

AN ORDINANCE AMENDING WARSON WOODS MUNICIPAL CODE SECTION 400.020, SECTION 415.020 & SECTION 415.250 PERTAINING TO PERMITTED USES AND RELATED REGULATIONS IN THE "C" MANCHESTER ROAD COMMERCIAL ZONING DISTRICT.

WHEREAS, on September 11, 2019, the Planning and Zoning Commission considered proposed amendments to the City's Zoning Code to allow automotive rental agencies and adopting related regulations for that use (the Amendment), and after reviewing the matter, recommended that the Amendment be approved; and,

WHEREAS, on October 15, 2019, the Board of Aldermen held a duly noticed public hearing on the Amendment; and,

WHEREAS, after reviewing and discussing the Amendment, considering public comments, and taking into account all other information and data available to it, the Board finds that adopting the Amendment is in the best interest of the citizens of the City of Warson Woods;

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

SECTION 1. The Warson Woods Land Use Code, Section 400.020, "Definitions," is hereby amended by adding to the "Automotive Service" definitions, the definition of "Automotive Rental Agency" and renumbering the subsequent definitions accordingly to read as follows:

AUTOMOTIVE SERVICE

An establishment or place of business primarily engaged in automotive related sales or services. The following automotive use types shall be defined as follow:

1. *Automotive body and paint center.* An establishment or place of business with fifteen thousand (15,000) square feet or more of gross floor area primarily engaged in the repair of automotive bodies and/or mechanical works, straightening of body parts, painting, welding and short-term storage of automobiles until such repairs are performed.
2. *Automotive convenience store.* An establishment or place of business primarily engaged in gasoline, diesel fuel and oil sales at retail (with no automobile repair facilities) and the retail sale of a limited line of goods that generally includes milk, bread, soda and snacks. Uses permissible also include the sale of cold drinks, packaged foods, tobacco and similar household convenience goods for customers.
3. *Automotive customizing shop.* An establishment or place of business that primarily provides after-sales services for automobiles (including the attendant retail sales of accessories for such automobiles), such as installation, conversion and modifications to the interior or exterior of automobiles.
4. *Automotive parts and supply store.* An establishment or place of business primarily engaged in the sale of merchandise that is associated with the use, repair or upkeep of automobiles.
5. *Automotive rental agency.* An establishment engaged in the rental or leasing of automobiles and light trucks and vans, including incidental parking of vehicles for rent or lease.

- 65. *Automotive repair shop.* An establishment or place of business primarily engaged in the repair of automobiles or other motorized vehicles, or the installation or repair of equipment or parts on motorized vehicles such as mufflers, brakes, tires, radios, transmissions, glass, and engines or engine parts, but excluding dismantling or salvage. Automotive repair shops also include:
 - a. *Automotive paint or body shop.* The use of a building of less than fifteen thousand (15,000) square feet of gross floor area for the repair of automotive bodies and/or major mechanical works, straightening of body parts, painting, welding, or storage of automobiles not in operable condition.
 - b. *Tire retreading or repair shop.* The use of a building or premises for the repairing or retreading of automotive tires.
- 76. *Automotive sales and lease.* An establishment or place of business primarily engaged in the sale and/or lease of new automobiles, vans and trucks less than two (2) tons, including incidental parking and servicing of vehicles available for sale, lease or rent. Such a use also may include as a subordinate use the sales of used automobiles, vans and trucks.
- 87. *Automotive service station.* An establishment or place of business primarily engaged in gasoline or diesel fuel sales at retail for automobiles, recreation vehicles and motorcycles, and where in addition at least one (1) of the following services is rendered: sale, replacement or servicing of spark plugs, oil, water hoses, brake fluids, batteries, distributors, fires, carburetors, brakes, fuel pumps, or other automotive parts or accessories. See "AUTOMOTIVE REPAIR SHOP" where major mechanical activities are allowed.
- 98. *Automotive tire store.* An establishment or place of business primarily engaged in the sale of tires and services relating to the repair or purchase of tires for automobiles.
- 109. *Automotive washing.* An establishment or place of business engaged in washing and cleaning of automobiles and related light equipment. Typical uses include self-service and full-service car washes.

SECTION 2. The Warson Woods Land Use Code, Section 415.020, "Use Regulations — "C" Manchester Road Commercial District," Subsection D, "Principal Uses," is hereby amended by adding "Automobile rental agency" as an additional permitted use:

Section 415.020 Use Regulations — "C" Manchester Road Commercial District.

D. Principal Uses.

Automotive rental agency (only per §415.020(F)(1), below)

SECTION 3. The Warson Woods Land Use Code, Section 415.020, "Use Regulations — "C" Manchester Road Commercial District," Subsection F(1), "Vehicle access, driveways and parking requirements," is hereby amended by adding the following new subsection "m" to read as follows:

- m. The operation of an automotive rental agency is permitted only by approval of a Special Use Permit in accordance Article II of this Chapter 415, by a Redevelopment Plan per Chapter 416, or by an amendment of an existing site plan approved prior to the adoption

of Chapter 416, whichever is applicable, and in all cases shall comply with the conditions and requirements of in Section 415.250.D.

SECTION 4. Article II, of Chapter 415 of the Warson Woods Land Use Code, is hereby amended by adding a new special use, “Automotive rental agency” as Subsection D to Section 415.250 (Special Use Permit — Uses To Be Considered), to read as follows:

D. Automotive rental agency, subject to the following:

1. Each application for a special uses permit shall require submittal of a parking plan clearly indicating the areas and parking spaces to be used proposed parking and storing of motor vehicles on the parking lot;
2. Automotive rental agencies shall be prohibited from:
 - a. washing vehicles on the parking lot (does not prohibit vacuuming or cleaning the interior), and
 - b. advertising the leasing or renting of such vehicles on the vehicles or on the parking lot;
3. The parking and storing of motor vehicles shall be limited to no more than fifteen (15) vehicles in dedicated parking spaces or such other number as shown on an approved parking plan; and,
4. Such other conditions as the Board of Aldermen may require based on the circumstances of the application, it’s location and surrounding uses.
5. If the premises is leased premises, evidence of the lot owner’s express written consent is required to be submitted to the City.

SECTION 5. This Ordinance shall be in full force and effect from and after its passage and approval.

THIS BILL PASSED AFTER HAVING BEEN READ IN FULL TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI, THIS 15th DAY OF OCTOBER, 2019.

Laurance M. Howe, Mayor

ATTEST:

Kathy Mahany, City Clerk

APPROVED AS TO FORM:

Paul Rost, City Attorney