

Chapter 425 Development Standards

Article I Purpose and Organization

A. This Chapter includes standards that regulate the physical layout and design of development within the City to ensure the protection of the health, welfare, safety, and quality of life. These standards address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to achieve a more attractive, efficient, and livable community.

This Chapter is organized as follows:

1. **Article II, Landscape, Screening, and Fencing**
2. **Article III, Parking, Access, and Mobility**
3. **Article IV, Residential Site and Building Design**
4. **Article V, Mixed-Use and Nonresidential Site and Building Design**
5. **Article VI, Exterior Lighting**
6. **Article VII, Signs**
7. **Article VIII, General Performance Standards**
8. **Article IX, Floodplain Management**
9. **Article X, Riparian Corridors**

Article II Landscape, Screening, and Fencing

Section 425.000 Purpose

- A. The purpose of this Article is to ensure that landscaping, screening, and fencing is provided to:
1. Protect and enhance the visual appeal of the City of Lake Saint Louis;
 2. Contribute to high-quality development;
 3. Improve air quality;
 4. Buffer potentially incompatible neighboring land uses;
 5. Mitigate the environmental and visual impacts of surface parking areas; and
 6. Protect property values.

Section 425.010 Applicability

- A. **Section 425.030, Required Landscaping, Section 425.040, General Landscaping Standards, and Section 425.050, Installation,** shall apply to the following:
1. The construction of new principal structures; and
 2. Activities which require approval of a site plan (**Section 405.160**).
- B. All other sections shall apply to all land uses unless otherwise exempted by this Article.
- C. Modification of Existing Landscaping, Screening or Fencing
1. Any landscaping, screening or fencing provided before the effective date of this Code shall not be permanently modified, removed or reduced in a way that would bring the property out of conformance with this Article or would increase the degree of any existing nonconformity.

2. The modification of any existing required landscaping, screening or fencing, shall be reviewed in accordance with **Section 405.080.D**, *Amendments to Approved Applications*.

Section 425.020 Waivers and Modifications

- A. The standards of this Article may be waived or modified through one of the following procedures, except where an alternative procedure is specified in this Article:
 1. Minor Adjustment (**Section 405.220**)
 2. Variance (**Section 405.230**)
 3. Zoning Map Amendment (**Section 405.100**) to Planned Unit Development (**Section 415.130**)

Section 425.030 Required Landscaping

- A. Street Trees
 1. A minimum of one street tree is required for every 40 feet of public or private street frontage.
 2. Trees shall be planted along all streets, public or private, in the right-of-way or within five feet of the right-of-way, applied consistently throughout a single subdivision or development.
 3. Trees may be clustered, as opposed to being spaced evenly.
- B. Building Foundation Landscaping
 1. Building foundations on all facades fronting a public or private street shall be landscaped in accordance with the following:
 - a. Multi-Unit, Mixed-Use and Nonresidential Uses
 - (1) A minimum of one shrub is required for every 10 feet of exterior foundation wall fronting a public or private street.
 - b. Detached Houses, Duplexes, and Townhouses
 - (1) A minimum of one shrub is required for every five feet of exterior foundation wall fronting a public or private street.
 2. A mix of evergreen and deciduous shrubs shall be provided.
 3. Shrubs may be clustered.
 4. Shrubs shall be setback a minimum of three feet from the building foundation.
- C. Parking Lot Perimeter Landscaping
 1. Parking lots located within the required front building setback shall be landscaped along adjoining streets for an equal and uniform width of 10 feet except for permitted entrance drives.
 2. Landscaping in these areas shall contain a continuous planting of shrubs and one tree for every 60 linear feet of frontage.
 3. Trees along the perimeter may be grouped to allow flexibility in design and to open up lines of sight.
 4. Masonry walls and/or berms at a minimum height of 30 inches are encouraged.
- D. Parking Lot Interior Landscaping
 1. A minimum of one tree and 100 square feet of landscaped planting area is required for every 10 parking spaces.

2. The required landscape planting area and trees shall be located in islands or peninsulas within the parking lot itself. Trees and landscaping located along the perimeter of the parking lot do not count towards this requirement.
 3. The landscaped planting area minimum dimension in any direction shall be six feet.
 4. Trees planted in landscape planting areas shall be situated a minimum of three feet from any curb.
 5. The configuration of the landscaped planting areas and the spacing of trees shall be arranged to maximize the amount of shaded areas within parking lots.
- E. Landscape Buffering Between Zoning Districts
1. Landscape buffers shall be located along the perimeter of sites to buffer more intense uses and to design effective transitions between land uses.
 2. **Table 425.030.E.1, Landscape Buffer Requirements**, establishes when landscape buffers are required and what type of landscape buffers are required. The types of buffers are labeled A, B and C, and are further described in **Table 425.030.E.2, Landscape Buffer Minimum Standards**.

