

AN ORDINANCE AMENDING TWIN OAKS ZONING CODE SECTION 400.380 “CONDITIONAL USES” AND SECTION 400.120 “USES NOT EXPRESSLY PERMITTED” RELATING TO GOVERNMENTAL USES

WHEREAS, the City of Twin Oaks, pursuant to Section 400.510 of the Code of Ordinances of the City of Twin Oaks (“Code”), has the authority to make amendments to the written text of its Zoning Code; and

WHEREAS, the Planning and Zoning Commission has considered and made a recommendation to the Board of Trustees that proposed amendments to revise existing Code Section 400.380 (“Conditional Uses”) and Section 400.120 (“Uses Not Expressly Permitted”); and

WHEREAS, the Board of Aldermen has held a duly noticed public hearing on March 15, 2017 in accordance with Twin Oaks Zoning Code, Section 400.510, and Chapter 89 RSMo., relating to the amendments to Sections 400.380 and 400.120 of the Zoning Code; and

WHEREAS, the Board of Aldermen finds it in the City’s best interest to clarify that, while it will comply with its zoning code procedures in other areas, it is not necessary for the Board is to seek a conditional use permit for any of its public buildings, properties or uses within Twin Oaks and accordingly desires to amend the Code to reflect that understanding.

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

Section 1. Section 400.380, entitled “Conditional Uses” is hereby amended by adding the underlined words and deleting the ~~struck-through~~ words as follows:

Section 400.380. Conditional Uses.

A. The Board of ~~Trustees~~ Aldermen may, after public hearing and making required findings, by conditional use permit authorize the location of any of the following buildings or uses in the zoning districts specified in this Section:


1. Any public building not owned or operated by the City of Twin Oaks located in any zoning district.
2. Community building or recreation field not owned or operated by the City of Twin Oaks located in any zoning district.
3. Nurseries and greenhouses in any zoning district; provided that all principal buildings and accessory buildings shall not be located less than one hundred (100) feet from a lot line.

Section 2. In association with the above amendment, Section 400.120, governing “Uses Not Expressly Permitted” in Twin Oaks’ Zoning Districts, is hereby amended by adding a new Subsection D, to read as follows:

- D. Notwithstanding any prohibition contained in this Section 400.120 or any omission from the list of uses set forth in each of the code sections pertaining to permitted uses the City's zoning districts, any use conducted or operated by the City of Twin Oaks, including but not limited to, community buildings, municipal centers (including office and public meeting space), public buildings, parks, playgrounds, open spaces, recreation fields, or other proprietary or governmental uses, shall be permitted as of right in each of the City's zoning districts.

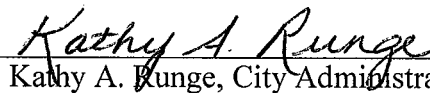
Section 3. This Ordinance shall be in full force and effect on and after its passage and approval by the Mayor.

PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF TWIN OAKS, MISSOURI, THIS 15th DAY OF MARCH, 2017.



Russ Fortune, Mayor

Attest:



Kathy A. Runge, City Administrator/Clerk