

BILL NO. 10-2024

ORDINANCE NO. 1561-2024

**AN ORDINANCE AMENDING MUNICIPAL CODE SECTION 405.505.A PERMITTED LAND USES IN THE M – INDUSTRIAL DISTRICT**

**WHEREAS**, On February 12, 2024, the Planning & Zoning Commission of Kearney, Missouri, held a public hearing, related to a proposed ordinance amendment to include additional land uses in the M – Industrial District;

**WHEREAS**, on February 20, 2024, the Board of Aldermen of Kearney, Missouri, held a public hearing relative to said ordinance amendment;

**WHEREAS**, on February 1 and 8, 2024, public notices were posted in the Courier-Tribune, a newspaper of general circulation in Kearney, relative to both public hearings; and

**WHEREAS**, the Kearney Board of Aldermen deems it to be in the best interest of the City to allow additional land uses within the M – Industrial zoning district.

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

**Section 1.** Section 405.505.A, related to Permitted Uses in the M – Industrial District, is hereby revised to add the following land uses as permitted uses in the district:

26. Automobile service station, with or without gasoline sales.
27. Financial institutions, including drive-thru banks.
28. Health care clinic or offices.
29. Hotel and motels.

**Section .** The attached “Appendix A Table of Uses by Zoning District”, is hereby updated.

**Section 3.** This ordinance shall be in full force and effect on after passage by the Board of Aldermen and approval by the Mayor.

**ADOPTED AND APPROVED BY THE MAYOR AND BOARD OF ALDERMEN, CITY OF KEARNEY, MISSOURI, THIS 20TH DAY OF FEBRUARY, 2024.**

APPROVED:

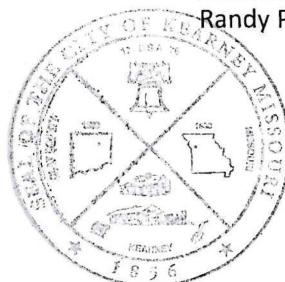
*Randy Pogue*

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Randy Pogue, Mayor

ATTEST:

*Sheila Ernzen*

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Sheila Ernzen, City Clerk



## Article XVIII - "M" Industrial District

### Section 405.500 – Purpose,

This industrial district is intended primarily for production, processing and assembly plants that are operated so that they create limited environmental problems in the way of sounds, smoke, vibrations, noise, odor, dust and glare of such operations and are completely confined within an enclosed building. The industrial district is also intended for the development of office/warehouse uses. This district is established for industrial uses which do not require large amounts of land; generate modest amounts of traffic; are consistent with the capacity and availability of public and private services; and do not permit the intermixing of residential uses.

### Section 405.505 - Permitted Uses.

#### A. The principal uses of land in the "M" District are as follows:

1. Auction houses.
2. Building maintenance services.
3. Building materials sales.
4. Call centers.
5. Car washes.
6. Equipment rental.
7. Equipment repair.
8. Exterminating services.
9. Freight, truck and rail terminals.
10. Indoor sports and recreation.
11. Laboratories.
12. Light manufacturing, processing, fabrication or assembling of commodities or products where no process involved will produce noise, vibration, air pollution, fire hazard or noxious emission which will disturb or endanger neighboring properties, including activity requiring railroad siding or frequent pickup and delivery by motor truck, except junk or salvage.
13. Self-storage facilities, subject to the provisions of Section 405.705(B).
14. Automobile and vehicle, major repair.
15. Offices and research facilities.
16. Stations for bus passenger service.
17. Towing service.
18. Warehousing, wholesaling and storage of any commodity not otherwise hazardous or toxic, including all types of merchandise requiring railroad siding or frequent pickup and delivery by motor truck, except junk or salvage.
19. Comprehensive marijuana cultivation facility.
20. Comprehensive marijuana-infused products manufacturing facility.

21. Marijuana testing facility.
22. Marijuana transportation facility.
23. Medical marijuana cultivation facility.
24. Medical marijuana-infused products manufacturing facility.
25. Marijuana dispensary.
26. **Automobile service station, with or without gasoline sales.**
27. **Financial institutions, including drive-thru banks.**
28. **Health care clinic or offices.**
29. **Hotel and motels.**

**Update Appendix A Table of Uses by Zoning District**

## APPENDIX A - TABLE OF USES BY ZONING DISTRICT

Summary Table of Uses									
P--Permitted Use C--Conditional Use	Residential Districts					Commercial Districts			Industrial District
Residential Uses	R-R	R-1	R-2	R-3	R-4	C-O	C-1	C	M
Single-family dwellings	P	P	P	P	P				
Two-family dwellings			P	P	P				
Multi-family dwellings				P	P				
Town homes or attached row houses				P	P				
Manufactured home									
Mobile home									
Modular home									
Group homes	P	P	P	P	P				
Home occupation	P	P	P	P	P				
Bed & Breakfast home or inn	C	C	C	C	C				
Boarding house or lodging house									
Adult day care home	P	P	P	P	P				
Family child care home	P	P	P	P	P				
Group child care home		C	C	C	C	C	C	C	
Congregate care facility		C	C	C	C				
Non-Residential Uses									
Adult entertainment								C	
Agricultural supplies								P	
Agricultural Tourist Operation, subject to Section 405.705									C
Alterations and tailoring						C	P	P	
Ambulance service							P	P	
Amusement and video arcades							P	P	
Animal hospital or clinic							P	P	
Antiques							P	P	
Apartments above the first floor							P	P	
Apparel							P	P	