Table 425.030.E.1, Landscape Buffer Requirements

Zoning Districts	RR	R1	R2	R3	R4	R5	R6	MU	Nonresidential uses in residential zoning districts					
									CO	C1	C2	LI	PA	
RR						A	A	B	B	B	B	B	C	B
R1						A	A	B	B	B	B	B	C	B
R2						A	A	B	B	B	B	B	C	B
R3						A	A	B	B	B	B	B	C	B
R4						A	A	B	B	B	B	B	C	B
R5	A	A	A	A	A			B	B	B	B	B	C	B
R6	A	A	A	A	A			B	B	B	B	B	C	B
MU	B	B	B	B	B	B	B						C	
CO	B	B	B	B	B	B	B						C	
C1	B	B	B	B	B	B	B						C	
C2	B	B	B	B	B	B	B						C	
LI	C	C	C	C	C	C	C	C	C	C	C	C		C
PA	B	B	B	B	B	B	B						C	

Table 425.030.E.2, Landscape Buffer Minimum Standards

	A	B	C
Width (feet)	25	25	25
Canopy Trees (per 100 linear feet)	2	2	2
Evergreen Trees (per 100 linear feet)	2	2	1
Understory Trees (per 100 linear feet)	3	3	3
Shrubs (per 100 linear feet)	20	20	25
6-foot Site Proof Fence or Landscape Berm	Not Required	Required (either)	Required (either)

Section 425.040 General Landscaping Standards

A. General

1. Except for areas with native vegetation cover and wooded areas, any part of a site not used for building coverage, parking areas, driveways, sidewalks, or other site improvements shall be landscaped or planted with turf grass.
2. Existing landscaping may be used to satisfy the landscaping requirements of this Article.

B. Plant Selection

1. Plants shall comply with recommendations and requirements of ANSI Z60/1-2004 "American Standard for Nursery Stock." All plants shall be healthy and vigorous stock suitable for the climate zone within the City, grown in a recognized nursery in accordance with good horticultural practice and free of disease, insects, eggs, larvae and defects such as knots, sunscald, injuries, abrasions, or disfigurement.
2. To reduce the risk of disease and/or insect infestation, no more than 25 percent of the proposed trees in any individual development or subdivision may be of one species.
3. Tree species shall be selected from the City's recommended tree list.

C. Minimum Planting Sizes

Table 425.040.C, Minimum Planting Sizes

Plant Type	Minimum Planting Size
Deciduous Tree, Large or Medium	3 caliper inch
Deciduous Tree, Ornamental	3 caliper inch
Evergreen Tree, Large or Medium	8 feet tall
Evergreen Tree, Small	6 feet tall
Shrubs	Two feet tall and 18 inches wide

Section 425.050 Installation

- A. All landscape materials shall be installed according to current accepted good planting practices and in compliance with all applicable ordinances and code requirements.
- B. Plant materials must be free from diseases and installed in a manner that ensures the availability of sufficient soil and water to sustain healthy growth.

- C. Irrigation systems for all areas of turf, trees, shrubs, annual gardens or perennial gardens are required in the mixed-use and nonresidential zoning districts and must be shown on the landscape plan. All irrigation systems must be maintained in proper working condition.
- D. No certificates of occupancy or similar authorization will be issued unless the required landscaping is completely installed in compliance with the approved landscape plan and this Article. A temporary certificate of occupancy may be issued for a building prior to completion of the required landscaping in accordance with the following:
 - 1. The applicant shall submit a financial guarantee to guarantee completion of the required landscaping.
 - 2. Required financial guarantees may be in the form of cash, letter of credit or surety bond.
 - 3. The amount of the financial guarantee shall be equal to the estimated cost for completion of the required landscaping, as determined by a qualified landscaper.
 - 4. A non-refundable fee established by the Community Development Director for the establishment of the cash performance bond and for final inspection shall be charged and will be payable at the time that the financial guarantee is posted.
 - 5. The financial guarantee shall be refunded upon completion of all required landscaping and the issuance of a certificate of occupancy.
- E. Replacement of dead or diseased plant material shall be of equivalent species or material, as specified in the approved landscape plan. Replacement shall occur at the time of removal or, if necessary, the next planting season. In any event, replacement shall occur within one year from the time of removal.

Section 425.060 Maintenance

- A. All landscaping material must be maintained in good condition as to present a healthy, neat and orderly appearance and must be kept free from refuse and debris.
- B. Street trees shall be maintained by the adjoining property owner. If there is not an adjoining private property, then the street trees shall be maintained by the City.
- C. All work on public and private trees will be consistent with American National Standard Institute A300, Standard Practices for Woody Plant Maintenance.
- D. Persons or firms engaged in the business or occupation of pruning, treating or removing any tree over 12 inches DBH in the private community forest and public community forest, including street trees, park trees or other public owned trees, must obtain a business license in accordance with **Chapter 605** of the Municipal Code, *Business licenses, Permits and Miscellaneous Business Regulations*. A minimum of one person within the firm shall be recognized by the International Society of Arboriculture as a certified arborist or tree worker.
- E. Public Nuisance on Private Property
 - 1. It shall be unlawful for the owner of any lot or parcel of ground in the City to maintain or allow to stand upon such lot or parcel of ground any tree or tree limb which, due to a diseased, decayed or hazardous condition or for any other

reason, endangers or is likely to injure any person in and upon City-owned property. Such a condition shall be considered a public nuisance on private property.

