

1st Reading: August 28, 2025
2nd Reading: August 28, 2025

SPONSOR: HARRELL

ORDINANCE NO. 4576

BILL NO. 25-55

**AN ORDINANCE AMENDING THE RESIDENTIAL AND
OLDE TOWN DISTRICTS OF THE ZONING CODE
RELATED TO THE CITY'S COMPREHENSIVE
DEVELOPMENT PLAN.**

WHEREAS, the Planning and Zoning Commission held a noticed public meeting on August 5, 2025, regarding amending certain sections of Title IV, Zoning Code, of the City's Municipal Code related to the Residential and Olde Towne Districts; and

WHEREAS, after discussion of the proposed amendments, the Commission made a recommendation to the Board of Aldermen that certain sections of Title IV, Zoning Code, of the City's Municipal Code related to the Residential and Olde Towne Districts be amended; and

WHEREAS, the Board of Aldermen held a duly noticed public hearing on August 28, 2025, in compliance with the City Code and Chapter 89 RSMo., to hear public comment on the proposed amendments; and

WHEREAS, after consideration of the Commission's recommendation and the public hearing, the Board of Aldermen agrees with the Commission's recommendation and finds it in the best interest of the City to approve such text amendments.

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

Section 1. Amend Chapter 400, Article I, Section 400.030.B by repealing the term "District, Residential" in its entirety and enacting a new "District, Residential" term to read as follows:

DISTRICT, RESIDENTIAL — The "R-1," "R-2," "R-3," "R-4," "R-5," and "NU" Residential Districts of the City; see Chapter 415, Article III.

Section 2. Amend Chapter 410, Article I, Section 410.010 by repealing Subsection 410.010.B in its entirety and enacting a new Subsection 410.010.B to read as follows:

ORD. NO. 4576

ORD. NO. 4576

B. To ensure that the City keeps within the spirit and intent of this Code, the City is hereby divided into the following Zoning Districts:

"NU" District	Non-Urban Residential District
"R-1" District	Residential District
"R-2" District	Residential District
"R-3" District	Residential District
"R-4" District	Residential District
"R-5" District	Planned Residential District
"PG" District	Public and Governmental District
"PR" District	Parks and Recreation District
"OT-1" District	Olde Towne Mixed Use District
"OT-2" District	Olde Towne Commercial District
"OT-3" District	Olde Towne Commercial District
"OT-4" District	Planned Olde Towne District
"BP-1" District	Business Park District
"BP-2" District	Business Park District
"BP-3" District	Business Park District
"BP-4" District	Planned Business Park District
"C-1" District	Commercial District
"C-2" District	Commercial District
"CP-1" District	Commercial Business Park District
"HP-1" District	Hospitality Business Park District
"IP-1" District	Industrial Park District
"PID" District	Planned Industrial Development District

Section 3. Amend Chapter 410, Article I, Section 410.030, by repealing Subsection 410.030.C.2 in its entirety and enacting a new Subsection 410.030.C.2 to read as follows:

2. This Code prohibits the placement of any Residential Dwelling Unit within any Non-Residential District, except for "OT-1" and "OT-4" Districts as provided for under the Land Use Matrix (see Chapter 420) and in conformity with the Comprehensive Development Plan.

ORD. NO. 4576

ORD. NO. 4576

Section 4. Amend Chapter 415, Article III, Residential District Regulations, by enacting a new Section 415.025. "NU" Non-Urban Residential District Regulations to read as follows:

Section 415.025. "NU" Non-Urban Residential District Regulations.

