. Accessory uses customarily incident to any conditional uses in this Section.

32. Veterinarian.

SECTION 3. 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 4. 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.

SECTION 5. Effective Date: This Ordinance shall be in full force and take effect from and after its final passage and approval.

Read the first (1st) time this 21st day of September, 2022.


As Presiding Officer and as Mayor

Attest:


City Clerk

Read the second (2nd) time and passed this 5th day of October, 2022.


As Presiding Officer and as Mayor

Attest:


City Clerk