

Council Bill No. 2024-46

Ordinance No. 3702

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF HARRISONVILLE, MISSOURI AMENDING ARTICLE I AND APPENDIX A—LAND USE TABLE UNDER CHAPTER 405—ZONING REGULATIONS AND ARTICLE I UNDER CHAPTER 600—INTOXICATING LIQUOR OF THE HARRISONVILLE MUNICIPAL CODE AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Harrisonville desires to amend various municipal code regulations under Title IV – Land Use and Title VI—Business and Occupations; and

WHEREAS, after due public notice in the manner prescribed by law, the Planning & Zoning Commission held a public hearing on July 18, 2024, to review and make a recommendation. After said public hearing, the Planning & Zoning Commission voted 5-0 to recommend approval to the Board of Aldermen; and

WHEREAS, after due public notice in the manner prescribed by law, the Board of Aldermen held a public hearing on August 5, 2024, and rendered a decision to approve as the Board believes that it is in the best interest for the citizens of Harrisonville.

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

Section 1: Section 405.030.B is hereby amended by adding the following definitions:

“ART GALLERY

An establishment engaged in the sale, loan or display of art, books, paintings, sculpture or other works. The term art gallery does not include libraries or museums.

ARTIST STUDIO

A place of work for an artist, artisan, or craftsperson, including persons engaged in the application, teaching, or performance of fine arts such as, but not limited to, drawing, vocal or instrumental music, painting, sculpture, and writing.

BAR

An establishment primarily engaged in serving alcoholic beverages for consumption on the premises and in which the serving of prepared food and live entertainment may be provided. This definition shall be interchangeable with the terms tavern, cocktail lounge, or nightclub.

BATCH PLANT

An industrial facility used for the production of asphalt or concrete or asphalt or concrete products, used in building or construction and the stockpiling of bulk materials used in the production process or of finished products manufactured on the premises and the storage and maintenance of required equipment, but does not include the retail sale of finished asphalt or concrete products.

BREW PUB

A restaurant that prepares handcrafted natural beer intended for consumption on the premises as an accessory use. These establishments produce no more than ten-thousand (10,000) barrels of beer or ale annually. The area used for brewing, including bottling and kegging, shall not exceed twenty-five percent (25%) of the total floor area of the commercial space.

BREWERY

A facility engaged in the production and packaging of ales, beers, meads and/or similar beverages on site. Breweries manufacture more than ten-thousand (10,000) barrels of beverage (all beverages combined) annually.

BREWERY, MICRO

A facility engaged in the production and packaging of ales, beers, meads and/or similar beverages on site. Micro-breweries manufacture no more than ten-thousand (10,000) barrels of beverage (all beverages combined) annually. A micro-brewery may include other uses such as a standard restaurant, bar or live entertainment as an accessory use.

FILM PRODUCTION

Film-making or film production is the process by which a motion picture is produced; it is when and where the film is created and shot.

LIVE ENTERTAINMENT

A use which includes any or all of the following activities, either principally or as accessory uses: performance by musicians, dancers, stand-up comedians or other performance artists; karaoke; live bands or musical acts; or the amplification of recorded music/entertainment by live disc jockeys.

PERFORMING ARTS THEATRE

A building primarily used for the presentation of live performances of plays or music.

RECREATIONAL FACILITY, COMMERCIAL

An indoor and/or outdoor commercial establishment or place of business primarily engaged in the provision of sports, entertainment, or recreation for

participants or spectators. Recreation as defined here does not include “adult entertainment”.

RECREATIONAL FACILITY, NON-COMMERCIAL

A private non-commercial outdoor playground and/or recreational facilities that are listed as accessory uses to a subdivision, apartment development, church, or other non-commercial principal use.”

Section 2: Section 600.010 is hereby amended by adding the following definitions:

“BREWERY

A facility which brews or manufactures malt liquor.

MICROBREWERY

A business whose primary activity is the brewing and selling of beer, with an annual production of ten-thousand (10,000) barrels or less.

VINTAGE WINE

Bottled domestic white, rose or sparkling wine, which is not less than five years old, domestic red wine which is not less than ten years old, or imported white, rose, red, sparkling or port wine which is not less than three years old.”

Section 3: Section 600.020.D is hereby amended to be Section 600.020.E.

Section 4: A new Section 600.020.D is hereby added to read as follows: “D. Other Licenses. Any person who is licensed under the provisions of this Chapter or who otherwise possesses the qualifications and meets the requirements of this Chapter may apply for the following licenses to sell and/or manufacture intoxicating liquor or non-intoxicating beer as appropriate.

1. Wholesaler: Sales to licensed Wholesalers and solicitations of orders for the sale of intoxicating liquor and non-intoxicating beer to, by, or through a licensed Wholesaler in Missouri.
2. Manufacturer: Manufactures, distills or blends and sales of intoxicating liquor and non-intoxicating beer.
3. Solicitor: Sales to licensed Wholesales and solicitations of order for the sale of intoxicating liquor and non-intoxicating beer to, by, or through a licensed Wholesaler within this state. May be located out of state or instate.”

Section 5: Appendix A—Land Use Table is hereby amended to read as attached.

Section 6: That this Ordinance shall be in effect immediately upon its passage and approval.

READ FOR THE FIRST TIME BY TITLE ONLY ON THE 5TH DAY OF AUGUST 2024,
AND WAS READ FOR A SECOND TIME BY TITLE ONLY ON THE 19TH DAY OF
AUGUST 2024, AND PASSED BY THE BOARD OF ALDERMEN THIS 19TH DAY OF
AUGUST 2024.

VOTE TAKEN AS FOLLOWS:


AYES: Chaney, Davidson, Doerhoff, Franklin, Milner, Pfautsch, Turner

NAYS:

ABSENT:

ABSTAIN:

EXCUSED: Mills



Mike Zaring, Mayor and Ex-Officio
Chairman of the Board of Aldermen

ATTEST:



Daniel Barnett, City Clerk

WITNESS my hand and seal this 19th day of August 2024.

ATTACHMENT: Appendix A—Land Use Table