

BILL NO.: 6542

ORDINANCE NO.:5172

INTRODUCED BY:

ALDERMAN PLUFKA
ALDERMAN WEGGE
ALDERMAN LOCHMOELLER
ALDERWOMAN HARTER

ALDERWOMAN PARKER TICE
ALDERWOMAN SIMS
ALDERMAN GOULD
ALDERMAN ERGER

**AN ORDINANCE AMENDING SECTION 400.1380 OF THE BRENTWOOD CITY CODE
RELATING TO CONDITIONAL USES IN THE PLANNED DEVELOPMENT OVERLAY
DISTRICT**

WHEREAS, Tamiakia Ward, of Care Companions of Clayton, CDS LLC, submitted an application to establish an Adult Day Care Center at 2570 S. Brentwood Blvd. in an are zoned "PD" Planned Development Overlay District; and

WHEREAS, while such a use is not currently allowed in the PD District, the Board of Aldermen believes that it is in the best interest of the public health, safety and general welfare of the City to conditionally allow such use as hereinafter provided; and

WHEREAS, the amendments hereinafter set forth have been subject to all notice and public hearing procedures required by law and have been reviewed by the City's Planning and Zoning Commission and the Commission's recommendation has been received and considered by the Board of Aldermen;

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

Section 1. Subsection (C) of Section 400.1380 of Article III of Chapter 400 of the Code of Ordinances of the City of Brentwood, Missouri, is hereby repealed and a new Subsection (C) is hereby enacted in lieu thereof to read as follows:

Chapter 400. Zoning

ARTICLE III. District Regulations

Section 400.1380. "PD" Planned Development Overlay District.

[NOTE: Those subsections, provisions and portions of this Section not set forth herein are not altered, amended or affected in any way by this amendment and remain in full force and effect. For that reason, those subsections, provisions and portions are not set forth here in full.]

- C. Conditional Uses. The Board of Aldermen may authorize the following uses by conditional use permit as provided in Article II, Division 6, after receipt of the recommendation of the Planning and Zoning Commission and subject to such restrictions and conditions as are deemed necessary. The Board, by simple majority vote, may add any restrictions or conditions it feels appropriate.

1. Public utility substations and transmission facilities, collection facilities and processing plants;
2. Private adult day care centers for the elderly and/or persons with disabilities and private child day care centers or nurseries;
3. Nursing or retirement homes;
4. Enclosed or open recreational uses, including, but not limited to, video games, tennis, handball, paddleball, swimming, skating, gymnasium or health club, bowling, indoor soccer, etc., but excluding outdoor theaters;
5. Restaurants;
6. Drive-in or carry-out sales of foods or of other goods or services, including freestanding drive-in banking facilities;
7. Taverns and cocktail lounges;
8. Any building or structure exceeding six (6) stories or seventy-five (75) feet in height;
9. Any display, storage or parking out-of-doors of equipment, vehicles or merchandise other than motor vehicles normally required by employees, customers or users of the site;
10. Dry cleaning plant or laundry;
11. Pet boarding facility, including day care and overnight boarding for domesticated dogs and cats;
12. Medical marijuana dispensary facility.

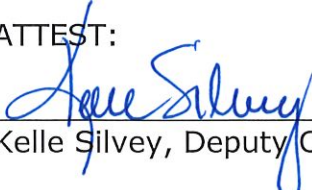
SECTION 2. It is hereby declared to be the intention of the Board of Aldermen that each and every part, section and subsection of this Ordinance shall be separate and severable from each and every other part, section and subsection hereof and that the Board of Aldermen intends to adopt each said part, section and subsection separately and independently of any other part, section and subsection. If any part of this Ordinance shall be determined to be or to have been unlawful or unconstitutional, the remaining parts, sections and subsections shall be and remain in full force and effect.

SECTION 3. The Chapter, Article, Division and/or Section assignments designated in this Ordinance may be revised and altered by the codification company servicing the City’s Code of Ordinances upon supplementation of such code if, in the discretion of the editor, an alternative designation would be more reasonable. In adjusting such designations, the editor may also change other designations and numerical assignment of code sections to accommodate such changes.


SECTION 4. This Ordinance shall be in full force and take effect from and after the date of its passage and approval according to law.

PASSED BY THE BOARD OF ALDERMEN THIS 18TH DAY OF FEBRUARY 2025.

ATTEST:



 Kelle Silvey, Deputy City Clerk



 David A. Dimmitt, Presiding Officer

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APPROVED BY THE MAYOR THIS 18TH DAY OF FEBRUARY 2025.



David A. Dimmitt, Mayor

ATTEST:



Kelle Silvey, Deputy City Clerk

1st Reading: February 3, 2025

2nd Reading: February 18, 2025

