



# City of Lake Saint Louis Land Use Code Review & Recommendations



**PGAV** PLANNERS LLC

July 8 - Planning & Zoning Commission  
July 15 - Board of Aldermen  
July 22 - Open House

# Presentation Agenda

Introduction & Project Background

Summary of Review & Recommendations

Annotated Outline

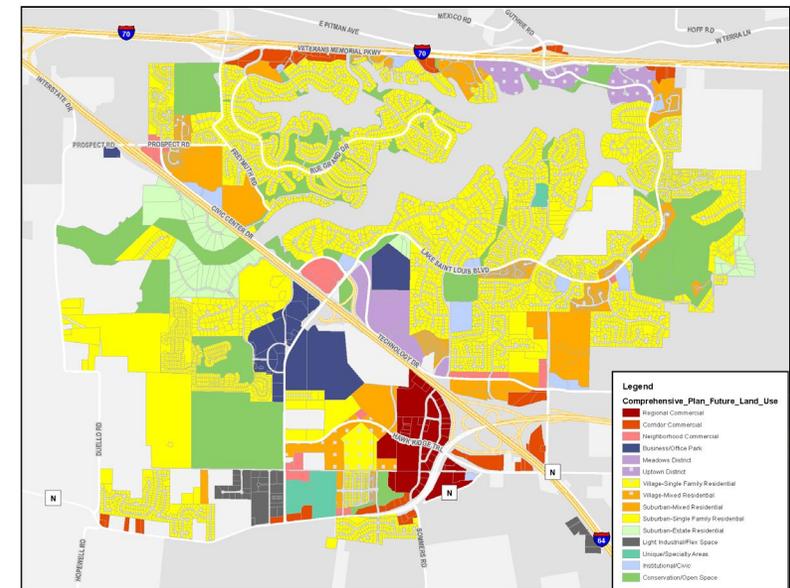
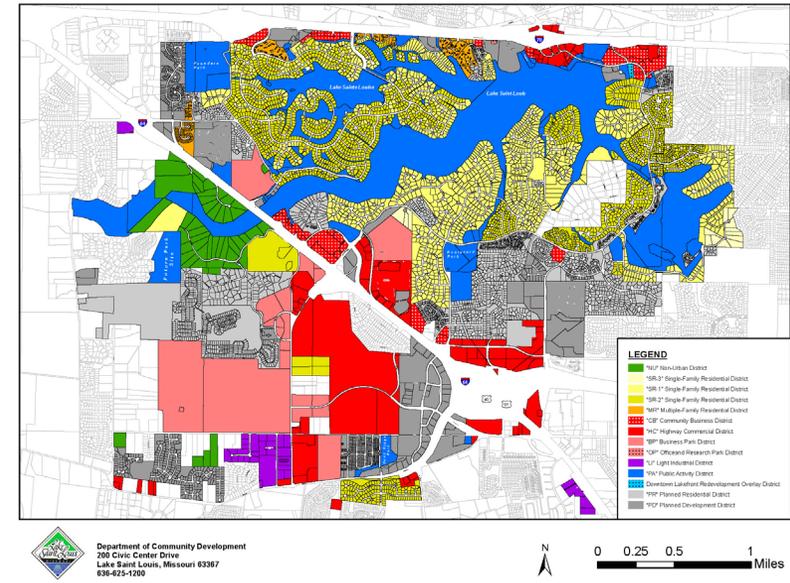
Questions



# Introduction & Project Background

## PGAV's work so far:

- Reviewed all content of the pertinent municipal code chapters
- Reviewed a chapter-by-chapter commentary of the code by City staff
- Reviewed the City's zoning district map and future land use map
- Conducted an input session with members of the real estate and development community to gain their insight regarding the code
- Met with City staff to discuss our review of code changes & structure
- Created an outline of the suggested code reorganization



# Goal and Objectives

- Streamline zoning and development review processes to make them more efficient for developers, residents, City staff, and City officials
  - Determine what elements of the code work well
  - Determine which provisions are not effective, difficult to use, or confusingly worded
  - Identify regulations, procedures, or policies that exist but are not used, are inconsistent, or conflicting to the City's Comprehensive Plan
  - Develop ways to improve the usability and readability of the code through graphics, tables, or matrices
- Identify changes that need to be made to recognize:
    - Land uses that didn't exist in the past
    - Land use or development issues unique to the City
    - Contemporary ways of writing regulations and presenting requirements
    - State or federal statutes affecting property development or land use (e.g. adult uses, group homes, telecommunications, noticing requirements)
    - Case law that impacts existing provisions or the need to create new ones

# Summary of Review & Recommendations

- The proposed major revisions can be placed into 4 categories:

1. Reorganization & Relocation
2. Clarification
3. Elimination
4. Addition

- Almost every existing code section will be modified in some form. Some sections require minor edits based on updated statutes or case law, while other sections will require more substantial edits to increase clarity, correct contradictions or align more with the City's Comprehensive Plan.

## DETAILED REVIEW OF CURRENT REGULATIONS

Component	Proposed	Major Edit	Minor Edit	Delete	Remarks
<b>Chapter 400 Boards and Commissions - Land Use and Development</b>	1			X	
<i>Article I Planning and Zoning Commission</i>	1		X		There are various instances in which the official name of the Planning and Zoning Commission (as established in Sec. 400.010) is referred to this way. If this is to be the "shorthand" name reference then it should be so stated (now is in 400.010 and the references throughout the code should be changed to reflect that or "each use of "Planning Commission" should be changed to the formal name.
Section 400.010 Establishment – Membership.	1		X		
Section 400.020 Powers and Duties.	1		X		
<i>Article II Board of Adjustment</i>	1		X		
Section 400.030 Establishment and Authorization.	1		X		
Section 400.040 Membership.	1		X		
Section 400.0450 Finality and Judicial Review of Decision of Board of Adjustment	1		X		
<i>Article III Architectural Review Board</i>				X	These entities have not fared well in court proceedings. If you have membership of P&Z require at least one licensed architect (and maybe one engineer or landscape architect) that entity can be responsible for review of any design standards. I would try to get at least one such person appointed to the P&Z and have this review be part of their purview and eliminate this entity. B.3 - The various City staff positions associated with administration of the code as a whole should be defined in the definition section Article II (now in 400 Article III)
Section 400.060 Purpose and Intent – Establishment – Membership.				X	Needs at least a registered architect (see above)
Section 400.070 Authority of The Architectural Review Board.				X	3. Appeals: The Board of Aldermen or the Board of Adjustment? 89.100 says "...or by any officer, department, board or bureau of the municipality..." This entity exists solely to hear appeals from the ARB and would seem to violate the Board of Adjustment requirements.
<i>Article IV Development Review Board</i>				X	If the City wants to promote development, you need to streamline the process and get rid of this board (and the ARB). This came up in the input session. Also the purpose of this Board appears to be an arbiter of decisions of the ARB. Doesn't this violate the purpose of the Board of Adjustment.
Section 400.080 Purpose and Intent – Establishment – Membership.				X	
Section 400.090 Authority of The Development Review Board.				X	
<b>Chapter 405 Development Regulations and General Provisions</b>				X	
<i>Article I General Provisions</i>	1		X		mostly re-organization and minor edits
Section 405.010 Short Title.	1		X		
Section 405.020 Intent and Purpose.	1		X		
Section 405.030 Annexed and Consolidated Territory.	1		X		The language for annexation here is fairly standard although it also often says that the applicable provisions of the existing county zoning shall apply until the procedure cited in the remainder of this section are completed. Also, it is my understanding that annexation agreements in MO are not legal because they essentially bind a Board of Aldermen to future actions by a Board that may not be the same. I will check with Stephanie Karr.

