

AN ORDINANCE AMENDING ZONING REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF HAMILTON, MISSOURI, BY AMENDING ARTICLE XIV, SECTION 14.40, TO PERMIT BED AND BREAKFAST BUSINESSES BY CONDITIONAL USE PERMIT.

WHEREAS, on December 10, 2014, after 15 days prior notice in the local newspaper, a public hearing was held by the Hamilton Planning and Zoning Commission on amending the Zoning Code to permit as a conditional use bed and breakfast businesses; and

WHEREAS, after the public hearing the Hamilton Planning and Zoning Commission has forwarded a report of the public hearing and recommended to the Board that such amendment be approved; and

WHEREAS, the Mayor and Board of Aldermen find and believe that the proposed amendment would enhance the economic vitality of the City and provide business opportunities for its citizens and has sufficient protections for the property owners of the City;

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

Section 1. That Article XIV, Section 14.40 of the Zoning Code is amended to read:

Sec. 14.40 CONDITIONAL USE PERMIT REQUIRED: The following uses of land shall, notwithstanding anything in this Ordinance to the contrary, be allowed only after grant of a conditional use permit:

- A. The placement of any trailer outside of a Mobile Home District.
- B. Location of any of the following buildings or uses in a district otherwise prohibited by this Ordinance:
 - 1. Any public building erected and used by any department of the city, county, state or federal governments.
 - 2. Airport or landing field.
 - 3. Community building or recreation field or park.
 - 4. Country clubs and golf courses.
 - 5. Public and private cemeteries.
- C. Placement of any above-ground utility or railroad structure not in existence before October 7, 1991.

Note: Kavanagh-aye, Sullivan-aye, Moss-aye + Trospen-aye

D. Placement of chimneys, fire towers, monuments, water towers, ornamental towers and spires, radio and television towers and necessary mechanical or electronic structures exceeding the height regulations established for the particular district.

E. In an R-1 or R-2 District, the following type of business is allowed after the grant of a conditional use: Bed and Breakfast Business. All conditional use permits for such a business must be approved by the Board of Aldermen.

Definitions:

Bed and Breakfast Business: A dwelling unit that has been converted or built for and is intended to provide overnight lodging to the public for compensation, and which is open to overnight guests in not more than five guest bedrooms, and is not a rooming or boarding house.

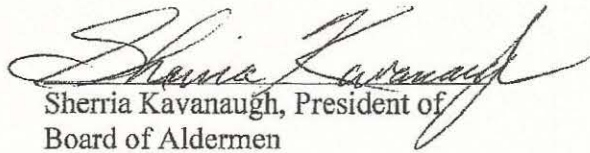
Boarding House or Rooming House: A building other than a hotel, occupied as a single housekeeping unit, where lodging or meals are provided for five or more persons for compensation, pursuant to previous arrangements, but not for the public or transients.

Section 2. This Ordinance shall be in full force and effect from and after the date of its passage and approval.

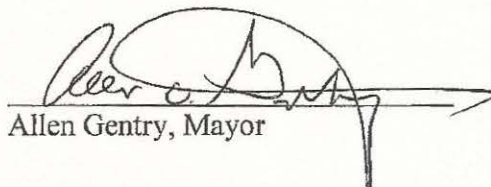
A copy of this Ordinance has been made available for public inspection prior to its adoption by the Board of Aldermen and this bill was read by title in the open meeting two times prior to its final passage.

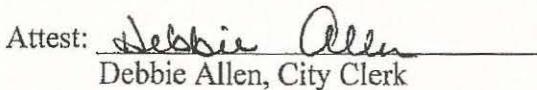
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Passed and approved by the Board of Aldermen on the 5th day of January, 2015.


Sherria Kavanaugh, President of
Board of Aldermen

Approved this the 5th day of January, 2015.


Allen Gentry, Mayor

Attest: 
Debbie Allen, City Clerk