- A. Purpose. This Section contains the regulations for the "NU" Non-Urban Residential District (hereinafter "NU" District). The purpose of the "NU" District is to promote the protection of large-Lot rural developments and uses and to preserve the open character of those areas which may exhibit limitations with respect to rough natural topography, geological conditions, or location in relation to urbanized areas. These regulations are supplemented and qualified by additional regulations appearing elsewhere in this Code.
- B. Permitted Uses. See Chapter 420, Land Use Matrix.
- C. Uses Allowed By Special Use Permit. See Chapter 420, Land Use Matrix.
- D. Lot Regulations.
 - 1. Setbacks.
 - a. Front Setback. Each Lot shall have a minimum fifty-foot (50') Front Setback.
 - b. Side Setback. Each Lot shall have a minimum Side Setback of twenty (20) feet; except wherever a Lot of Record exists on August 28, 2025 having a Lot Width of one hundred (100) feet or less, the Side Setback may be reduced to a width of not less than ten percent (10%) of the Lot Width, but in no instance shall be less than five (5) feet.
 - c. Rear Setback. Each Lot shall have a minimum twenty-foot (20') Rear Setback.
 - 2. Lot Area. The minimum Lot Area shall be three (3) acres.
 - 3. Flag Lots. Flag Lots are prohibited, provided Flag Lots in existence before August 28, 2025 are permitted but shall not be further subdivided.
- E. Building Regulations. The maximum Building Height shall not exceed forty (40) feet.

ORD. NO. 4576

Section 5. Amend Chapter 415, Article III. Residential District Regulations, by enacting a new Section 415.065. "R-5" Planned Residential District Regulations to read as follows:

Section 415.065. "R-5" Planned Residential District Regulations.

- A. Purpose. This Section contains the regulations for the "R-5" Planned Residential District (hereinafter "R-5" District). The purpose of the "R-5" District is to preserve existing and provide development standards for high-density residential living located in close proximity to Commercial Zoning Districts to ensure Residential Uses of this size are compatible with surrounding land uses. These regulations are supplemented and qualified by additional regulations appearing elsewhere in this Code.
- B. Permitted Uses. See Chapter 420, Land Use Matrix.
- C. District Regulations. The "R-5" District shall be a minimum of fifteen (15) contiguous acres.
- D. Height Regulations. The maximum Building Height shall not exceed forty-five (45) feet. Additional Building Height may be authorized under Site Plan Review in accordance with Chapter 435, Article II.
- E. Area Regulations.
 - 1. Setback. No Building shall be erected within forty (40) feet of any Lot Line.
 - 2. Intensity Of Use. The aggregate gross area of the Building or Buildings shall not exceed thirty percent (30%) of the entire Lot Area and with a minimum of four thousand (4,000) square feet of Lot Area per Dwelling Unit.
- F. Procedure To Establish.
 - 1. The "R-5" District shall be designed as a whole, unified, single project. The owner may submit to the Board an application for Site Plan of the Property for the purpose of providing an integrated design and appropriate locations for/of Buildings, landscaping, accessways, and Off-Street Parking Areas.
 - 2. The Site Plan shall be referred to the Commission for study and report during a public meeting and shall be filed in such manner and accompanied by payment of such fee as provided in Addendum A.
 - 3. The Commission shall consider such plan with particular regard to the City's Comprehensive Development Plan and compatibility with the surrounding area, the effect upon traffic, congestion, and fire hazards, the character of the neighborhood, the distances between Building and Yard limitations for their aesthetic value to the community, whether such proposed plan would overtax public facilities and utilities, and the general welfare of the community.

ORD. NO. 4576

ORD. NO. 4576

4. Following recommendation from the Commission, the Site Plan shall be forwarded to the Board for final action.
5. The Board shall conduct a Public Hearing to consider the "R-5" District with particular regard to the criteria mentioned above and hereafter mentioned in this Section and, after such Public Hearing, may take such action as it believes to be in the best interests of the City. The Board may, if it finds it to be in the best interest of the orderly development of the City, provide for certain Single-Family or Two-Family Dwellings to be included in said plan, subject to all regulations herein contained.

G. Landscaping Regulations.

1. Any part of the project area not used for Buildings, Structures, or Off-Street Parking Areas shall be landscaped with grass, trees, and shrubs and, where needed, pedestrian walks.
2. Reasonable additional requirements including as to landscaping, lighting, Screening, accessways, the distance between Buildings, and Yard limitations may be imposed by the City for protection of adjoining Lots and for conformity to the general welfare of the City and its inhabitants.

