



DEVELOPMENT CODE CHANGES

SCOPE OF CHANGES



- In order to achieve the project goals, the existing Code was rewritten.
- Existing code language, requirements and standards were retained where applicable.
- The rewriting of the Code was guided by:
 - Past code interpretations and issues.
 - The Comprehensive Plan policies, recommendations, and future land use map.
 - Recommendations of the Code Review and Recommendations Report.
 - State and federal statutes and court cases.
 - Local and national best practices.
- Due to the amount and scope of changes proposed, not all changes can be easily identified.

CODE ORGANIZATION



EXISTING	PROPOSED
Chapter 400 Boards and Commissions - Land Use and Development	Chapter 400 General Provisions
Chapter 405 Development Regulations and General Provisions	Chapter 405 Administration and Procedures
Chapter 410 Zoning Districts and Regulations	Chapter 410 Definitions and Interpretations
Chapter 415 Subdivision Regulations	Chapter 415 Zoning Districts
Chapter 420 Supplementary Use Regulations	Chapter 420 Use Regulations
Chapter 425 Development Standards	Chapter 425 Development Standards
Chapter 430 Additional Development Standards	Chapter 430 Subdivision and Improvement Standards
Chapter 435 Urban Redevelopment	
Chapter 440 (Reserved)	
Chapter 445 Floodplain Management	



APPLICATIONS AND PROCEDURES

COMMON APPLICATION PROCEDURES



Generally

- Proposed: Common procedures which apply to all application types regarding pre-application meetings, application submission, staff review, notice and public hearings, review and decision-making bodies, and post-decision actions and limitations.
- Existing: No common procedures that apply to all application types, which leads to conflicting requirements and difficulty in administration.

Pre-Application Meetings (Section 405.030)

- Proposed: Pre-application meetings with staff and with surrounding property owners (within 200 feet) are required for Zoning Map Amendments, Major Preliminary Plats, master Plans, and Major Site Plans.
- Existing: Pre-application meetings are encouraged for larger projects but are not required.

COMMON APPLICATION PROCEDURES



Notice and Public Hearings (Section 405.060)

- Proposed: Mailed notice to property owners within 500 feet of a subject property.
- Existing: Mailed notice required to property owners within 1,000 feet for commercial projects and 300 feet for residential projects.

Amendments (Section 405.080)

- Proposed: Minor amendments will be reviewed and approved by staff, major amendments will require approval of a new application.
- Existing: Not addressed.

Resubmission (Section 405.080)

- Proposed: If an application is denied, the same or similar application shall not be refiled within one year.
- Existing: If an application is denied, there is no limitation on submittal of the same or similar application.

SPECIFIC APPLICATION PROCEDURES



Table 405.010, Summary Table of Application Procedures, lists the applications authorized by the Code and application-specific requirements for pre-application meetings, public hearing notice, review and decision-making bodies, and expiration of approval.

Table 405.010 Summary Table of Application Procedures										
KEY: X = Required - = Not Applicable/Not Required R = Review and Recommendation D = Review and Decision [] = Public Hearing A = Appeal										
Procedure	Code Section	Pre-application Meeting		Public Hearing Notice		Review and Decision-Making Bodies				Post Decision Actions and Limitations
Type		Staff Meeting	Neighborhood Meeting	Publish	Mail	Staff	Planning & Zoning Commission	Board of Aldermen	Board of Adjustment	Period of Validity
TEXT AND ZONING MAP AMENDMENT PROCEDURES										
Text Amendment	405.090	-	-	X	-	R	[R]	[D]	-	does not expire
Zoning Map Amendment	405.100	X	X	X	X	R	[R]	[D]	-	does not expire
Annexation	405.110	PURSUANT TO MISSOURI REVISED STATUTES								
SUBDIVISION PROCEDURES										
Preliminary Plat, Minor	405.120	-	-	-	-	D	A	-	-	one year
Preliminary Plat, Major	405.120	X	X	X	X	R	[R]	[D]	-	two years
Record Plat	405.130	-	-	-	-	D	A	-	-	one year
Vacation of Rights-of-Way/Easement Plat	405.140	-	-	X	X	R	[R]	[D]	-	one year
DEVELOPMENT REVIEW PROCEDURES										
Master Plan	405.150	X	X	X	X	D	[R]	[D]	-	two years
Site Plan, Minor	405.160	-	-	-	-	R	[D]	[A]	-	one year
Site Plan, Major	405.160	X	X	X	X	R	[R]	[D]	-	one year
Special Use Permit	405.170	-	-	X	X	R	[R]	[D]	-	one year
Improvement Plan	405.180	-	-	-	-	D	-	-	-	one year
DEVELOPMENT PERMIT PROCEDURES										
Floodplain Development Permit	405.190	-	-	-	-	D	-	-	[A]	one year
Sign Permit	405.200	-	-	-	-	D	-	-	[A]	one year
Storm Sewer Permit	405.210	-	-	-	-	D	-	-	-	one year
Building Permit	500.010	-	-	-	-	D	-	-	-	varies
Right-Of-Way Permit	511.040-511.120	-	-	-	-	D	-	-	-	60 days (maximum)
Small Wireless Facility Permit	511.400	-	-	-	-	D	-	-	-	10 years (minimum)
Grading Permit	540.010-540.110	-	-	-	-	D	-	-	-	one year
FLEXIBILITY AND RELIEF PROCEDURES										
Minor Adjustment	405.230	REFER TO CONCURRENT APPLICATION PROCEDURES								
Variance	405.240	X	-	X	X	R	-	-	[D]	one year
APPEAL PROCEDURES										
Appeal of Administrative Enforcement	405.250	-	-	X	-	R	-	-	[D]	does not expire
Appeal of Final Decision	405.260	REFER TO ORIGINAL APPLICATION PROCEDURE								