## Reorganize Chapters

- The City's development code is currently composed of ten chapters. The first significant change proposed is to consolidate and reorganize the code into six chapters.
- The first chapters will include general information and procedures that are applicable to the City as a whole.
- The next chapters will include zoning districts and development standards. Articles and sections of the existing chapters will be relocated, consolidated or deleted to create a more streamlined code.

### **Existing Chapters**

245: Tree Preservation  
400: Boards and Commissions – Land Use and Development  
405: Development Regulations and General Provisions  
410: Zoning Districts and Regulations  
415: Subdivision Regulations  
420: Supplementary Use Regulations  
430: Additional Development Standards  
435: Urban Redevelopment  
440: Reserved  
445: Floodplain Management

### **Proposed Chapters**

General Provisions and Administration  
Procedures and Operation  
Definitions and Rules of Construction  
Zoning Districts and Regulations  
Supplemental Regulations  
Development Standards

# Permitted and Special Uses Table

- We recommend changes to the way in which land use types are defined and then subsequently linked to the regulations for each district. The current structure cites a litany of permitted and special permit uses in each district.
- We propose to define those uses following the general definitions section. The district regulations would then refer to these uses by cross-reference and a matrix table listing the use types and districts indicating the permitted and special uses

TABLE 410.010 - B – PERMITTED AND SPECIAL USES														
LAND USE TYPE	ZONING DISTRICT													
P = Permitted S = Use allowed via Special Use Permit Blank = Use not allowed	NU	SR1	SR2	SR3	SRP	MR	PR	CB	LI	FP	PD	PA	HC	BP
<b>RESIDENTIAL USES</b>														
Detached house	P	P	P	P	P									
Duplex					P									
3- / 4-Plex						P		P						
Row House (3-8 units; 2- to 3-story)						P		P						
Walk-up Apartment (3- 12 units; 2- to 3-story)						P		P						
Apartment Complex (garden apartment – density based)						P		P						
Mixed-use (residential above or behind street level Commercial)						S								
Accessory Dwelling														
Home Occupation ( <i>Subject to provisions of 420,IV</i> )	P	P	P	P	P									
<b>COMMERCIAL – RETAIL USES</b>														
Retail – Limited (under 2.5K)								P				P		
Retail – Small (2.5K - 8K)								P				P		
Retail – General (8K -50K)								P				P		
Retail – Large (50K – 100K)								P				S		
Retail – Warehouse (over 100K)								P						
Retail – Outdoor Sales, Limited								S						
Retail – Outdoor Sales, General								S						
Restaurant – Micro/Mobile								S				S		
Restaurant – Limited								P				P		
Restaurant – General								P				P		
Restaurant – Drive-in/Drive-thru								S				S		
Restaurant - Bar/Tavern								S				S		
Restaurant – Micro-brewery/winery								P	P			P		
Grocery – Convenience/ Market (under 5K)								S	S			S		
Grocery – Small Store ( under 40K)								P	P			P		

## General Use Definitions Example

- A. Residential.** The Residential category is the principal use of land and buildings for dwelling units. The arrangement and extent of dwelling units depends on the zoning district, lot sizes, and building types, arranged in the following types:

*Detached House*

A residential building designed as one (1) primary dwelling unit in a neighborhood subdivision setting. Variations of this type are based primarily on lot size.

*Duplex*

A residential building designed to accommodate two (2) primary dwelling units in a neighborhood setting. Duplex units share a single common wall or floor/ceiling, with an outward design and appearance as a detached house. A duplex may be on a single lot, or it may be platted as separate lots along the common wall line. Duplex units may be developed as rental properties or as condominiums.

*3-/4-plex*

A residential building designed to accommodate up to four (4) primary dwelling units in single-ownership in a neighborhood. Units are arranged to maintain an outward design and appearance as a detached house.

*Row House (3-8 units; 2- to 3-story)*

A multi-unit residential building designed for three (3) to eight (8) dwelling units within an urban and sometimes suburban development context. Row houses abut one another sharing a common party wall. These units are conjoined, however, each unit has its own private entry. Units may be on a single lot subject to common ownership restrictions or platted on separate lots along the common wall with individual ownership of the units.

## Code Intent Statement Table

We also recommend that the purpose and intent statements for each of the districts be provided in a single table.

TABLE 410.010 - A		
District Classification	Code Designation	Intent Statement
<b>“NU” Non-Urban District</b>	<b>NU</b>	The Non-Urban District encompasses areas within which rough natural topography, surface or subsurface geological conditions or location in relation to developed areas creates practical difficulties in providing and maintaining public roads and public or private utility service and facilities including sewage treatment, water and power supply. The Non-Urban District also encompasses areas in which significant non-urban uses have been established. The purpose of the "NU" Non-Urban District regulations is to guide and coordinate development within the City of Lake Saint Louis in order to secure the appropriate development of the physical environment.
<b>“SR1”/ “SR2” / “SR3” Single-Family Residential Districts</b>	<b>SR1 SR2 SR3</b>	This Section contains the regulations for "SR1", "SR2", "SR3" Single-Family Districts. The "SR" Districts are intended to provide criteria for the development of those portions of the planned community of Lake Saint Louis designated for single-family detached residences. Further, the "SR" Districts are intended to preserve the character of existing predominantly single-family residences while at the same time allowing for the in-fill construction of new units if in substantial conformance with surrounding residences. Any non-conformities resulting from pre-1978 legacy developments approved under prior County R-1E or R-3 ordinances now zoned SR-2 may be waived via staff review and approval.
<b>“SRP” Single-Family Residential-Overlay District</b>	<b>SRP</b>	The district is composed of those developments within the City presently zoned PR whose principal use is single-family dwelling. The housing units within this district are of varying types and in some instances mix single-family detached and attached units on the same street frontage or within the same development. This district is intended to act as an overlay to the underlying zoning. The underlying zoning for these developments are based on the existing residential districts. The purpose of this district is to simplify building and permitting approvals. The district will be identified by a combination of the underlying zoning SR1 through SR3 and the SRP designation (i.e. “SR2/SRP”).
<b>“MR” Multiple-Family Residential District</b>	<b>MR</b>	The intent and purpose of the Multiple Family Residential District is to provide the regulations and guidelines for the development of a variety of attached dwelling unit building types in conformance with the overall concept of the planned community of Lake Saint Louis.

# Dimensional Standards Table

We suggest creating a table to combine as many of the district standards as possible.

