

SPONSORED BY: COUNCIL MEMBER CAHILL
INTRODUCED BY: COUNCIL MEMBER CAHILL

BILL NO. 3841
ORDINANCE NO. 3608

AN ORDINANCE AMENDING TITLE IV: LAND USE; CHAPTER 400: ZONING REGULATIONS; 400.090: DEFINITIONS, OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI, TO MODIFY REGULATIONS REGARDING ACCESSORY BUILDINGS IN THE CITY OF ELLISVILLE, MISSOURI.

WHEREAS, Section 2.1 of the City Charter confers upon the City of Ellisville all powers which the General Assembly of the State of Missouri has authority to confer upon any municipality, provided such powers are consistent with the Constitution of the State of Missouri, and are not limited or denied by the Charter, including all powers conferred upon the City by law; and

WHEREAS, Chapter 89, RSMo authorizes the City of Ellisville to enact land use regulations designed to lessen congestion in the streets; to secure safety from fire, panic and other dangers; to promote health and the general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to preserve features of historical significance; to facilitate the adequate provision of transportation, water, sewage, schools, parks, and other public requirements; and

WHEREAS, City staff recommends amending Title IV: Land Use; Chapter 400: Zoning Regulations; Article III: General Provisions; Section 400.090: Definitions, of the Code of the City of Ellisville, Missouri to permit accessory buildings to have bathrooms; and

WHEREAS, a public hearing was held by the Planning and Zoning Commission of the City of Ellisville on June 11, 2025, pursuant to the legal notices and Title IV: Land Use, of the Code of the City of Ellisville, Missouri, to amend said land use regulations, and the Planning and Zoning Commission forwarded a favorable recommendation of said amendments to the City Council; and

WHEREAS, a public hearing was held by the Council of the City of Ellisville on June 18, 2025, pursuant to legal notices and Title IV: Land Use, of the Code of the City of Ellisville, Missouri, to amend said land use regulations; and

WHEREAS, all persons present at such hearings were given an opportunity to be heard and were heard; and

WHEREAS, the City Council finds that amendment of said land use regulations will not adversely affect the character of the neighborhood, traffic conditions, fire hazards, public utility facilities and other matters pertaining to public health, safety and general welfare of the community; and

WHEREAS, a copy of the proposed Ordinance was made available for public inspection prior to its consideration by the Council.

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

SECTION 1: Title IV: Land Use; Chapter 400: Zoning Regulations; Article III: General Provisions; Section 400.090: Definitions, Subsection C, of the Code of the City of Ellisville, Missouri, is hereby amended as set forth in Exhibit A, which is attached hereto and incorporated herein by reference.

SECTION 2: All other Sections and Subsections of Chapter 400: Zoning Regulations of the Code of the City of Ellisville, Missouri shall remain in full force and effect.

SECTION 3: This Ordinance shall be in full force and effect after its passage and approval of the Council.

This Bill No. 3841 having been read by title or in full two times prior to passage and having been duly considered and voted upon was finally passed and approved this 18th day of June, 2025.

First Reading votes:

DATE: 06/18/2025

	AYE	NAY	ABSTAIN
NIEBLING	X		
COMPTON		Absent	
CAHILL	X		
SANBORN		Absent	
HILDEBRAND	X		
BOGGS	X		
ROEMERMAN	X		

Second Reading votes:

DATE: 06/18/2025

	AYE	NAY	ABSTAIN
	X		
		Absent	
	X		
		Absent	
	X		
	X		
	X		

ATTEST:


CITY CLERK

CITY OF ELLISVILLE


MAYOR MIKE ROEMERMAN

Approved as to form:

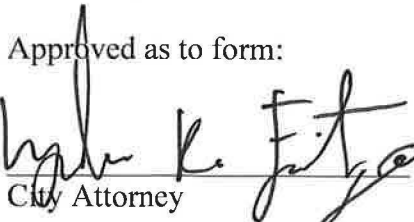

City Attorney

EXHIBIT A

[*language to be repealed struck through, language to be added in red font, unaffected subsections and definitions indicated by ellipsis*]

TITLE IV. LAND USE

CHAPTER 400. ZONING REGULATIONS

ARTICLE III. GENERAL PROVISIONS

SECTION 400.090. DEFINITIONS

- A. For the purpose of this Chapter, certain terms and words are hereby defined. Words used in the present sense shall include the future; the singular number shall include the plural and the plural the singular; the word “building” shall include the word “structure”. The word “shall” is always mandatory and not merely directory. The word “may” is directory and discretionary and not mandatory.
- B. Unless a contrary intention clearly appears, the following words and phrases shall have the meanings given in the following clauses for purposes of this Chapter. Words and phrases which are not defined shall be given their usual meaning except where the context clearly indicates a different or specific meaning.
- C. *Definitions.* As used in this Chapter, the following terms shall have these prescribed meanings:

ACCESSORY BUILDING

A structure that:

- 1. Is ancillary and subordinate to and serves a principal building or structure;
- 2. Is subordinate in area, extent, and purpose to the principal structure;
- 3. Contributes to the comfort, convenience or necessity of the occupants, business, or industry of the principal structure; and
- 4. Is located on the same lot with such principal building. An accessory structure attached to a principal building in a substantial manner by a wall or roof shall be considered part of the principal structure.

An accessory structure may feature finished area, but not a kitchen, cooking facility, fireplace, sleeping area, ~~partial~~ or full bathroom. A partial bathroom (toilet and sink) may be included. An accessory structure, as herein defined, shall not be deemed a habitable structure.

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