

BILL NO. 2384

ORDINANCE NO. 2206

AN ORDINANCE AMENDING THE CITY OF CHESTERFIELD ZONING ORDINANCE SECTIONS 1003.140 AND SECTIONS 1003.150 TO INCLUDE ADULT ENTERTAINMENT USES IN THE "PC" PLANNED COMMERCIAL DISTRICT AND "PI" PLANNED INDUSTRIAL DISTRICT PERMITTED USES. (P.Z. 12-2005 CITY OF CHESTERFIELD (ADULT ENTERTAINMENT USES))

WHEREAS, the city has found that it is in the public interest and promotes at clarity and certainty in the law to establish fixed percentage standards for defining and regulating adult business establishments that offer tangible inventory of sexually oriented materials for the sale or rental for any form of consideration; and,

WHEREAS, it is not the intent of the city in adopting this ordinance to suppress any activities protected by the first amendment to the United States Constitution, but rather to enact a content neutral ordinance which addressed the secondary effects that adult business establishments may have on the City of Chesterfield and provide for reasonable zoning regulations of adult business; and,

WHEREAS, on June 20, 2005, the City of Chesterfield approved ordinance number 2177 governing adult entertainment areas in "PC" planned commercial and "PI" Planned districts; and,

WHEREAS, the uses provided for and defined in ordinance 2177 are added to the list of permitted uses in the "PC" planned commercial and "PI" planned industrial districts.

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHESTERFIELD, ST. LOUIS COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The City of Chesterfield Zoning Ordinance is hereby amended and agrees to make necessary changes thereto, as set out in Attachment "A" which is attached hereto and made a part hereof.

Section 2. The City Council, pursuant to the petition filed by the City of Chesterfield in P.Z. 12-2005, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on July 25, 2005, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

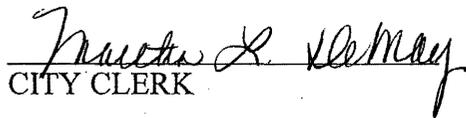
Section 3. This ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section 4. This ordinance shall be in full force and effect from and after its passage and approval.

Passed and approved this 5th day of October, 2005


MAYOR

ATTEST:


CITY CLERK

ATTACHMENT A

1003.140 "PC" Planned Commercial District

Section 4. *Permitted land uses and developments.* The following land uses and developments are permitted in this district:

- (2) Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular "PC" Planned Commercial District and shall be taken from the following list. Uses requested are to be representative of those proposed to be developed:

- (xx) Adult Bookstore.
- (yy) Adult entertainment facility.
- (zz) Adult motion picture theater.
- (aaa) Bathhouse.
- (bbb) Massage parlor.
- (ccc) Modeling studio.
- (ddd) Adult entertainment business or establishment.
- (eee) Specified sexual activities.

1003.150 "PI" Planned Industrial District

Section 4. *Permitted land uses and developments.* The following land uses and developments are permitted in this district:

- (2) Permitted land uses and developments shall be established in the conditions of the ordinance governing the particular "PI" Planned Industrial District and shall be taken from the following list. Uses requested are to be representative of those proposed to be developed:

- (uuu) Adult Bookstore.
- (vvv) Adult entertainment facility.
- (www) Adult motion picture theater.
- (xxx) Bathhouse.
- (yyy) Massage parlor.
- (zzz) Modeling studio.
- (aaaa) Adult entertainment business or establishment.
- (bbbb) Specified sexual activities.