AN ORDINANCE AMENDING SECTION 405.135.B OF THE ORDINANCES OF ST. CHARLES COUNTY MISSOURI ("OSCCMo"), THE UNIFIED DEVELOPMENT ORDINANCE, TO ADD STORAGE AND ACCESSORY STRUCTURE SALES, RENTAL AND LEASING AS A PERMISSIVE USE IN THE "C2" GENERAL COMMERCIAL ZONING DISTRICT.

WHEREAS, Art. II, Section 2.514 of the St. Charles County Charter authorizes the County Council to "license, tax, and regulate all businesses, occupations, professions, vocations, activities or things whatsoever set forth and enumerated by the Constitution or by Applicable Law" within the unincorporated areas of the County and also within incorporated areas of the County with the consent of their governing bodies; and

WHEREAS, Article II, Section 2.529 of the St. Charles County Charter provides that the Council may exercise legislative power pertaining to public health and welfare, police and traffic, building construction, and planning and zoning, in the part of the County outside incorporated cities, towns, and villages, and on such other subjects as may be authorized by the Constitution or by applicable law; and

WHEREAS, St. Charles County has adopted the zoning regulations in Chapter 405 OSCCMo; and
WHEREAS, Section 405.535.B.2, OSCCMo, provides that by its own motion and by ordinance the County Council may amend the text of Chapter 405 OSCCMo; and

WHEREAS, the County Council finds that it is in the public interest to amend the regulations of Chapter 405, Section 405.135.B., OSCCMo, as provided herein, to add storage shed and accessory sales, rental and leasing as permissive uses in the “C2” (General Commercial) zoning districts.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. Section 405.135.B., OSCCMO, is hereby amended as follows (added text in **bold type**, deleted text in [bracketed and striken type]).

Section 405.135 “C2” General Commercial District.

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B. Permissive Uses.

1. Any permissive use or conditional use of the Park Recreational "PR" and Neighborhood Commercial "C1" Districts, except single-family/single household dwellings, houseboats, temporary fireworks stands, bed and breakfast residences or broadcast facilities and telecommunication facilities.
2. Art gallery and museum.
3. Automobile car wash.
4. Automobile service station and automobile repair, including auto body shop, provided
that wrecked or dismantled vehicles or parts are stored in a building or enclosed within an eight (8) foot sight-proof fence.

5. Bed and breakfast inn.


7. Broadcast facility of one hundred (100) feet or less in height, provided that the distance from the center of the tower base to the nearest "A" (Agricultural) or "R" (Residential) District property line shall not be less than the height of the tower.

8. Business or commercial school or academy.

9. Carpentry and woodworking related to furniture and small wood products employing not more than four (4) individuals, and provided there is no open storage of materials or products.

10. Dyeing, cleaning, printing, tinsmithing, tire sales and service, upholstering, and other general service and repair establishment of similar character. Not more than ten percent (10%) of the lot or tract occupied by such an establishment shall be used for the outside storage of materials or equipment within an eight (8) foot sight-proof fence.

11. Department and discount store.

12. Display and sales room.

13. (Reserved) [1]

[1] Editor’s Note: Former Subsection (B)(13) regarding farm machinery and equipment, was repealed 5-9-2016 by §1 of Ord. No. 16-032.

14. Farm or feed store, including accessory storage of liquid or solid fertilizer.
15. Frozen food lockers and cold-storage facility.
16. Furniture, home furnishing, and floor covering, retail.
17. General contracting services relating to building, electrical, heating and cooling, painting, and plumbing with no outside storage except for trucks and dump trucks which may be stored outside.
   [2] On September 7, 2005, pursuant to Section 405.070, the Director of the Division of Planning and Zoning added the following use to Subsection 405.135(B)'s list of permissive uses in "C2" General Commercial District: Halfway house.
19. Health and exercise club, reducing salon, and athletic club.
20. Laboratory—research, experimental, or testing.
21. (Reserved) [3]
   [3] Editor’s Note: Former Subsection (B)(21) regarding landscaping contracting services was repealed 5-9-2016 by §1 of Ord. No. 16-032.
22. Mail order facilities, including direct mail and similar facilities.
23. Microbrewery.
24. Motel or hotel.
27. Radio or television broadcasting station or studio and telegraph offices.
28. Recreation, commercial indoor.
29. Rental agency.
30. Supermarket.
31. Tattooing/body piercing establishment, established pursuant to Chapter 645, Ordinances of St. Charles County, Missouri, provided that the premises occupied be at least one thousand (1,000) feet from the site of any public or private school.
32. Taxidermy. [4]
[4] On April 16, 2010, pursuant to Section 405.070, the Director of the Division of Planning and Zoning added the following use to Subsection 405.135(B)'s list of permissive uses in "C2" General Commercial District: Taxidermy.
33. Telecommunication tower as regulated in Part 3, Article VIII, Section 405.505.
34. Theater, stage, or motion picture, indoor.
35. Veterinarian, animal hospital or kennel, if within an enclosed building.
36. Accessory use customarily incidental to any of the above including a crematory as an accessory use to a mortuary.
37. Portable storage and accessory structures sales, rental and leasing (new and used).

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Section 2. Except as provided in Section 3, below, this ordinance shall be in full force and effect from and after the date of its passage and approval.

Section 3. This ordinance is subject to penalty provisions for its violation and therefore, for penal purposes, shall be
effective thirty-one (31) days after its posting in six public places, its publication in full on the web site of St. Charles County, and the publication of its title and the location in St. Charles County where it may be viewed in its entirety in a legal publication or a newspaper of general circulation in St. Charles County.

May 14, 2018
DATE PASSED

May 22, 2018
DATE APPROVED BY COUNTY EXECUTIVE

Chair of the Council

COUNTY EXECUTIVE

ATTEST:

COUNTY REGISTRAR

Council.Section 405.135.B revisions.storage shed sales as Permissive Use.4-18.M