SPECIFIC APPLICATION PROCEDURES



Architectural Review

- The Architectural Review Board (ARB) and Development Review Board (DRB) have been eliminated based on feedback from the development community, applicants, City staff and elected officials.
- Depending on the type of project, conformance with the proposed site and building design standards will be conducted concurrently with an application for Site Plan or Building Permit, as applicable.

Text Amendments (Section 405.090)

- Proposed: Text amendments may only be initiated by the Community Development Director, Planning and Zoning Commission, or the Board of Aldermen.
- Existing: "Any interested resident of the City" may submit an application for text amendment.

SPECIFIC APPLICATION PROCEDURES



Preliminary Plat (Section 405.120)

- Proposed: Minor plats are approved staff and major plats are approved by the Board of Aldermen.
- Existing: All subdivision plats require approval by the Board of Aldermen.

Record Plat (Section 405.130)

- Proposed: Record plats are approved administratively.
- Existing: Final subdivision plats (record plats) require approval from the Planning and Zoning Commission and Board of Aldermen except in PR and PD districts where they are approved administratively.

Minor Preliminary Plat	Major Preliminary Plat
Creates three or fewer new lots or 10 or fewer new condominium units.	Creates more than three new lots or more than 10 new condominium units.
Converts an existing building into condominium units.	Requires the dedication of right-of-way or construction of public improvements.
Combines two or more lots into a single lot.	Does not qualify as a minor preliminary plat.
Adjusts the property lines between two or more properties.	
Amends a recorded final plat to correct minor survey or drafting errors.	
Dedicates easements to the City.	
Does not require the dedication of right-of-way or construction of public improvements.	

SPECIFIC APPLICATION PROCEDURES



Site Plan (Section 405.160)

- Proposed: Minor site plans are approved by the Planning and Zoning Commission and major site plans are approved by the Board of Aldermen.
- Existing: No specific thresholds for when approval of a site plan is required. As a result, many small projects such as additions and site alterations require Planning and Zoning Commission and Board of Aldermen approval.

Master Plan (Section 405.150)

- The master plan is a new application and procedure meant to provide a mechanism for review of large or complex development projects and provides the ability to obtain preliminary approval of a development concept before substantial technical work has been undertaken.
- Approval of a master plan constitutes acceptance of the overall planning concepts and development parameters and authorizes the subsequent submittal of applications for preliminary plats or site plans. It does not authorize specific development activity.

Minor Site Plan	Major Site Plan
The construction of one or more new principal buildings with a gross floor area greater than 1,000 square feet and less than 10,000 square feet.	The construction of one or more new principal buildings with a gross floor area of 10,000 square feet or more.
A building addition to one or more existing principal buildings where the gross floor area added is greater than 1,000 square feet and less than 10,000 square feet.	A building addition to one or more existing principal buildings where the gross floor area added is 10,000 square feet or more.
The installation or addition of more than 1,000 square feet but less than 10,000 square feet of impervious coverage.	The installation or addition of more than 10,000 square feet of impervious coverage.

**Detached houses and duplexes, additions to such dwellings, and structures accessory to such dwellings, are not subject to site plan review.*

SPECIFIC APPLICATION PROCEDURES



Minor Adjustment (Section 405.220)

- Proposed: This is a new procedure intended to allow minor modifications, waivers, or alternatives to strict compliance with Code standards.
- Existing: Any minor modifications, waivers, or alternatives require approval of a variance from the Board of Adjustment unless an alternative process is specified.

Appeal of Final Decision (Section 405.250)

- Proposed: Appeals of decisions by city staff or the Planning and Zoning Commission will follow the same procedures as the original application being appealed, and will be decided by the Board of Adjustment, Planning & Zoning Commission, or Board of Aldermen, as applicable. Decisions by the Board of Aldermen and Board of Adjustment may only be appealed to the Circuit Court.
- Existing: Appeal procedures for each for each application type are not specified.