Zoning District	TABLE 410.170 Lot Area & Coverage					Yard Requirements (Setback)			Maximum Building Height (Stories/Feet)	Minimum Unit Size (Sq. Ft.)	Maximum Number of Dwelling Units / AC
	Min. Area (Sq. Ft. or Acres)	Min. Width @ Bldg. Line (Feet)	Min. Width @ Lake Front Property Line (Feet)	Min. Depth (Feet)	Maximum Coverage of Buildings & Structures (%)	Front (Feet)	Side (Feet) <sup>3</sup>	Rear (Feet) <sup>3</sup>			
NU Non-Urban	3 AC	250		250		90	35	50	2 / 35	NA	1 / 3 AC
SR1 Single-Family Residential <sup>2</sup>	15,000 SF	70	80	125	30	45	12	35 or 20% of lot depth but not greater than 50	2 / 35 <sup>2</sup>	Per Sec. 410.230, E	2.9
SR2 Single-Family Residential <sup>2</sup>	9,000 SF	70	80	125	30	35	8	30 or 20% of lot depth but not greater than 35	2 / 35 <sup>2</sup>	Per Sec. 410.230, E	4.8
SR3 Single-Family Residential <sup>2</sup>	1 AC	100	100 @ rear of Lake lot <sup>1</sup>	125	30	30	7	30 or 20% of lot depth but not greater than 35	2 / 35 <sup>2</sup>	Per Sec. 410.230, E	1
SRP Single-Family Residential Overlay											
MR Multiple-Family Residential	See standards of Chapter 410, Article IV, Section 410.XXX								3 / 40	Not less than 600	6
PR Planned Residential Overlay											

<sup>1</sup> Except plats of record prior to March 21, 1978.

<sup>2</sup> Houses exceeding 35 feet in height may be permitted subject to site plan review so long as the front and rear yard setback shall be equal to or greater than the height of the house, and the side yard setback is equivalent to fifty (50) percent of the structure height.

<sup>3</sup> The minimum lot size may be reduced to not less than 1/2 acre subject to the provisions of Article VI, Section 410.360

<sup>4</sup> Building heights in excess of this number may be permitted by site plan review and approval.

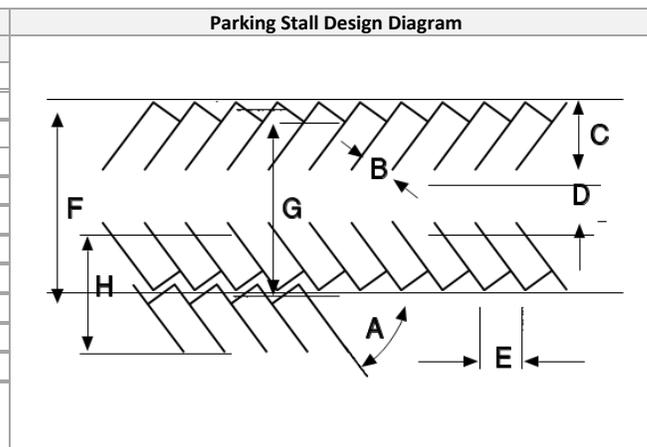
# Create Additional Tables

- Subdivision procedures
- Parking & loading requirements

Review and Approval Item	Eligible Applicants				Pre-application meeting	Notice			Review Body				Protest Permitted
	Owner	Staff	PC	BOA		Post	Publish	Mail	Staff	PC	BOA	BZA	
Subdivision – Administrative Plat	■				●				D				
Subdivision – Preliminary Plat	■				●				R	D	A		
Subdivision – Final Plat	■				●				R	R	D		
Subdivision Waiver	■				●				R	D	A		
Zoning Map Amendment	■	■	■	■	●	●	●	●	R	R&PH	D		◆
Preliminary Development Plan	■		■	■	●	●	●	●	R	R&PH	D		◆
Final Development Plan	■								D	A			
Conditional Use Permit	■				●	●	●	●	R	R&PH	D		
Site Plan – Minor	■				●				D	A			
Site Plan - Major	■				●				R	D	A		
Variance	■				●	●	●	●	R			D&PH	
Appeal of Administrative Decision	■	■	■	■		●	●	●				D&PH	
Text Amendment		■	■	■			●		R	R&PH	D		

- Required
- Authorized
- PC Planning Commission
- BOA Board of Aldermen
- BZA Board of Zoning Adjustment
- R Review and Recommending Authority
- D Decision Making Authority
- PH Public Hearing Required
- A Appeal of Decision
- ◆ Protest Permitted

A	B	C	D	E	F	G
45°	9.0'	19.7'	12.5'	12.7'	51.9'	45.6'
60°	9.0'	21.0'	17.5'	10.5'	59.5'	55.0'
90°	9.0'	19.0'	22.0'	9.0'	60.0'	---
A	Parking angle					
B	Stall width					
C	Vehicle projection (from curb)					
D*	Aisle width					
E	Curb length per parking stall					
F	Width of parking bay (curb to curb)					
G	Width of parking bay (double loaded aisle)					
H	Width of double loaded parking stalls					
*	Additional width may be required where the aisle serves as the principal means of access to on-site buildings or structures					



Total Parking Spaces Required	Required Number of Handicapped Accessible Spaces
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20 plus 1 for each 100 over 1,000

## Urban Redevelopment

- The existing Chapter 435 includes provisions typically found where a city has used the Urban Redevelopment Corporations Law (RS MO 353.010 – 353.190, typically referred to as Chapter 353).
- The City has used Chapter 353 in the past (once to our knowledge since we wrote the qualifications analysis for the property involved). In order to use Chapter 353, the City must establish an ordinance like this to comply with the Statute.
- There have been changes in Chapter 353 so we need to review this ordinance to be sure it complies (i.e. the language of 435.170 does not) if the City wishes to retain this tool. We recommend that this chapter be updated.

## Tree Preservation & Landscaping

- We recommend moving the tree preservation regulations into the Land Use Code. Currently, P&Z does not review changes to the landscaping regulations since they are in Chapter 245
- Some definitions could be improved (i.e. the woodland and canopy terms).
- Some better graphic examples are needed.
- The arborist requirements should be fine-tuned.
- The screening table and exhibit at the end of the chapter are not clear.
- It may be necessary to add additional sections.