H. Street Regulations.

1. All Streets, Off-Street Parking Areas, and walks shall be paved or built with Asphalt, Portland cement concrete, or any approved materials as may be specified by the Commission and approved by the Board.
2. All Streets and accessways shall be a minimum of twenty-two (22) feet in pavement width centered within a minimum sixty (60) feet and shall be through the whole project area with minimum change to the traffic flow on the surrounding areas.

I. Additional Regulations.

1. No expansion or conversion of existing Structures shall be permitted except on the basis of a detailed Site Plan to be approved by the Board showing the relationship of Yards, Off-Street Parking Areas, and other open spaces to surrounding Property and shall comply with these regulations.
2. Any development in the "R-5" District shall be subject to all of the terms, conditions, and requirements of the Subdivision Regulations under Chapter 440 and all of the terms and provisions thereof.
3. The Board may vary or modify the requirements of this Section, the strict enforcement of which would entail unusual or real difficulties in carrying out the intent of this Section.

Section 6. Amend the title of Section 415.070 in Chapter 415, Article IV, to include the bold and underlined as follows:

Section 415.070. "OT-1" Olde Towne **Mixed Use** District Regulations.

ORD. NO. 4576

ORD. NO. 4576

Section 7. Amend the title of Section 415.080 in Chapter 415, Article IV, to include the bold and underlined as follows:

Section 415.080. "OT-2" Olde Towne **Commercial** District Regulations.

Section 8. Amend the title of Section 415.090 in Chapter 415, Article IV, to include the bold and underlined as follows:

Section 415.090. "OT-3" Olde Towne **Commercial** District Regulations.

Section 9. Amend Chapter 415, Article IV Olde Towne Regulations by repealing Section 415.110. "OT-5" Olde Towne District Regulations in its entirety.

Section 10. Amend Chapter 425, Article I, Section 425.010.B.7 to include the bold and underlined as follows:

7. Private Stables located in the "R-1" **and "NU"** District.

Section 11. Amend Chapter 425, Article I, Section 425.010.H to include the bold and underlined as follows:

H. The height or size of an Accessory Use shall not exceed the height or size of the Principal Building; except in the "R-1" **and "NU"** Districts where the Principal Use of the Lot is a Residential Use, the height of the Accessory Use may exceed the height of the Principal Building but shall not be permitted to exceed twenty (20) feet in height.

Section 12. Amend Chapter 430, Article II, Section 430.200 to include the bold and underlined as follows:

Exception: Driveways in the "R-1" **and "NU"** Districts shall be exempt from the surface requirements on Lots used for Residential Use.

Section 13. Amend Chapter 420, Land Use Matrix, Section 420.010 by repealing Table 1 in its entirety and enacting a new Table 1 under Section 420.010, as follows:

ORD. NO. 4576

LAND USE MATRIX

USES	PG	PR	NU	R-1	R-2	R-3	R-4	R-5	OT-1	OT-2	OT-3	OT-4	C-1	C-2	BP-1	BP-2	BP-3	CP-1	HP-1	IP-1	
Dwelling, Single-Family Attached							X	X	X			X									
Dwelling, Two-Family							X	X	X			X									
Emergency Service Facility	S									S			S				S				S
Entertainment Facility or Theater									S	X	S		X	X						X	
Farmers Market									S	S	S		S								
Farming			X	X																	
Financial Institution									X	X	X		X	X	X	X	X	X	X	X	X
Fitness Instruction Studio									X	X	X		X	X			X			X	
General Service Contractor									S	X	S		X	X	X	X	X	X	X	X	X
Golf course, not including practice driving ranges			S	S	S																
Government Administrative Building	X								X	X	X		X	X	X	X	X	X	X	X	X
Grocery Store, Convenience									X	X	X		X	X						X	
Grocery Store, General									X	X	S		X							X	
Healing Arts Establishment									X	X	X		X	X						X	
Health Club									X	X	X		X	X						X	
Hotels and Extended Stay Hotel										S			S							S	
Industrial, Heavy													S								X
Industrial, Light													S			X	X				X
Liquor Store										S	S		S							S	
Loft									X												
Marijuana Dispensary Facility										S			S							S	
Marijuana Microbusiness Wholesale Facility																					S
Marijuana Research Facility																					S
Marijuana Testing Facility																	S				S
Marijuana Transportation Facility																	S			S	X
Medical Facility											S		S	S						S	X
Medical Marijuana Cultivation Facility																					S
Medical Marijuana-Infused Products Manufacturing Facility																					S
Medical Office									S	S	S		S	S	S	S	X				
Museum									X	X	X		X	X						X	
Nursery									S		S		S								
Office, General									X	X	X		X	X	X	X	X	X	X	X	X
Parking Structure									S	S											
Personal Service Shop									X	X	X		X	X							
Pet Day Care and Training Facility									X	X	X		X	X						X	X
Pet Grooming Facility									X	X	X		X	X						X	X
Pet Supply Store									X	X	X		X	X						X	X
Pharmacy										X	S		X	X						X	X