ZONING DISTRICTS AND DIMENSIONAL STANDARDS

ZONING DISTRICTS



- Table 415.000.B, Zoning District Transition Table, identifies the proposed zoning districts and their corresponding existing zoning district (where applicable).

Table 415.000.B Zoning District Transition Table

Previous Zoning Districts		Current Zoning Districts	
Abbreviation	District Name	Abbreviation	District Name
Residential Zoning Districts			
NU	Non-Urban	RR	Rural Residential
SR-3	Single-Family Residential	R1	Residential 1
SR-1	Single-Family Residential	R2	Residential 2
SR-2	Single-Family Residential	R3	Residential 3
None		R4	Residential 4
MF	Multiple-Family Residential	R5	Residential 5
None		R6	Residential 6
Nonresidential and Mixed-Use Zoning Districts			
None		MU	Mixed-Use
OP	Office and Research Park	None	
BP	Business Park	CO	Commercial-Office
CB	Community Business	C1	Commercial 1
HC	Highway Commercial	C2	Commercial 2
LI	Light Industrial	LI	Light Industrial
PA	Public Activity	PA	Public Activity
Overlay Zoning Districts			
PD	Planned Development	PUD	Planned Unit Development
PR	Planned Residential		
Overlay Zoning Districts			
DLRD	Downtown Lakefront Redevelopment Overlay District	UPT	Uptown
FP	Floodplain	None	

Note
This table identifies the new zoning districts and their corresponding existing zoning district (where applicable).

Note
New district

Note
New district

Note
New district

Note
Eliminated district

Note
Eliminated district

Note
Eliminated district

ZONING DISTRICTS



- R₄ – Residential 4 (Chapter 415, Article III)
 - The R₄ District is a new district intended to accommodate detached houses in suburban or walkable neighborhood settings and to create transitions to complimentary and supporting uses.
 - The minimum lot size is 7,000 square feet, which is smaller than the current minimum of 9,000 square feet.
 - Includes the following subdivisions approved prior to 1978 or through the Planned Residential/Planned Development procedures:
 - Bridlespur, Fairways, Heritage of Hawk Ridge, Oak Hills, Patio Cove, Patio Green, Palomino Ridge, Parks at Woodlake, Prospect Village, Stonecrest, Villas at Ridgepointe.

ZONING DISTRICTS



R6 – Residential 6 (Chapter 415, Article III)

- The R6 District is a new district that implements the “Village Residential” land use category recommended in the Comprehensive Plan and is intended to accommodate a variety of residential uses with a wide range of housing types in a compact and walkable neighborhood setting, adjacent to activity centers and walkable destinations.
- Includes the Saratoga subdivision, and Muk Subarea (part)



ZONING DISTRICTS



MU –Mixed Use (Chapter 415, Article IV)

- The MU District is a new district that implements the “Meadows District” and “Uptown District” land use categories recommended in the Comprehensive Plan and is intended to provide walkable and active development within the City’s core commercial areas with an emphasis on high-quality building and site design and a mixture of residential and nonresidential uses.



8/3/2020



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ZONING DISTRICTS



PUD Overlay District (Section 415.130)

- The PUD Overlay District is a new district intended to encourage innovative land planning and site design concepts that achieve a high level of environmental sensitivity, energy efficiency, aesthetics, high-quality development, and other community goals.
- The PUD Overlay District will replace the existing Planned Development District (PD) and Planned Residential District (PR).
- PUD overlay districts, as opposed to planned base zoning districts, are common in other municipalities and are easier for staff to administer and for the general public to understand.
- PUDs are subject to all applicable standards of the Code, including those of the underlying base zoning district (for example, setbacks and lot size), unless specific waivers or modifications are approved during the zoning amendment process.

ZONING DISTRICTS



PUD Overlay District (Section 415.140)

- Eligibility
 - The existing Code does not have minimum eligibility criteria for PR and PD Districts. PUD districts are intended for larger projects which meet the following criteria:
 - a contiguous area of at least five acres; or
 - at least 50,000 square feet of nonresidential gross floor area; or
 - at least 100 dwelling units.
- Approval Process
 - The proposed Code simplifies the review and approval process for PUDs by requiring approval of a Preliminary Plat, Site Plan, or Master Plan concurrently with a request for zoning amendment to PUD.

DIMENSIONAL STANDARDS



- Currently, dimensional standards are listed separately in each zoning district. Residential, nonresidential and mixed-use, and overlay zoning district dimensional standards are combined into three separate tables for easy reference and comparison.