	R-R	R-1	R-2	R-3	R-4	C-O	C-1	C	M
Appliance and electronics repair							P	P	
Art galleries and studios							P	P	
Auction business								C	
Auction houses									P
Auditoriums and exhibit halls								C	C
Auto supplies stores								P	
Automated teller machine							P	P	
Automobile dealers, new and used								P	
Automobile service station, with or without gasoline sales							P	P	P
Automobile and vehicle, major repair								P	P
Automobile and vehicle, minor repair							P	P	
Aviation fields or airports									C
Bakeries and confectionery establishments							P	P	
Bar or nightclubs							P	P	
Barbers, hair styling and similar personal services							P	P	
Baseball batting cages								C	
Bed and breakfast home or inn	C	C	C	C	C		P	P	
Books and periodicals, other than adult bookstores							P	P	
Bowling and skating centers								P	
Bus or cab terminal								P	
Building maintenance services									P
Building materials sales									P
Business support services							P	P	
Call centers									P
Cameras and photo equipment							P	P	
Camps, travel trailer and RV parks, provided that no camper shall occupy a campground for a period exceeding sixty (60) consecutive days.								C	C
Camper trailer, sales and service								P	
Car washes							C	P	P
Carpeting and floor covering							P	P	
Caterer							P	P	
Cemeteries, crematories and mausoleums									C
Child care center		C	C	C	C	C	C	C	

	R-R	R-1	R-2	R-3	R-4	C-O	C-1	C	M
City administrative buildings		P	P	P	P	C	P	P	
Club, private							C	P	
Club or lodges		C	C	C	C	C	C	P	
Commercial printing and publishing								C	
Computer sales and service							P	P	
Concrete plants, asphalt plants									C
Consumer repair service							P	P	
Contractor's shop and/ or yard, including construction equipment and/or materials storage area								C	
Convenience stores, with or without gasoline sales							P	P	
Crafts							P	P	
Delicatessens							P		
Discount stores							P	P	
Drugs and cosmetics							P	P	
Dry cleaners							P	P	
Equipment sales and rental, excluding heavy equipment								P	
Equipment rental.									P
Equipment repair									P
Exterminator, exterminating services								P	P
Fairgrounds								C	
Farm implement sales and service								P	
Farming/agricultural activities									
Farmers/produce markets								P	
Federal, State, and County offices		C	C	C	C	P	P	P	
Financial institutions, including drive-through banks						C	P	P	P
Fish hatcheries, apiaries, aviaries									
Fishing lakes and picnic groves									
Florist shops						C	P	P	
Food storage lockers								P	
Food store							P	P	
Forests and wildlife reservations									
Freight, truck and rail terminals									P
Funeral homes and mortuaries		C	C	C	C	C	C	P	C

	R-R	R-1	R-2	R-3	R-4	C-O	C-1	C	M
Furniture store							P	P	
Gift shops						C	P	P	
Golf courses		P	P	P	P				
Grain elevators and storage bins, including the sale of related items.									C
Greeting cards and stationery						C	P	P	
Gun club, archery range								C	
Hardware stores							P	P	
Health care clinic or offices						P	P	P	P
Health or fitness clubs						C	P	P	
Health related sales and services								P	
Heavy manufacturing uses including: Acid manufacture Cement, lime, gypsum or plaster of Paris manufacture Distillation of bones Explosive manufacture or storage Fertilizer manufacture and storage Gas manufacture Garbage, offal or dead animal reduction or dumping Paper or pulp manufacture Petroleum or its products (refining of) Smelting of tin, copper, zinc or iron ores Stockyards Wholesale storage of gasoline and L.P. gas									C
Hobby shops							P	P	
Home lighting and fixtures							P	P	
Hospital and hospice care facilities		C	C	C	C	C	P	P	C
Hotel and motels							P	P	P
House wares and kitchenware						C	P	P	
Ice cream and candy stores						C	P	P	
Indoor sports and recreation.									P
Interior decorating						C		P	
Internet providers						C	P	P	
Jewelry							C	P	
Kennels, subject to the provisions of Section 405.705	C								
Landscape and horticultural services							P	P	