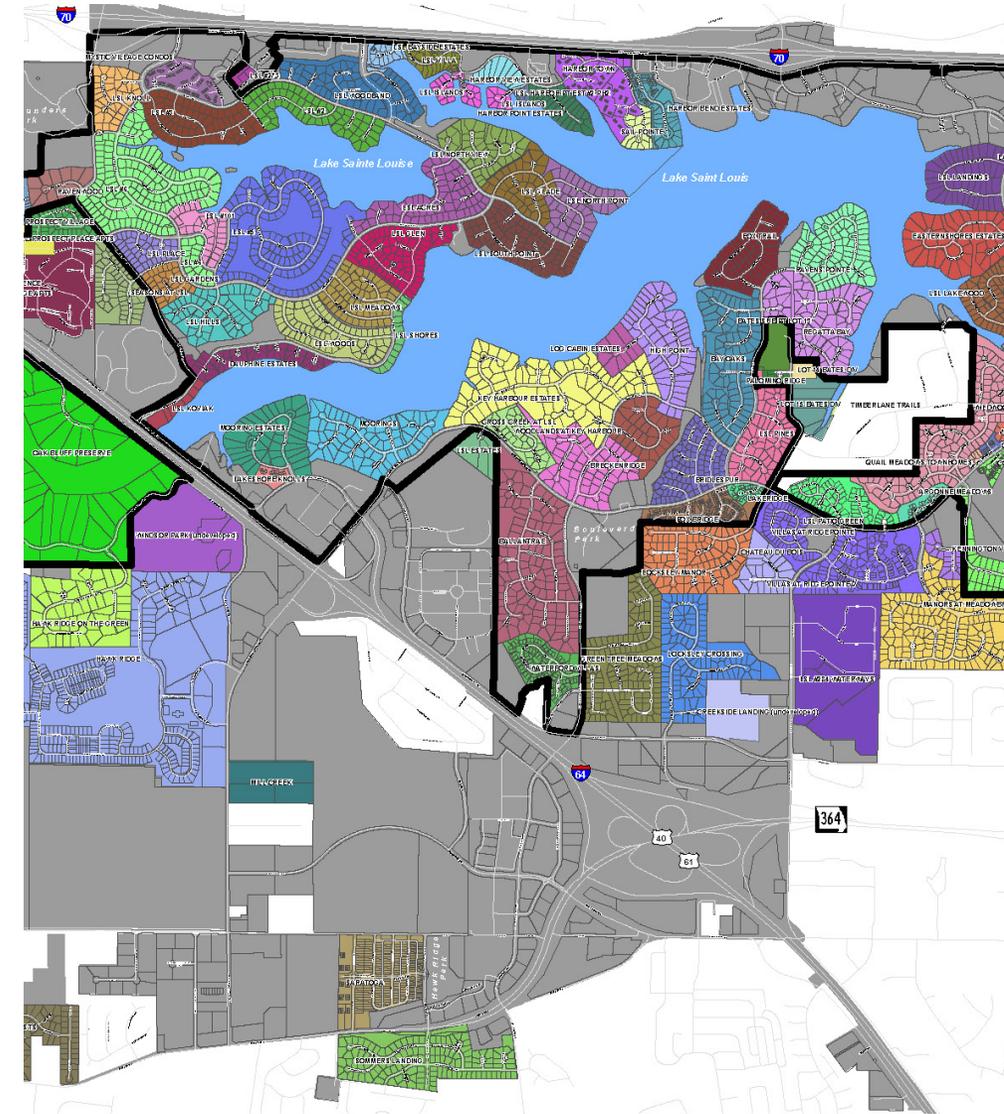
## Zoning District Clarification

- Some zoning districts and development standards are difficult to understand and implement. We recommend significant edits to the wording and organization of those sections to more closely align with the goals of each district.
- One example is the Downtown Lakefront Redevelopment Overlay District. These provisions seem overly complicated particularly relative to the multiple subdistricts to which these apply.
- We would like to find a way to simply these provisions and align with the recommendations of the City's Comprehensive Plan.



## Subdivision Restrictions

- Language should be added making it clear that if subdivision indentures have greater restriction than those of this code, it is the responsibility of the HOA to enforce those.
- We have experienced several instances where certain provisions of indentures are more restrictive than those of the code and the residents expect the city to enforce them or want the regulations modified accordingly.
- We believe it should be incumbent upon developers to be sure that the indentures they create don't conflict with the district regulations with respect to the issues that typically cause these conflicts such as setbacks, side yards, lot size, etc.)



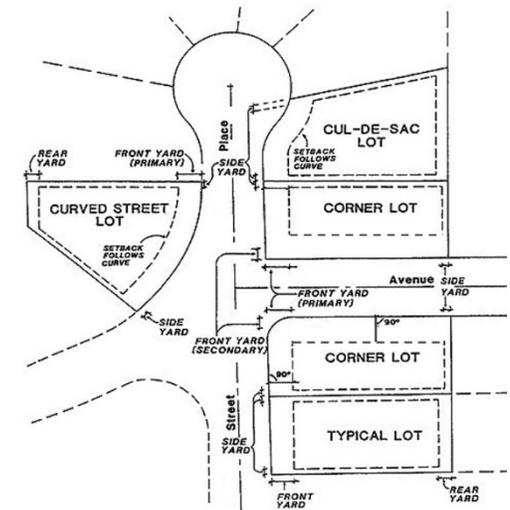
## Park Dedication Fee

- Regarding parks, playgrounds, and recreation areas, there are provisions that amount to an exaction or impact fee. This was the subject of some considerable grumbling at the developer input session. The land dedication vs. fee is what may make this legally defensible and the manner in which it is determined probably meets the “nexus” test.
- We will ask our legal team to see if this needs any further refinement. Note that this increases the price of a home in LSL because we expect the developers are passing this on (in one way or another).
- In addition, if the developers really started dedicating land the City would have a lot of small parks that are difficult to maintain. We haven’t determined if surrounding communities do something similar. Our experience says that this is not common in the St. Louis area.



# Architectural Design Guidelines

- Our approach to design guidelines is to encourage quality design rather than dictate it.
- Currently, the guidelines are complicated and disorganized, resulting in a variety of outcomes and confusion.
- We have also received feedback that the design guidelines often present a barrier to alterations or upgrades of existing structures.
- The single-family design guidelines should be revised to create baseline and uniform regulations that are more easily applied.
- The commercial design guidelines should be revised to align with current preferences and development goals.
- Photograph examples and diagrams should be added to further clarify the regulations.



## Sign Regulations

- We recommend reorganizing the regulations to use graphic examples to streamline enforcement and increase understanding.
- The sections should be re-written to remove all content-based regulations and conform to current case law.
- The definitions and design standards for signs should be updated based on existing implementation. For example, requirements for self-dimming scenarios based on ambient lighting conditions and the color of the background for electronic message centers. The current regulations address some of these issues, but we think improvements can be made.
- The light output measurement standard for these have changed from foot-candles to NITS which may mean that the equivalent of both the older and newer standards should be cited.

## Sign Definition Examples

### *Wall sign*

Any sign affixed to the front, side, or rear wall of any building and parallel to the face of the wall



### *Pole sign*

Any sign, which has the lowest part of its face, at least ten feet above the ground and which is supported by a freestanding pole