LAND USE MATRIX

USES	PG	PR	NU	R-1	R-2	R-3	R-4	R-5	OT-1	OT-2	OT-3	OT-4	C-1	C-2	BP-1	BP-2	BP-3	CP-1	HP-1	IP-1	
Pharmacy, not exceeding 2,000 square-feet in building size									X				X								
Public library	S										X										
Public Park	X	X	X	X	X	X	X		X	X	X		X	X						X	
Public Utility Facility	S	S	S	S	S	S	S		S	S	S		S	S	S	S	S	S	S	S	S
Railroad Switching Yard																					S
Recreation Facility, Indoor Limited										X	X			X		S	S			X	S
Recreation Facility, Indoor Unlimited										S	S									S	S
Recreation Facility, Outdoor Limited										S	S									S	
Recreational Vehicle Sales									S	S										S	
Research Center											S				X	X	X	X	X	X	X
Restaurant									X	X	X			X							X
Retail Store, Large									S	S			X					S	X	X	X
Retail Store, Medium									S	S			X					S	X	X	X
Retail Store, Small									S	S			X					S	X	X	X
Self-Storage Facility									X	X	X		X					X	X	X	X
Service Center, Customer											S							S			
Service Center, Repair											S					X	X	X	X		X
Storage lot for new vehicles offered for sale by a New Automotive Sales dealer when located within three hundred (300) feet of the lot occupied by the New Automotive Sales dealer.											S										
Tavern									S	S	S			S							S
Temporary Recreational Vehicle Use									S												
Tobacco Shop										S	S										S
Tourist Information Center																					S
Truck Terminal																					S
Tutoring and Test Preparation Center										X	S			X							X
Used Merchandise Store									S	S	S			S							
Vocational and Technical School										S	S			S							S
Warehouse											X					X					X
Warehouse Showroom Sales									S	X	S			X		X					X
Wholesale Establishment											S			S							X

ORD. NO. 4576

Section 14. If any clause, word, paragraph, section, or other part or portion of this ordinance is held to be invalid, illegal, or unconstitutional for any reason, the Board of Aldermen hereby declares it would nevertheless have enacted the remaining portions thereof and such remaining portions shall remain in full force and effect.

Section 15. This ordinance shall be in full force and effect after the date of its passage and approval.

PASSED this 28th day of August, 2025.



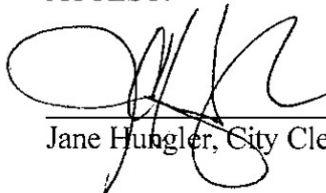
JOE MAURATH, MAYOR

APPROVED 28th day of August, 2025.



JOE MAURATH, MAYOR

ATTEST:



Jane Hungler, City Clerk

Motion to approve. Roll Call vote:

Ayes: Bereitschaft, Lange, Wisbrock, Harrell, Rogers, Huels, Maserang, Jokerst

Abstain: 0

Nays: 0

Absent: 0