

**AN ORDINANCE AMENDING PARKVILLE MUNICIPAL CODE TITLE IV, SECTION 405.050  
CONDITIONAL USES TO ALLOW FOR GARDEN CENTERS, LANDSCAPE CENTERS,  
NURSERIES AND RELATED USES IN RESIDENTIAL DISTRICTS**

WHEREAS, the City of Parkville submitted an application for Text Amendment to amend Parkville Municipal Code Section 405.050 Conditional Uses (Case No. PZ17-07A); and

WHEREAS, a conditional use permit provides flexibility for different uses within a zoning district and allows the potential for additional uses following a case-specific review to determine the compatibility in a specific context and location; and

WHEREAS, the proposed text amendment would allow the use of garden centers, landscape centers, nurseries and related uses in residential districts through the conditional use permit's discretionary review process outlined in Parkville Municipal Code Section 403.050; and

WHEREAS, the proposed text amendment, in accordance with RSMo §89.050 and Parkville Municipal Code Chapter 403 Applications & Procedures requires a public hearing be held before the Planning and Zoning Commission; and

WHEREAS, a public hearing was held at the July 11, 2017, meeting of the Planning and Zoning Commission and all public hearing notices were posted and published as required; and

WHEREAS, the Planning and Zoning Commission considered the proposed text amendment, concurred with staff's conclusions and recommendation and unanimously recommended approval of the proposed text amendment contained herein by a vote of 5 to 0; and

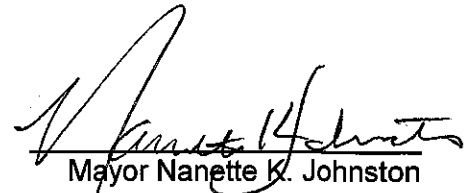
WHEREAS, the Board of Aldermen hereby concurs with the Planning and Zoning Commission's conclusions and accepts their recommendation.

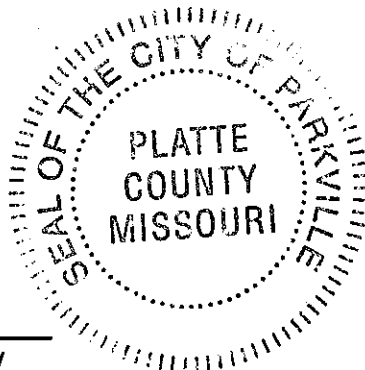
NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF PARKVILLE, MISSOURI, AS FOLLOWS:

SECTION 1. Parkville Municipal Code Title IV, Section 405.050 Conditional Uses is hereby amended to reflect the proposed text amendment as shown in Exhibit A.

SECTION 2. This ordinance shall be effective immediately upon its passage and approval.

PASSED and APPROVED this 1<sup>st</sup> day of August 2017.

  
\_\_\_\_\_  
Mayor Nanette K. Johnston



ATTESTED:

  
\_\_\_\_\_  
City Clerk Melissa McChesney

## 405.050 Conditional Uses

In addition to the general uses enabled by Table 405-2 as permitted or conditional uses, the following specific uses are conditional uses enabled through the discretionary review process in Section 403.050. For example, use categories that are designated as a "C" in Table 405-2, all specific types of uses in that category need a conditional use permit even though they are not on the list below; use categories designated as a "P" in Table 405-2 are generally permitted, but if a more specific type of that category is listed below it needs a conditional use permit. The uses in this section may involve more specific types or formats, or include more specific performance criteria than the uses generally enabled in Table 405-2, and due to their typical scale, intensity and potential impacts require special and site specific review different from generally enabled uses.

The following uses may be approved as conditional uses subject to the review process in Section 403.050:

1. Airports, heliports and landing fields.
2. Circus or carnival grounds, temporary for a specified time period.
3. Dwellings in an Industrial, Special Flood Hazard Area, or floodway.
4. Extraction, processing, and removal of sand and gravel or stone.
5. Fairgrounds.
6. Hospitals.
7. Marina.
8. Public or government buildings or public or governmental use of land.
9. Public utilities or public service uses, buildings, structures, or appurtenances thereto.
10. Sanitary land fill.
11. Sports arena or stadium.
12. Swimming pool, commercial, or private swimming club.
13. Race track.
14. Modular or prefabricated structures.
15. Pawnbrokers in non-residential zoning districts.
16. Office uses of low traffic generation such as real estate, accounting, law, dental, financial services, and those similar in nature in residential districts that front and have access to a State highway.
17. Home occupations that provide care or instruction to more than two children at a time, or which do not otherwise clearly meet the criteria for accessory home occupations in Section 405.040.C.
18. Animal shelters in residential districts.
19. Emergency shelters for homeless or indigent persons and boarding, rooming and lodging houses where not permitted by matter of right.
20. Off-site storage, staging and assemblage of heavy equipment and materials for public utility and infrastructure construction, fronting on or with reasonable access to a State or County highway.
21. Sales and service of vehicular motor scooters with stock muffler and exhaust systems, as defined and regulated in Title III, Traffic Code, of the Parkville Municipal Code, in non-residential districts and subject to limited hours of operation, limited outdoor display or storage, and mitigation of general impacts on the surrounding properties and district on a case-by-case basis.
22. Sales of automobiles, new or used, and subject to limited hours of operation, limited outdoor display or storage, and mitigation of general impacts on the surrounding properties and district on a case-by-case basis.
23. Refined fuel storage, distribution and accessory uses on sites: previously used for the same; zoned "I-3" Heavy Industrial District; containing at least ten (10) and not more than forty (40) contiguous acres; abutting the Missouri River; abutting a State highway; abutting rail; and utilizing pipeline distribution as a primary source of intake delivery, all subject to conditions as necessary to mitigate impacts, if any, to surrounding uses. Said use may not include on-site refinement of petroleum products.
24. Garden centers, landscape centers, nurseries and related uses in residential districts.