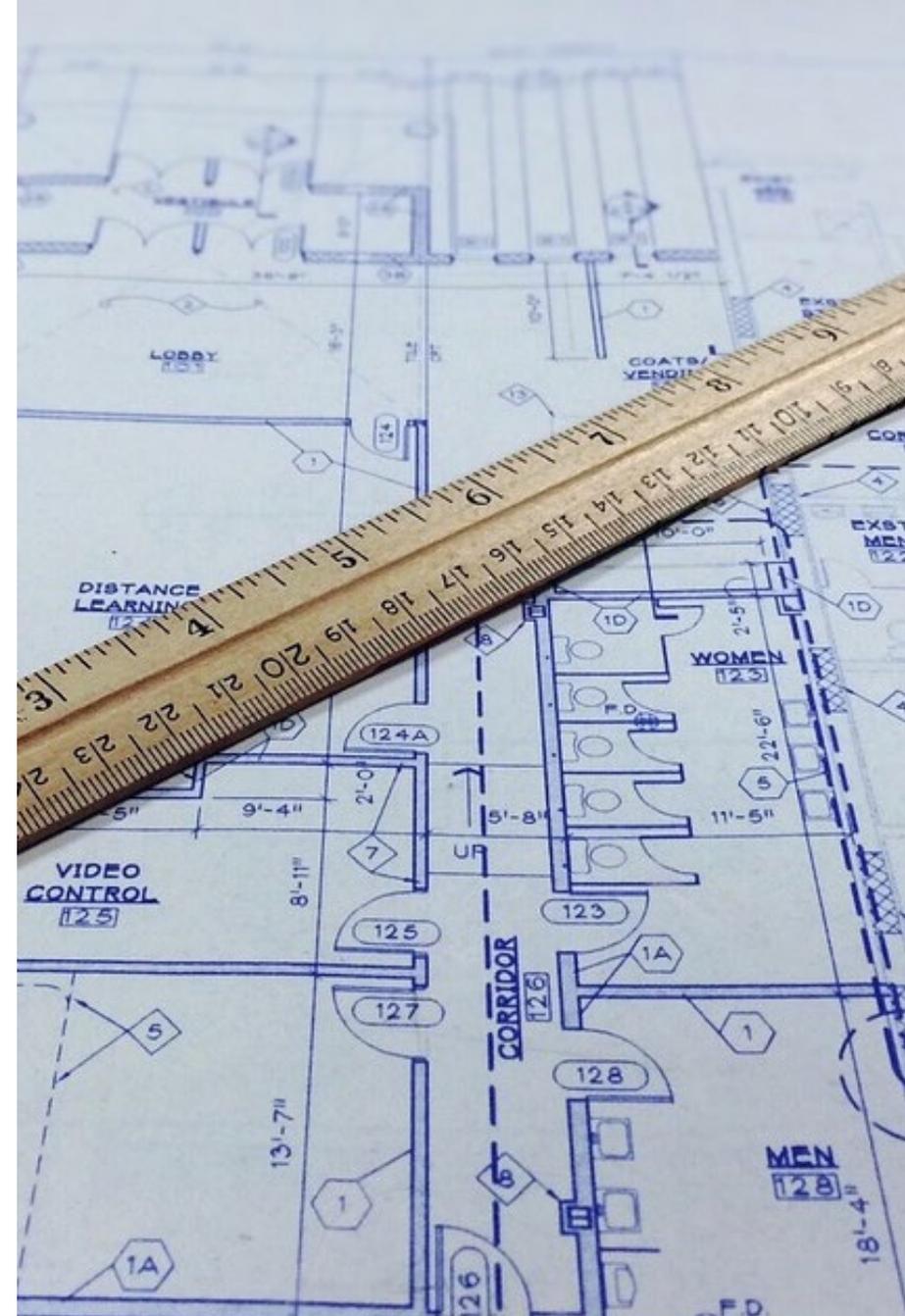
### *Monument sign*

A sign, which may be located at a shopping center, office building or complex, or industrial park or building mounted on the ground.



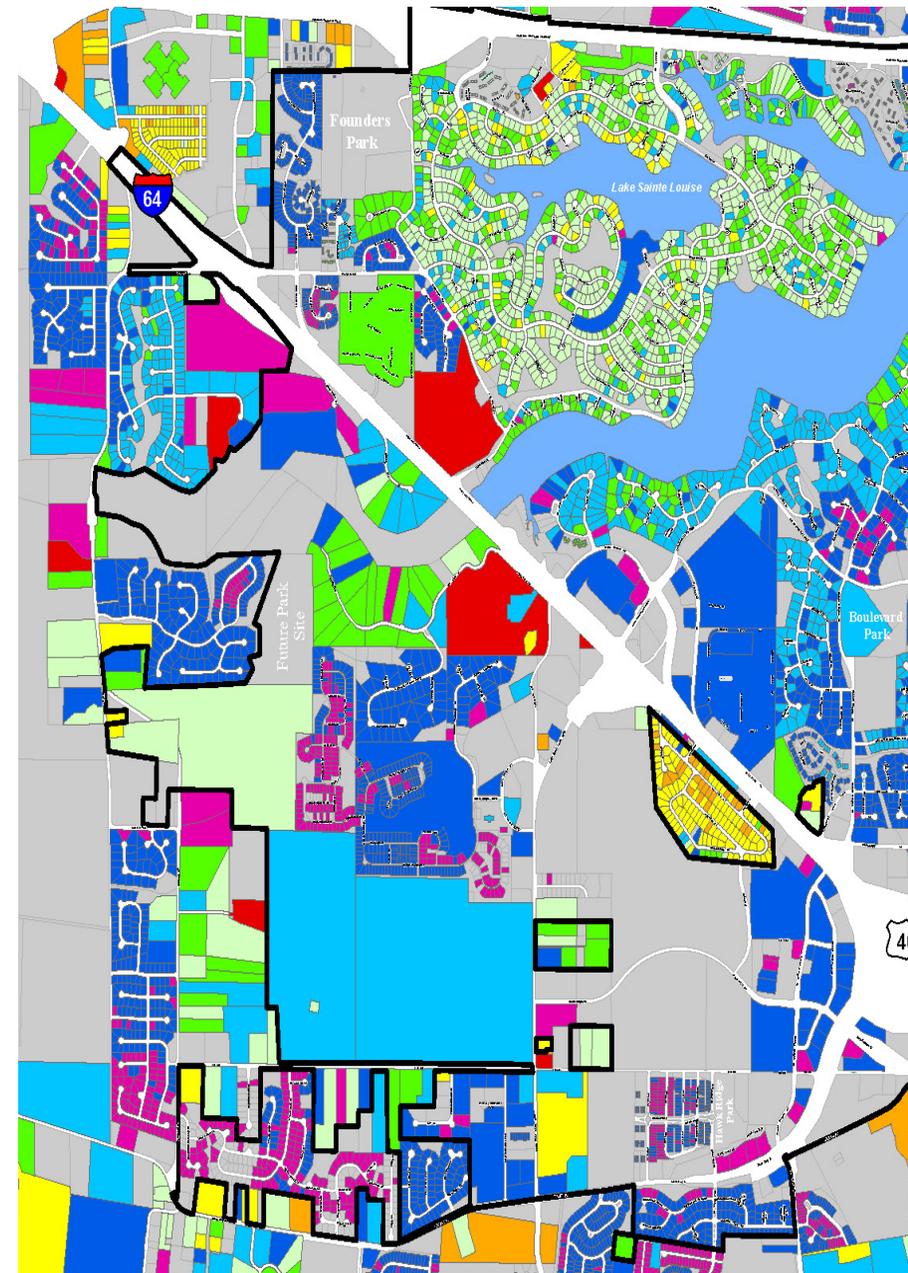
## Architectural Review Board & Development Review Board

- The Architectural Review Board (ARB) extends to residential structures and does not require membership by design professionals (i.e. architects, landscape architects). The case law where such entities have been challenged is inconsistent and often not favorable to the municipality. We believe that, with limitations, the Planning and Zoning Commission can review some basic architectural standards.
- The Development Review Board (DRB) extends to non-residential structures and also does require design professionals on the board. Based on our workshop with real estate and development entities active in the community and St. Louis, we believe that the development approval process in Lake Saint Louis takes longer and is more costly as a result. Eliminating these Boards will have no effect on the thoroughness or quality of development in Lake Saint Louis.



## Impact Fees

- We recommend removing the existing article levying impact fees. Our experience with impact fees and the supporting case law for the use of these tools is not favorable. In addition, these have proven to be impediments to development particularly where adjacent communities do not have them.
- For them to be effective and legally defensible, they need to be established with what the courts have defined as a “rational nexus” basis for their implementation.
- We strongly suggest that Lake Saint Louis not use impact fees because they may drive development to neighboring communities. The fees become the equivalent of taxes and the developers may pass the cost on.



## “OP” Office and Research Park District

- We also recommend eliminating the “OP” Office and Research Park District, which applies to only one parcel that is surrounded by the “PD” Planned Development District that comprises the medical complex.
- We believe this property can be rezoned in that category.
- 



## Residential Zoning Districts

- A new district is suggested called “SRP” Single-Family Residential Overlay District. This district is intended to act as an overlay to the underlying zoning applicable to the residential developments presently zoned “PR” Planned Residential, “PD” Planned Development, or “SR” Single Family (and recorded prior to March 21, 1978).
- The underlying zoning for these developments is based on the existing residential districts. The purpose of this district is to simplify building and permitting approvals. The district will be identified by a combination of the underlying zoning SR1 through SR3 and the SRP designation (i.e. “SR2/SRP”).
- The creation of the “SRP” district could make it possible to eliminate the “PR” district provisions although this would take some additional investigation.