Table 415.030 Residential Dimensional Standards

	RR	R1	R2	R3	R4	R5	R6
Lot Standards (minimum)							
Lot Area <i>square feet</i>	130,680 (3 acres)	43,560 (1 acre)	15,000	9,000	7,000	7,000	3,000 ^[1]
Lot Area Per Dwelling Unit <i>square feet</i>	130,680 (3 acres)	43,560 (1 acre)	15,000	9,000	7,000	3,500	2,000 ^[1]
Lot Width <i>feet</i>	250	100	70	70	50	50	35 ^[1]
Lot Width Per Duplex or Townhouse Dwelling Unit <i>feet</i>	-	-	-	-	-	35	20 ^[1]
Lot Depth <i>feet</i>	None	None	None	None	None	None	None
Setbacks (minimum)							
Front Setback <i>feet</i>	90	50	35	25	20	30	10 ^[1]
Side Setback <i>feet</i>	35	20	8	7	6	10	5 ^[1]
Rear Setback <i>feet</i>	50	50	30	25	20	30	5 ^[1]
Building Separation <i>feet</i>	-	-	-	-	-	15	10
Other Standards (maximum)							
Building Height <i>feet</i>	35	35	35	35	35	40	40
Floor Area Ratio	-	-	-	-	-	-	-
Lot Coverage	-	-	-	-	-	-	-
Net Density <i>Dwelling Units Per Acre</i>	-	-	-	-	6	12	18
Notes							
[1] Front-loaded detached houses shall comply with the dimensional standard in the R4 Zoning District. Front-loaded duplexes and townhouses shall comply with the dimensional standard in the R5 Zoning District.							

- Note**
Yellow = New Zoning Districts or new standards
Green = Less restrictive change
Orange = Mixed change
- Note**
The existing code requirements have different dimensional standards based on the building type (multi-family, townhouse, duplex, etc). The proposed standards do away with this distinction. Depending on the building type, this may result in a more or less restrictive standard
- Note**
Currently, plats recorded prior to March 21, 1978 are not subject to setbacks, and lot width requirements. These lots account for 29% of all single family lots.

The proposed code eliminates this exception, but reduces the side setback in R3 from 8 feet to 7 feet (the setback requirement when the lots were approved by St. Charles County). The majority of these lots should comply with the proposed dimensional standards.
- Note**
Existing code requirement is 30 feet or 20% of the lot depth (whichever is greater).
- Note**
Existing code requirement is 25 feet or 20% of the lot depth (whichever is greater).
- Note**
The existing code limits building height in feet and stories.
- Note**
Existing code requirement is 6 feet.
- Note**
This is meant to incentivize rear-loaded detached houses, duplexes, and townhouses in R6.

DIMENSIONAL STANDARDS



- Currently, dimensional standards are listed separately in each zoning district. Residential, nonresidential and mixed-use, and overlay zoning district dimensional standards are combined into three separate tables for easy reference and comparison.

Table 415.080 Nonresidential and Mixed-Use Dimensional Standards

	MU	CO	C1	C2	LI	PA
Lot Standards (minimum)						
Lot Area <i>square feet</i>	-	-	21,780 (0.5 acre)	21,780 (0.5 acre)	43,560 (1 acre)	43,560 (1 acre)
Lot Area Per Dwelling Unit <i>square feet</i>	1,500	-	-	-	-	-
Lot Width <i>feet</i>	-	-	-	-	150	-
Lot Width Per Duplex or Townhouse Dwelling Unit <i>feet</i>	-	-	-	-	-	-
Lot Depth <i>feet</i>	-	-	-	-	-	-
Setbacks (minimum)						
Front Setback <i>feet</i>	-	50	50	42 ^[2]	50	35
Side Setback <i>feet</i>	-	15	10	9	25	9
Rear Setback <i>feet</i>	-	30	45	20	25	20
Building Separation <i>feet</i>	-	-	-	-	-	-
Other Standards (maximum)						
Building Height <i>feet</i>	40	70 ^[1]	30	30	50	35
Floor Area Ratio	-	-	1.25	1.25	-	-
Lot Coverage	-	60%	None	None	-	-
Net Density <i>Dwelling Units Per Acre</i>	30	-	-	-	-	-
Notes						
[1] 50 feet where a proposed building is located less than 300 feet from any platted and improved detached house lot located in any residential zoning district and in existence on January 1, 2007.						
[2] 20 feet when all parking areas are located in the side or rear yards.						

- Note
Yellow = New Zoning Districts or new standards
Green = Less restrictive change
Orange = Mixed change
- Note
Currently 1 acre.



USE REGULATIONS

TABLE OF ALLOWED USES



Generally (Chapter 420, Article II)

- Table 420.040, Table of Allowed Uses (following slide), lists the principal uses allowed within each base zoning district.
- The proposed permitted and special uses (by zoning district) correspond as close as possible to the existing permitted and special uses.
- Any proposed changes are based on existing land uses, the Comprehensive Plan, and current market trends.
- In the existing Code, unlisted uses are prohibited, except in some districts, the Code states that the Board of Aldermen may approve unlisted uses on a case-by-case basis. The proposed Code establishes a procedure for the Community Development Director to determine if an unlisted use is permitted because it is reasonably comparable to a use that is already listed. These decisions are appealable to the Board of Adjustment.