	R-R	R-1	R-2	R-3	R-4	C-O	C-1	C	M
Junk yards or salvage yards, subject to the provisions of Section 405.705.									C
Laboratories									P
Laundromats						C	P	P	
Libraries or museums								P	
Light manufacturing, processing, fabrication or assembling of commodities or products where no process involved will produce noise, vibration, air pollution, fire hazard, or noxious emission which will disturb or endanger neighboring prosperities, including activity requiring railroad siding or frequent pickup and delivery by motor truck, except junk or salvage.									P
Liquor store								P	
Locksmiths							P	P	
Lumberyard								P	
Manufactured home dealer							P	P	
Comprehensive marijuana cultivation facility									P
Comprehensive marijuana-infused products manufacturing facility									P
Marijuana testing facility									P
Marijuana transportation facility									P
Medical marijuana cultivation facility									P
Medical marijuana-infused products manufacturing facility									P
Marijuana dispensary							P	P	P
Microbrewery							P	P	
Miniature golf course								P	
Music and musical instruments						C	P	P	
News and magazine shops							P	P	
Newspaper publishing							P	P	
Nursery, garden store							P	P	
Nursery school		C	C	C	C	C	C	C	
Nursing homes, retirement home or assisted living facility.		C	C	C	C	C	P	P	C
Office supplies						P	P	P	
Offices						P	P	P	
Offices and research facilities.									P
Optical shops							P	P	



	R-R	R-1	R-2	R-3	R-4	C-O	C-1	C	M
Outdoor commercial recreation								P	
Outlet stores or shops							P	P	
Paint and wallpaper							P	P	
Parking for uses on the same or adjacent parcel as the principal use							P	P	
Pawn shop							P	P	
Pet stores							P	P	
Pet care facility							P	P	
Pharmacy						C	P	P	
Photocopying and retail printing						C	P	P	
Photographer studio						C	P	P	
Picture framing						C	P	P	
Places for religious worship	P	P	P	P	P			P	
Plumbing, HVAC, electrician shop								P	
Postal and mailing services						C	P	P	
Printing services								P	
Privately owned seasonal or temporary or permanent park and recreational areas such as clubs for swimming, tennis and racquetball; youth camps; adult and family retreat areas; gun clubs; archery ranges; rodeos; fairgrounds and musical festivals; amusement parks, privately owned baseball or athletic fields, race tracks.									C
Professional services							P	P	
Public and private sanitary landfills and resource recycling center not involving any hazardous or toxic waste material.									C
Public parks and recreation buildings or facilities	P	P	P	P	P				
Public safety services	C	C	C	C	C		P	P	
Public utilities and facilities	C	C	C	C	C	C	C	P	C
Publicly owned and operated community buildings, public museums, public libraries, or meeting facilities.		P	P	P	P	C	P	P	
Quarrying, mining or removal of sand, gravel or stone and the processing of the same, including asphalt and concrete plants, all of which shall be permitted by separate conditional use permits, subject to the provisions of Section 405.705.									C
Radio and TV towers								C	C
Recycling collection station								C	

	R-R	R-1	R-2	R-3	R-4	C-O	C-1	C	M
Residential or outpatient facilities for the treatment of alcohol or drug abuse. Such facilities must be in reasonable conformance with the general standards of the neighborhood. No such facility may be located within three hundred (300) feet of any other such facility.									C
Restaurant							P	P	
Restaurant, drive through							C	P	
Restaurant, fast food									
Retail sales and services							P	P	
Riding stable and academy provided no structure housing horses shall be located nearer than five hundred (500) feet to the boundary of any residential district with "R" in its title.									C
Riding stables; riding tracks									
Roofing, siding, and sheet metal work								C	
Schools, public and private	P	P	P	P	P				
Schools and other educational facilities								P	
Self-storage facility, subject to the provisions of Section 405.705.								P	P
Shoe stores and repair shops							P	P	
Slaughterhouses									C
Sporting goods and bicycles							P	P	
Stations for bus passenger service									P
Tanning salon							P	P	
Taverns and bars							P	P	
Taxidermist							P	P	
Technical schools and training facilities								P	
Telecommunication facilities	C	C	C	C	C		C	C	
Theaters, indoor								P	
Therapeutic massage enterprise							P	P	
Towing Service									P
Toys and hobby supplies							P	P	
Truck stops								C	
U.S. Post Office								P	
Variety stores							P	P	
Vehicle and equipment sales and service								P	

	R-R	R-1	R-2	R-3	R-4	C-O	C-1	C	M
New and/or used vehicle sales, including recreational or off-road vehicles and boats, subject to Section 405.510.A.21								C	C
Veterinarian clinic, with outdoor kennels							C	P	
Veterinarian clinic, without outdoor kennels							P	P	
Video arcade								P	
Video rental							P	P	
Warehousing, wholesaling and storage of any commodity not otherwise hazardous or toxic, including all types of merchandise requiring railroad siding or frequent pickup and delivery by motor truck, except junk or salvage									P
Warehousing for goods related to permitted use activities in the district									
Welding shops								C	
Wind energy conversion systems									C
Wineries									
Youth camps, adult and family retreat areas								C	