## Planned Development Districts

- We also recommend new Planned Development (PD) regulations that would allow for planned residential, planned commercial, planned mixed use and planned industrial developments.
- The PD regulations would provide a more direct path for implementing future land use goals of the City's Comprehensive Plan.
- 



# Annotated Outline of the Code

## General Provisions and Administration

This chapter will include provisions applicable to the Land Use Code as a whole. These provisions are important to setting up the authority and enforcement powers of the code.

- Elements of this chapter will include:
  - General Provisions: to establish the regulations;
  - Administration and Review Bodies: to establish board and commissions, the roles and responsibilities of City staff;
  - Enforcement: to establish violations, enforcement powers and penalties.
- Chapters, articles and sections that will be relocated under this chapter include:

- Chapter 400 Boards and Commission – Land Use and Development
  - Article I Planning and Zoning Commission
  - Article II Board of Adjustment
- Chapter 405 Development Regulations and General Provisions
  - Article I General Provisions
    - Section 405.010 Short Title.
    - Section 405.020 Intent and Purpose.
    - Section 405.030 Annexed and Consolidated Territory.
    - Section 405.040 Authority.
    - Section 405.050 Jurisdiction.
    - Section 405.060 Existing Permits.
    - Section 405.070 Existing Restrictions.
    - Section 405.080 Completion Permitted.
    - Section 405.090 Repeal of Conflicting Regulations.
    - Section 405.100 Separability.
    - Section 405.120 Official City Map.
  - Article IV Application Procedures
    - Section 405.370 Appointment of Building Official and Duties.
  - Article VI Penalty
    - Section 405.480 Penalties For Violation of The Zoning Regulations of The City.
- Chapter 410 Zoning Districts and Regulations
  - Article I Establishment of Districts and District Provisions
    - Section 410.020 Creation and Maintenance of A Zoning Map.
- Chapter 445 Floodplain Management
  - Article I Statutory Authorization, Findings of Fact and Purposes
    - Section 445.010 Statutory Authorization.
    - Section 445.020 Findings of Fact.
  - Article II General Provisions
    - Section 445.060 Floodplain Administrator.
    - Section 445.070 Compliance.
  - Article III Administration
    - Section 445.120 Designation of Floodplain Administrator.
    - Section 445.130 Duties and Responsibilities of Floodplain Administrator.
  - Article VI Penalties For Violation

## Procedures and Operation

- This chapter will include the procedures for submission and review of development plans and applications. We recommend creating a summary table for process and procedures to help streamline the presentation of information included in this chapter.
- Chapters, articles and sections that will be relocated under this chapter include:

- Chapter 405 Development Regulations and General Provisions
  - Article I General Provisions
    - Section 405.130 Amendments.
    - Section 405.170 License, Permit or Formal Approval.
    - Section 405.180 Revocation of License or Permit.
  - Article III Development Code Procedures
    - Section 405.200 Textual Amendments.
    - Section 405.210 Application Review Procedure For Textual Amendments.
  - Article IV Application Procedures
    - Section 405.220 Subdivision Procedure.
    - Section 405.230 Preliminary Subdivision Plat.
    - Section 405.240 Procedures For The Review of A Preliminary Plat.
    - Section 405.250 Final Subdivision Plat.
    - Section 405.260 Signing and Recording of Final Subdivision Plat.
    - Section 405.270 Specifications For Documents To Be Submitted.
    - Section 405.280 Final Subdivision Plat.
    - Section 405.290 Minor Subdivision.
    - Section 405.300 Final Minor Subdivision Plat.
    - Section 405.310 Procedures For A Change in Zoning Classification.
    - Section 405.320 Site Plan Review Procedures For Proposed Uses in The "NU" Non-Urban, "SR" Single-Family Residential, "MR" Multiple-Family Residential, "CB" Community Business, "OP" Office and Research Park, "HC" Highway Commercial, "LI" Light Industrial, "PA" Public Activity and "FP" Flood Plain Districts.
    - Section 405.330 Development Review Procedures For The Planned Residential ("PR") and Planned Development ("PD") Districts.
    - Section 405.340 Special Use Permit Procedures.
    - Section 405.350 Site Plan Review.
    - Section 405.360 Procedures For Obtaining A Building Permit.
    - Section 405.380 Variances.
    - Section 405.390 Appeals.
    - Section 405.400 Schedule of Fees, Charges and Expenses.
    - Section 405.420 Site Plan Review For Telecommunication Antennas and Towers.
  - Article V Flood Plain Management Administrative Procedures

## Procedures and Operation (continued)

- This chapter will include the procedures for submission and review of development plans and applications. We recommend creating a summary table for process and procedures to help streamline the presentation of information included in this chapter.

## Chapters, articles and sections that will be relocated include:

- Chapter 410 Zoning Districts and Regulations
  - Article X "FP" Flood Plain Overlay District
    - Section 410.520 Administrative Procedures For Development in A "FP" Flood Plain Overlay District.
- Chapter 420 Supplementary Use Regulations
  - Article II Special Use Permits
    - Section 420.060 Intent and Purpose.
    - Section 420.070 Special Use Permit.
    - Section 420.080 Procedures.
    - Section 420.190 Procedure.
    - Section 420.220 Architectural Review/Building Permit.
    - Section 430.350 Application Procedures.
- Chapter 445 Floodplain Management
  - Article III Administration
    - Section 445.110 Floodplain Development Permit (Required).
    - Section 445.140 Application For Floodplain Development Permit.
  - Article V Floodplain Management Variance Procedures
  - Article VII Amendments

## Definitions and Rules of Construction

- This chapter will include the definitions that apply to the chapter as a whole and the process for interpretation of different regulations. Definitions that are currently spread throughout chapters of the code will be relocated to this section.
- We also recommend adding a section for description of uses by type. This is a different way of defining uses that is being adopted by many cities. Each of the use categories and the uses within have a written description. When a type of use is proposed that is not contemplated by these descriptions, the North American Industrial Classification System (NAICS) is used as the deciding factor as to the use type.
- Chapters, articles and sections that will be relocated under this chapter include:

## Chapters, articles & sections to be relocated include:

- Chapter 405 Development Regulations and General Provisions
  - Article I General Provisions
    - Section 405.110 Rules of Construction.
    - Section 405.140 Control Entity Defined.
    - Section 405.150 Affiliate Defined.
    - Section 405.160 Control Defined.
    - Section 405.185 Uses Not Permitted by Provisions.
  - Article II Definitions
    - Section 405.190 Usage.
  - Article IV Application Procedure
    - Section 405.410 Construction and Use Must Be As Provided in Any Approved Applications, Plans and Permits.
- Chapter 410 Zoning Districts and Regulations
  - Article I Establishment of Districts and District Provisions
    - Section 410.030 Interpretation.
- Chapter 425 Development Standards
  - Article IV Drainage and Stormwater Control Standards
    - Section 425.361 Definitions.
- Chapter 430 Additional Development Standards
  - Article III Sign Regulations
    - Section 430.210 Definitions.
- Chapter 435 Urban Redevelopment
  - Section 435.030 Definitions.
- Chapter 445 Floodplain Management
  - Article II General Provisions
    - Section 445.040 Definitions.
- Chapter 245 Tree Preservation
  - Section 245.020 Definitions.