TABLE OF ALLOWED USES



- Yellow = New uses
- Green = Changes to existing uses that are more permissive (i.e. from prohibited to permitted/special use or from special use to permitted)
- Red = Changes to existing uses that are less permissive (i.e. from permitted to special use or from permitted/special use to prohibited)

Table 420.040: Table of Allowed Uses

Key: P = Permitted, S = Special Use, A=Accessory Use, T=Temporary Use, Blank = Prohibited Use

Use	RR	R1	R2	R3	R4	R5	R6	MU	CO	C1	C2	LI	PA	Use Standard Code Section
Agriculture and Animal Uses														
Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	420.060 A
Animal Grooming										P				
Commercial Horse Stable	S										S			
Kennel	P													420.060 B
Veterinary Clinic and Hospital								P		S	P			
Residential Uses														
Household Living														
Detached house	P	P	P	P	P									
Duplex						P	P							
Townhouse														
Multi-Unit Building						P	P	P						
Multi-Unit Building, Age-Restricted						P	P	P			S			420.070 A
Group Living														
Congregate Care Facility						S	S	S		S				420.070 B
Group Home	P	P	P	P	P	P	P							420.070 C
Public, Institutional, and Civic Uses														
Community and Cultural Facilities														
Assembly								P	P	P	P		P	
Civic Building								P	P	P	P		P	
Membership Club								P		P	P			
Meeting, Banquet, Event, or Conference Facility								P	P	P	P			
Place of Worship	P	P	P	P	P	P	P	P	P	P	P	P	P	
Day Care Facilities														
Day Care Center						S	S	S		S	S		S	
Educational Facilities														
School, Post-Secondary and Vocational								P	P	P	P		P	
School, Primary and Secondary	S	S	S	S	S	S		P	P	P	P		P	
Health Care Facilities														
Hospital								S						
Medical or Dental Clinic								P	P	P	P			
Treatment Facility								S	S	S	S			420.080 A
Parks and Open Space														
Park, Playground, and Open Space	P	P	P	P	P	P	P	P	P	P	P	P	P	
Cemetery, Mausoleum, and Columbaria	S													
Commercial Uses														
Automobile-Related Uses														
Automobile Wash									S	P				
Automotive Repair Shop									S	P				
Automotive Sales or Leasing										P				
Gasoline Station										S	P			420.090 A
Motor Vehicle Sales or Leasing												S		
Commercial Parking Lot									S	P				
Food and Beverage Establishments														
Bar, Lounge, or Tavern								P	P	P	P			
Catering Service								P	P	P	P			
Microbrewery, Microdistillery, or Microinery								P	P	P	P			
Restaurant								P	P	P	P			

Key: P = Permitted, S = Special Use, A=Accessory Use, T=Temporary Use, Blank = Prohibited Use

Use	RR	R1	R2	R3	R4	R5	R6	MU	CO	C1	C2	LI	PA	Use Standard Code Section
Lodging Facilities														
Hotel														
Short-Term Rental	S	S	S	S	S	S	S	S						
Maintenance and Repair Services														
Repair Facility, Major														P
Repair Facility, Minor														P
Medical Marijuana Facilities														
Medical Marijuana Cultivation														P
Medical Marijuana Dispensary									P		P	P		420.090 B
Medical Marijuana-Infused Products														P
Manufacturing														420.090 B
Medical Marijuana Testing									P					420.090 B
Office, Business, and Professional Services														
Automated Teller Machine (Stand-Alone)										P	P	P		
Bank or Financial Institution									P	P	P	P		
Office, General									P	P	P	P	P	
Personal Services														
Personal Services									P		P	P		
Tattoo and Body Piercing Parlor														
Recreation and Entertainment														
Marina														
Private Golf Course, Tennis Club, Country Club or Clubhouse	S	S	S	S	S	S	S							P
Recreation Facility, Indoor									P	P	P	P	P	S
Recreation Facility, Outdoor									S	S	S	S	S	S
Retail Sales														
Building Materials and Supply Store														P
Convenience Store											P	P	P	
Equipment Sales and Rental											P	P	P	
Grocery Store											P	P	P	
Landscape Supply Store											S	P		
Garden Supply Store											P	P		
Liquor Store											P	P	P	
Retail Sales, General									P	S	P	P		
Sexually Oriented Businesses														
Sexually Oriented Business														S
Industrial Uses														
Manufacturing & Production														
Manufacturing, Artisan									P	S	S	P	P	
Manufacturing, Light										S				P
Research and Development										P				P
Storage, Distribution, and Warehousing														
Contractor Offices and Outdoor Storage Yards													P	420.150 J
Data Center										P				420.100 A
Self-Storage Facility											S	S	S	420.100 B
Storage, Distribution, and Warehousing													P	
Utilities and Communications														
Utilities														
Utility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	
Utility, Major													S	S
Wireless Communications														
Wireless Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	420.110
Wireless Support Structure	P	P	P	P	P	P	P	P	P	P	P	P	P	420.110

USE SPECIFIC STANDARDS



Generally

- Proposed: Cross references them in the Table of Allowed Uses, and all use-specific standards are located in Chapter 420, Article II.
- Existing: Use specific standards are referenced throughout the Code in an inconsistent manner.