## Zoning Districts and Regulations

- This chapter will include the regulations for each zoning district and overlay district. We recommend a table at the beginning to include the purpose/intent statements from each district. This will create a central location for an overview of all districts prior to outlining the individual regulations.

### Chapters, articles & sections to be relocated include:

- Chapter 410 Zoning Districts and Regulations
  - Article I Establishment of Districts and District Provisions
    - Section 410.010 Zoning Districts.
  - Article II "NU" Non-Urban District
  - Article III "SR1"/"SR2" Single-Family Residential Districts
  - Article IV "MR" Multiple-Family Residential District
  - Article V "PR" Planned Residential District
  - Article VI "CB" Community Business District
  - Article VIII "LI" Light Industrial District
  - Article IX "PD" Planned Development District
  - Article X "FP" Flood Plain Overlay District
  - Article XI "PA" Public Activity District
  - Article XII "HC" Highway Commercial District
  - Article XIII "BP" Business Park District
  - Article XV Downtown Lakefront Redevelopment Overlay District
  - Article III Accessory Uses
  - Article IV Home Occupations

## Zoning Districts and Regulations

- We also recommend a table/matrix format for presenting the permitted and special uses of each district. Before the regulations pertaining to each district are set forth, a table will be provided. The district regulations will refer to this table to provide the basic information and any further more specific, unique, or exceptions to these requirements will be cited in the various articles pertaining to each district.

TABLE 410.010 - B – PERMITTED AND SPECIAL USES														
LAND USE TYPE	ZONING DISTRICT													
	NU	SR1	SR2	SR3	SRP	MR	PR	CB	LI	FP	PD	PA	HC	BP
P = Permitted S = Use allowed via Special Use Permit Blank = Use not allowed														
RESIDENTIAL USES														
Detached house	P	P	P	P	P									
Duplex					P									
3- / 4-Plex						P		P						
Row House (3-8 units; 2- to 3-story)						P		P						
Walk-up Apartment (3- 12 units; 2- to 3-story)						P		P						
Apartment Complex (garden apartment – density based)						P		P						
Mixed-use (residential above or behind street level Commercial)						S								
Accessory Dwelling														
Home Occupation ( <i>Subject to provisions of 420,IV</i> )	P	P	P	P	P									
COMMERCIAL – RETAIL USES														
Retail – Limited (under 2.5K)								P				P		
Retail – Small (2.5K - 8K)								P				P		
Retail – General (8K -50K)								P				P		
Retail – Large (50K – 100K)								P				S		
Retail – Warehouse (over 100K)								P						
Retail – Outdoor Sales, Limited								S						
Retail – Outdoor Sales, General								S						
Restaurant – Micro/Mobile								S				S		
Restaurant – Limited								P				P		
Restaurant – General								P				P		
Restaurant – Drive-in/Drive-thru								S				S		
Restaurant - Bar/Tavern								S				S		
Restaurant – Micro-brewery/winery								P	P			P		
Grocery – Convenience/ Market (under 5K)								S	S			S		
Grocery – Small Store ( under 40K)								P	P			P		

## Supplemental Regulations

- This chapter will include additional regulations that area applied to specific land uses, such as special or conditional uses, temporary uses or adult uses.
- A new medical marijuana ordinance and telecommunications ordinance will be located here.

## Chapters, articles & sections to be relocated:

- Chapter 410 Zoning Districts and Regulations
  - Article I Establishment of Districts and District Provisions
    - Section 410.040 Number of Structures and Uses On A Zoning Lot.
    - Section 410.050 Access.
    - Section 410.060 Height Exception.
    - Section 410.070 Visibility At Intersections.
    - Section 410.080 Continued Conformity.
    - Section 410.090 Division of Zoning Lots.
    - Section 410.100 Required Yards For Existing Structures.
    - Section 410.110 Permitted Obstructions in Required Yards.
    - Section 410.120 Uncompleted Structures.
    - Section 410.130 Maintenance and Upkeep of Existing Structures.
    - Section 410.140 Repair and Reconstruction of Damaged Structures.
    - Section 410.150 Multiple-Family Occupancy of Single-Dwelling Units Prohibited.
    - Section 410.160 Screening of Rooftop Equipment.
    - Section 410.170 Miscellaneous Regulations.
    - Section 410.175 Twenty-Four Hour Businesses By Special Use Permit.
    - Section 410.176 Regulations for Group Home Providers.
- Chapter 420 Supplementary Use Regulations
  - Article I Non-Conforming Uses
  - Article V Display/Model Housing Units
    - Section 420.170 Intent and Purpose.
    - Section 420.180 General Provisions.
    - Section 420.200 Sales Activity.
    - Section 420.210 Completing Display/Model Housing Units.
- Chapter 425 Development Standards
  - Article IV Drainage and Stormwater Control Standards

## Supplemental Regulations (continued)

- This chapter will include additional regulations that area applied to specific land uses, such as special or conditional uses, temporary uses or adult uses.

## Chapters, articles & sections to be relocated:

- Chapter 430 Additional Development Standards
  - Article II Off-Street Parking and Loading
  - Article III Sign Regulations
    - Section 430.200 Purpose and Intent.
    - Section 430.220 Permit Required For Signs.
    - Section 430.230 Sign Classifications (Permitted and Prohibited).
    - Section 430.240 Total Sign Surface Area.
    - Section 430.250 Sign Setbacks.
    - Section 430.260 Height and Supplemental Restrictions.
    - Section 430.270 Sign Illumination and Signs Containing Lights.
    - Section 430.280 Signs Excluded From Regulations.
    - Section 430.290 Signs Exempt From Review.
    - Section 430.300 Restrictions and Prohibitions.
    - Section 430.310 Appearance of Signs.
    - Section 430.320 Maintenance and Appearance of Signs.
    - Section 430.330 Non-Conforming Signs.
    - Section 430.340 Pole Signs.
    - Section 430.360 Amortization of Non-Conforming Signs.
    - Section 430.370 Real Estate Open House Directional Signs.
    - Section 430.371 Monthly Realtor Tour Signs.
    - Section 430.375 Temporary Signage For Residential Developments.
    - Section 430.376 Temporary "FOR LEASE" Signs.
    - Section 430.377 Temporary Signage in Support of Commerce.
    - Section 430.378 Temporary Signage in Support of Civic Activities.

## Supplemental Regulations (continued)

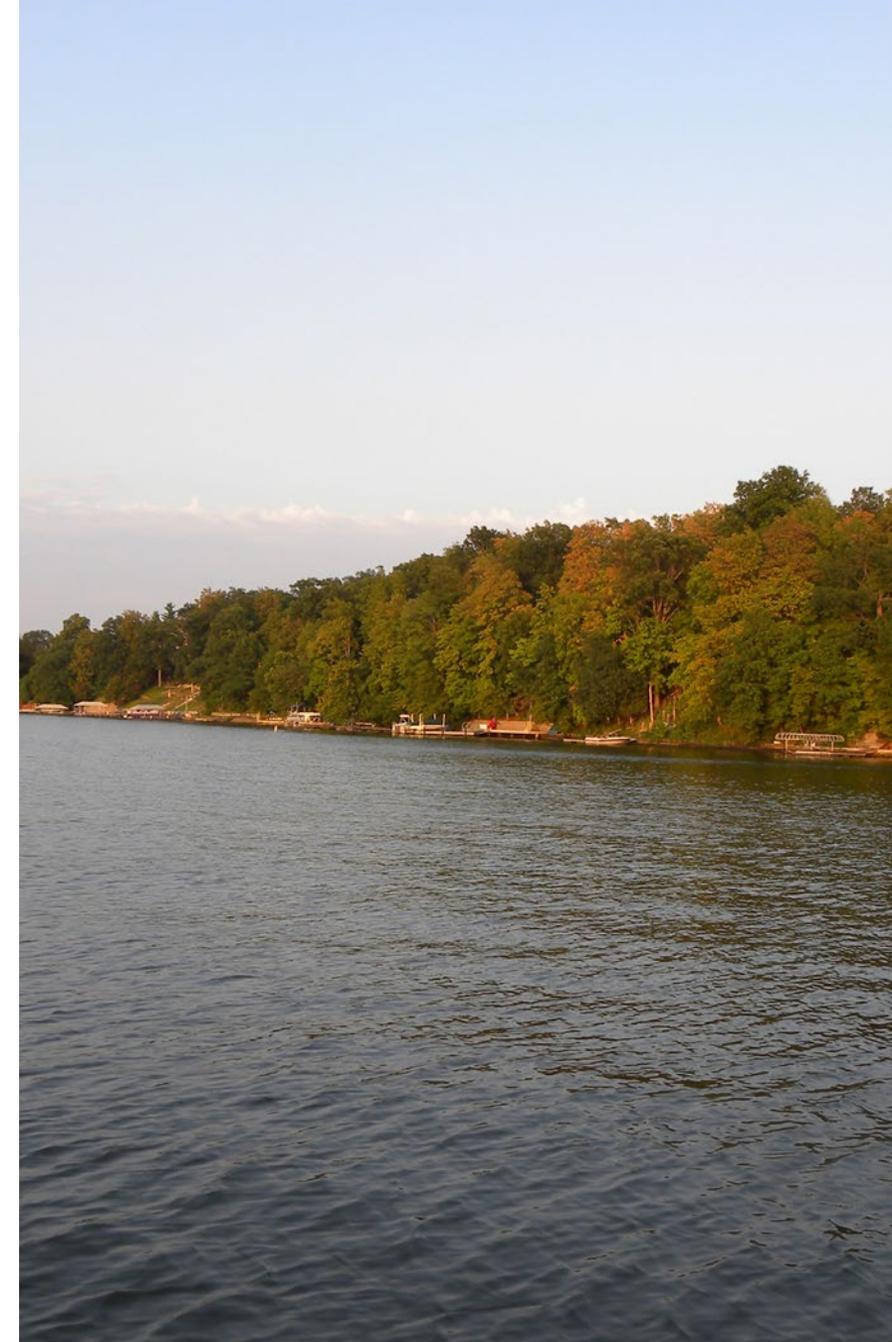
- This chapter will include additional regulations that area applied to specific land uses, such as special or conditional uses, temporary uses or adult uses.

## Chapters, articles & sections to be relocated:

- Chapter 435 Urban Redevelopment
  - Section 435.010 Title, Designation and Authority.
  - Section 435.020 Determination of Necessity For Legislation.
  - Section 435.040 Initiation of Urban Renewal Review.
  - Section 435.050 City Development Administrator Recommendation of Blighting Bill.
  - Section 435.060 Board of Aldermen Declaration of Blight.
  - Section 435.070 Preliminary Approval of Application Form.
  - Section 435.080 Content of Development Plan.
  - Section 435.090 Notification By City Development Administrator.
  - Section 435.100 City Development Department Recommendation Concerning Plan – When Made.
  - Section 435.110 City Development Administrator Recommendation Concerning Plan – Contents.
  - Section 435.120 City Development Administrator Recommendation Concerning Plan, Multiple Plans.
  - Section 435.130 Time Limit For Consideration of Development Bill By Board of Aldermen.
  - Section 435.140 Tax Relief For Redevelopment Corporations.
  - Section 435.150 Notification of Taxing Authorities and Others – Public Hearings.
  - Section 435.160 Ordinance Approving A Development Plan.
  - Section 435.180 Escrow For Land To Be Obtained By City.
  - Section 435.190 Recovery of City's Costs For Acquisition of Property.
  - Section 435.200 Agreement For Redevelopment.
  - Section 435.210 Financial Reporting.
  - Section 435.220 Progress Reports.
  - Section 435.230 Analysis of Financial Statements.
  - Section 435.240 Completion of Project, Release of Surety.
  - Section 435.250 Reassessment.
  - Section 435.260 Remedies For Failure To Follow Plan.
  - Section 435.270 Forfeiture of Tax Exemptions.
  - Section 435.280 Building Permits.
  - Section 435.290 Certifications Required By Corporations.
  - Section 435.300 Disposal of Property.
  - Section 435.310 Plan Approval Does Not Substitute For Zoning Actions.
  - Section 435.320 Amendment of The Final Plan.
  - Section 435.330 Acceptance of State Enabling Act.

## Supplemental Regulations (continued)

- This chapter will include additional regulations that are applied to specific land uses, such as special or conditional uses, temporary uses or adult uses.
- Chapters, articles and sections that will be relocated under this chapter include:
  - Chapter 445 Floodplain Management
    - Article I Statutory Authorization, Findings of Fact and Purposes
      - Section 445.030 Statement of Purpose.
    - Article II General Provisions
      - Section 445.050 Lands To Which Chapter Applies.
      - Section 445.080 Abrogation and Greater Restrictions.
      - Section 445.090 Interpretation.
      - Section 445.100 Warning and Disclaimer of Liability.
      - Section 445.105 Severability.
    - Article IV Provisions For Flood Hazard Reduction



## Development Standards

- This chapter includes the design and operation standards as well as the subdivision regulations. The Zoning Districts and Regulations chapter includes what can be done with different properties based on the zoning. The development standards include quality regulations and how properties are developed.

## Chapters, articles & sections to be relocated in this section:

- Chapter 415 Subdivision Regulations
- Chapter 425 Development Standards
  - Article I In General
  - Article II Subdivision Design and Development Standards
  - Article III Streets
    - Section 425.200 General Requirements.
    - Section 425.210 Topography and Arrangement.
    - Section 425.220 Blocks.
    - Section 425.230 Access To Primary Arterials.
    - Section 425.240 Street Names.
    - Section 425.250 Street Name Signs.
    - Section 425.260 Street Lights.
    - Section 425.270 Future Extension of Streets.
    - Section 425.280 Dead-End Streets (Permanent).
    - Section 425.290 General Design Standards For Streets.
    - Section 425.300 Street Surfacing and Improvements.
    - Section 425.310 Excess Right-Of-Way.
    - Section 425.340 Bridges.
    - Section 425.350 Road Dedications and Reservations.
  - Article V Water Facilities
    - Section 425.385 Standards Adopted.
    - Section 425.390 General Requirements.
  - Article VI Sewerage Treatment Facilities
  - Article VII Other Utilities
  - Article X Protection of Riparian Corridors
  - Article XI Non-Residential Subdivisions
- Chapter 430 Additional Development Standards
  - Article I Anti-Pollution Standards
  - Article IV Environmental Design Standards
  - Article V Gasoline Service Station and/or Convenience Store Development Standards
- Chapter 245 Tree Preservation





Thank you. Questions?



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