Group Home (Section 420.070.C)

- Updated standards to comply with state statute, including eliminating the existing separation distance of 500 feet between group homes.

Medical Marijuana Facilities (Section 420.090.B)

- The method of measurements from places of worship, education facilities, and licensed child daycare centers was revised based on rules approved by the State after adoption of the City's regulations.
- Instead of measuring the distance between property lines, the State requires that the distance be measured by walking distance.

USE SPECIFIC STANDARDS



Self-Storage Facility (Section 420.100.A)

- Proposed: Self-storage facilities are permitted in C₁, C₂, and LI, but only if they are fully enclosed and do not have outdoor storage.
- Existing: Self-storage facilities are only permitted in the CB and LI zoning districts; however, one was recently approved in the HC District (but not constructed).

Sexually Oriented Businesses (Section 420.090.C)

- Proposed: Sexually oriented businesses are a special use in the LI – Light Industrial District, subject to specific use standards which are consistent with standards established by Supreme Court decisions.
- Existing: “Adult” or “sexually-oriented” uses are not listed, which means that they are currently prohibited. Regulations that ban sexually oriented business may be challenged based on First Amendment protections, and may be struck down if they fail to meet the standards established by the Supreme Court.

USE SPECIFIC STANDARDS



Wireless Facilities (Section 420.110.A)

- Existing: Most new wireless facilities require Development Review Board (DRB) approval and/or a Special Use Permit
- Proposed: These regulations were updated to comply with state statute. The following installations may be approved administratively:
 - Collocation and replacement of existing antennas
 - Mounting of antennas on buildings or structures
 - Disguised support structure
 - Wireless facilities and wireless support structures on public lands
 - Dual solar panel antennas
 - Temporary Wireless Support Structures
 - Small Wireless Facilities



ACCESSORY & TEMPORARY USES



Buildings for storage (Section 420.150.C)

- Proposed: Buildings for storage, such as utility sheds, are not permitted in residential zoning districts.
- Existing: Prior to 2006, accessory residential storage structures were permitted and could not exceed 10% of the gross floor area of the home and 12 feet in height. Since 2006, storage structures have been prohibited.

Caretaker's Residence (Section 420.150.D)

- Proposed: A caretaker's residence is a dwelling unit located on the premises of another principal use for the occupancy of a caretaker, security guard, or other person charged with oversight or protection of the principal use. Caretaker's residences are a permitted accessory use in mixed-use and nonresidential zoning districts.
- Existing: Prohibited.

ACCESSORY & TEMPORARY USES



Outdoor Storage (Section 420.150.J)

- New standards are proposed for outdoor storage in the MU, C1 and C2 Zoning Districts:
 - Located behind the front line of the principal structure and in conformance with the required side and rear yard setbacks.
 - Paved and screened.
 - No materials shall be stacked above the top of the screening device. Items extending beyond the top of the screening device are permitted provided they are not stacked.
 - Outdoor displays of merchandise for sale are not subject to these requirements.

Display House (Section 420.190.C)

- The existing “model home” regulations have been rewritten in conformance with current polices and practice. A financial guarantee is now required, which is common in other municipalities.



DEVELOPMENT STANDARDS

LANDSCAPING



Parking Lot Perimeter Landscaping (Section 425.030.C)

- Proposed: Parking lots located in the front setback shall be landscaped along the street frontage.
- Existing: No requirement.

Parking Lot Interior Landscaping (Section 425.030.D)

- Proposed: 1 tree per 10 parking spaces.
- Existing: 1 tree per 7 spaces.



LANDSCAPING



Tree Protection (Section 425.070)

- Distinguish between minor and major tree removal.
- When major tree removal isn't associated with a preliminary plat, a site plan is required.
- Tree replacement, when required, shall be calculated based on tree canopy coverage potential (the approximate canopy coverage when the trees are full grown) rather than diameter.
- The tree preservation area shall be shown on the record plat, so that future owners are aware of any restrictions on their property.

Tree Group	Tree canopy coverage potential
Deciduous-Large	750 square feet
Deciduous-Medium	500 square feet
Deciduous-Columnar/Small/Ornamental	250 square feet
Evergreen-Large	500 square feet
Evergreen-Medium	250 square feet

FENCING



Uniform Subdivision-Specific Fence Standards (Section 425.110.C)

- Proposed:
 - Subdivisions with subdivision-specific fence standards are identified, and it is the responsibility of the property owners association to verify that any proposed fence complies with the subdivision specific standards.
 - New subdivision-specific fence standards to be approved during the preliminary plat process.
- Existing
 - Historically, subdivision-specific fence standards have only been approved through pre-annexation agreements, and are not referenced in the Code. Each of these subdivisions has detailed fence standards which makes administration of the requirements difficult for staff. This has led to confusion and difficulty in administration.

Perimeter Fences (Section 425.110.D)

- Proposed: Perimeter fences enclosing a portion of a subdivision or the entire perimeter of a subdivision are permitted.
- Existing: Perimeter fences have been permitted in practice but never codified.

PARKING



Applicability (Section 425.130.B)

- Proposed: Parking requirements do not apply to “the change or enlargement of a building or use constructed or established prior to the effective date of this Code by less than 15 percent in terms of gross floor area, number of dwelling units, or seating capacity.”
- Existing: No exceptions for small projects. This has resulted in minor changes in use or additions that require additional parking spaces which can’t be accommodated on site.

PARKING



Required Off-Street Parking (Section 425.150.A)

- Proposed:
 - No minimum parking requirements based on land use (except for detached houses, duplexes, and townhouses).
 - Instead, applicants will have to justify that the proposed number of off-street parking spaces is sufficient to serve the proposed use or activity through the submittal of a parking plan.
- Existing:
 - Detailed minimum parking requirements for different types of land uses.
 - This can lead to an undersupply or oversupply of parking, or requests for parking waivers.

Alternative Parking Solutions (Section 425.160)

- Proposed: Allows a reduction in the number of required parking spaces by submitting a parking study, providing shared parking, having on-street parking, or providing bicycle parking.
- Existing: The number of required parking spaces may only be reduced through site plan review or rezoning to a planned development.

PARKING



Loading Requirements (Section 425.170)

- Proposed: Uses requiring shipping and receiving of materials or goods shall provide off-street loading spaces, but a minimum number of spaces is not specified.
- Existing: Loading requirements are based on land use and building square footage.

Stacking Space Requirements (Section 425.180)

- Proposed: Stacking requirements for multiple drive-through activities.
- Existing: Only stacking space requirements for banks.

PARKING



Location (Section 425.190.B)

- Proposed: Off-site parking shall not be located more than 500 feet walking distance measured from the main entrance of the use to the pedestrian entrance/exit of the parking area.
- Existing: 300 feet.

Setbacks (Section 425.190.B)

- Proposed: Parking areas and drive aisles shall be set back 10 feet from all property lines (the same as what is required in The Shoppes at Hawk Ridge).
- Existing: No standard setback requirements for parking areas and drive aisles.

PEDESTRIAN CIRCULATION



Pedestrian and Bicycle Circulation (Section 425.220)

- The proposed sidewalk requirements are consistent with our current polices. Sidewalks shall be installed on both sides of all arterials, collector streets, and local streets, and within and along the frontage of all new development and redevelopment. Sidewalks are not required on local streets in the RR, R₁, and LI Zoning Districts.
- Additional sidewalk requirements are proposed to increase pedestrian infrastructure in multi-unit, nonresidential, and mixed-use developments. They will require sidewalks from the main entry to the public sidewalk, to adjoining streets, between multiple buildings on a site, and to adjacent development.



RESIDENTIAL SITE & BUILDING DESIGN



Building Height Transitions (Section 425.280)

- Proposed: A new building with a height that exceeds that of an adjacent residential building within 50 feet by one story or more shall provide a transition using at least one of the following techniques:
 - “Stepping down” building height and mass along the shared property line to meet the height of the existing neighboring home;
 - Providing variations in the side building wall and/or roof form so that new structures have a comparable scale as neighboring homes;
 - Utilizing a roof pitch and overhang similar to that of the neighboring structures; and
 - Utilizing dormers and sloping roofs to accommodate upper stories.
- Existing: No requirement.



RESIDENTIAL SITE & BUILDING DESIGN



Architectural Variety (Section 425.290.A)

- Proposed:
 - For each detached house, duplex, or townhouse, a minimum of three different architectural features must be provided; and for each multi-unit building, a minimum of five different architectural features must be provided.
 - Examples include covered porches; balconies; prominent entry features; bay windows; door openings; variations in color, materials, building height, or roof form; dormers; projected or recessed building walls.
- Existing: No requirement.

Housing Type Variety (Section 425.290.B)

- Proposed: In the R6 Zoning District, development sites larger than 10 acres shall incorporate a minimum of two housing types, including detached houses, duplexes, townhouses, or multi-unit buildings.
- Existing: No requirement.

RESIDENTIAL SITE & BUILDING DESIGN



Street-oriented Garages (Section 425.310.C)

- Proposed:
 - For detached houses, street-oriented garages shall not comprise more than 50 percent of the width of the front façade.
 - For all residential development in the R6 Zoning District, garages that protrude towards the street in front of the primary façade of the structure are prohibited. All street-oriented garages shall be recessed.
- Existing: No requirement.

Model Plans

- Proposed: Model plans will be reviewed and approved administratively in accordance with the standards in this Article.
- Existing: Model plans are approved by the Planning and Zoning Commission or the Architectural Review Board.

MIXED-USE AND NONRESIDENTIAL SITE AND BUILDING DESIGN



Generally (Chapter 425, Article V)

- The purpose of these standards is to promote high-quality building design.
- The majority of these standards are new.
- Some existing site and building design standards were incorporated where applicable.

EXTERIOR LIGHTING



Generally (Chapter 425, Article VI)

- The purpose of these standards is to ensure that outdoor lighting provides adequate illumination to promote safety at night, and to minimize light pollution and light spillover onto adjacent properties.
- The existing Code does not have specific lighting standards.
- The proposed standards are modeled after existing requirements in the Shoppes at Hawk Ridge.



SIGNS



Content-Neutral Regulations

- These regulations were updated to remove content-based requirements for compliance with case law and first amendment protections.
- Based on rulings of the Supreme Court, any sign regulation with different rules for different categories of signs is "content based," as long as the categories are defined by the content, topic, or subject matter of the sign's message.
- Content-based regulations are not automatically unconstitutional; however, they are subject to the "strict scrutiny" test in the courts, which is extremely difficult to pass.
- Most standards (sign type, size, and location) are the same as existing.



SIGNS



Billboard Spacing (Section 425.550.D)

- Proposed: Spacing requirement between billboards is 2,000 feet.
- Existing: Spacing requirement between billboards is 5 miles. Prior to 2009, it was 1,000 feet. Five miles is overly restrictive (the City isn't 5 miles in any direction) and could be challenged.

Billboard Size (Section 425.550.D)

- Proposed: 672 square feet.
- Existing: 1,200 square feet.

SIGNS



Electronic Message Center (Section 425.550.C.4)

- Proposed: Maximum brightness 5,000 NIT (daytime) and 300 NIT (night).
- Existing: Maximum brightness 10,000 NIT (daytime) and 700 NIT (night).

Comprehensive Sign Plan (Section 425.580)

- Proposed: This is an optional process to approve site-specific signage requirements which may exceed the limits of the sign regulations. Comprehensive sign plans will be reviewed and approved by the Planning and Zoning Commission.
- Existing: Signs that do not conform with the sign regulations require approval of a variance, or if located in a PD District, an amendment to the approved development plan.



OTHER CHANGES

DEFINITIONS & INTERPRETATIONS



Generally

- Proposed: All terms in the proposed Code are defined or cross-referenced in Chapter 410.
- Existing: Terms are defined in multiple chapters, and the same term is often defined more than once, which leads to confusion and conflicting requirements.

General Terms (Section 410.090)

- Existing terms still in use were updated for compliance with state statute, case law, or current policies and practices.
- Terms no longer in use were removed and new terms were added.

Use Categories and Use Types (Section 410.100)

- The majority of use categories and use types are new.
- Use categories and use types are referenced more frequently than general terms, and are grouped separately for ease of access.

DEFINITIONS & INTERPRETATIONS



Measurements and Exceptions (Chapter 410, Article III)

- The majority of these terms were redefined for clarity.
- Terms related to dimensional standards are referenced more frequently than general terms, and are grouped separately for quicker access.
- Additional details for interpreting these requirements are also included.

Table 410.130.G, Permitted Setback Projections

- A new table that lists in one place, all of the permitted encroachments into required yards and setbacks.
- Minor revisions were made to address past polices, interpretations, and common issues regarding encroachments.

NONCONFORMITIES



Generally (Chapter 400, Article IV)

- Proposed: Requirements for nonconforming uses, structures, lots and site features.
- Existing: Requirements for nonconforming uses only.

SUBDIVISION & IMPROVEMENT STANDARDS



Public Water Supply (Section 430.490)

- Proposed: Wells are not permitted on lots less than three acres in area. This change is consistent with other municipalities.
- Existing: Wells are permitted on lots less than three acres in area if a public water system is not reasonably accessible.

Required Improvements and Guarantees (Chapter 435, Article IX)

- The proposed terminology and procedures are similar to other municipalities. No substantive changes to existing standards are proposed.

SUBDIVISION & IMPROVEMENT STANDARDS



Impact Fees and Parkland Dedication

- Proposed: Impact fees (one-time payments from a developer to the City, meant to offset the impact of the new development on the area's public infrastructure) are eliminated, based on feedback from the development community.
- Existing: The City can assess impact fees, but to staff's knowledge these fees have never been assessed.