2. It shall be the duty of the owner of any lot or parcel of ground in the City to properly cause such trees or tree limbs as are described in **subsection E.1** to be cut down, and no tree or tree limb in the City which has been cut down or which has fallen or been broken down shall be permitted to remain in or upon any City owned property.
3. Should any person owning real property fail to prune, remove or treat trees as herein above provided, the Community Development Director shall order such person to so prune, remove or treat such trees. The order shall be personally served on or mailed via first-class mail to both the occupant of the property at the property and the owner at the last known address of the owner, if not the same.
4. The property owner has the right to appeal the notice to prune, remove or treat in accordance with **Section 405.240, *Appeal of Administrative Enforcement***. The property owner may present any evidence or exhibits to support his/her position that the tree does not need to be pruned or removed or that the cost of the "order" is excessive. If the Board of Adjustment should uphold the order, the property owner has an additional 10 days from the Board's decision to complete the required pruning, removal or treatment.
5. When a person to whom an order is directed shall fail to comply within the specified time, it shall be lawful for the municipality to prune, remove or treat such trees, and the exact cost thereof shall be assessed to the owner as provided by law in the case of special assessments.

Section 425.070 Tree Protection

A. Applicability

1. Existing trees subject to this Section shall not be removed or disturbed unless approved by the City in accordance with this Section.
2. The following tree removal activities are subject to this Section:
 - a. Minor Tree Removal
 - (1) Removal of trees located in a tree preservation area depicted on an approved Tree Preservation Plan (TPP).
 - (2) Removal of landmark trees.
 - (3) Removal of trees greater than 4 inches DBH on nonresidential or mixed-use properties and located within 100 feet of Lake Saint Louis or Lake Saint Louise.
 - b. Major Tree Removal
 - (1) Removal of 10,000 square feet or more of tree canopy coverage within a five-year period on a single property three acres or larger in size.
3. Exceptions
 - a. The following activities are permitted without prior approval from the City:

- (1) The removal of diseased or dead trees and trees which have been declared a public nuisance.
- (2) Raising the canopy of any individual tree up to one-third the height of the tree.
- (3) Vista tree pruning per ANSI standards.

B. Minor Tree Removal

1. A Tree Protection Plan (TPP) and Tree Stand Delineation (TSD) are not required.
2. If the tree removal request is associated with a development proposal, it shall be submitted, reviewed and acted on concurrently with the applicable development application.
3. If the tree removal request is not associated with a development application, it shall be approved by the Director of Parks and Recreation or Community Development Director if one of the following is met:
 - a. The property owner's property or personal safety is compromised by the tree.
 - b. The tree is under stress and the City Arborist determines that it will soon die.
 - c. The tree is not located in a tree preservation area and the property owner wants to make property improvements that are allowed in the zoning district and which require the removal of the tree.
4. Requests for minor tree removal that are denied may be appealed in accordance with **Section 405.240**, *Appeal of Administrative Enforcement*.

C. Major Tree Removal

1. Procedure
 - a. A Tree Protection Plan (TPP) and Tree Stand Delineation (TSD) are required.
 - b. The Tree Protection Plan (TPP) shall include the following:
 - (1) Limits of disturbance line beyond which no grading will occur.
 - (2) Table stating the existing and proposed tree canopy coverage.
 - (3) Existing and proposed contours along with the location of all improvements (structures, drives, lots, utility lines, etc).
 - (4) Tree preservation area and a description of all features available to identify it on the site (fencing, etc.).
 - (5) Trees 12 inches in diameter and greater that are located within the tree preservation area and that are within 50 feet of the limit of disturbance line shall be shown on the map and details about measures taken to protect them (if any) shall be described.
 - (6) Individual trees that are to be protected shall be shown on the map and tree protection measures for each shall be described.
 - (7) The tree preservation area shall be shown on the record plat.
 - c. If the tree removal request is associated with a development proposal, it shall be submitted, reviewed and acted on concurrently with the applicable development application.
 - d. If the tree removal request is not associated with a development proposal, it shall require approval of a major site plan.
2. Tree Removal Limits

- a. No more than 70 percent of the total tree canopy coverage on any development site may be removed or destroyed, except as follows:
 - (1) Up to 100 percent of the total tree canopy coverage on any development site may be removed or destroyed when the owner can provide evidence of extreme topography, uniqueness, unusual lot shape or similar circumstances which results in an inability to provide tree preservation.
 - (2) In such cases, new trees shall be planted in addition to other trees required by this Article, so that the combined remaining and proposed tree canopy coverage on the development site equals 30 percent or more. For the purposes of these calculations, the tree canopy coverage potential as specified in **Table 425.070.C.2** shall be used for proposed trees:

Table 425.070.C.2, Tree Canopy Coverage Potential

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

- (3) A mitigation planting plan shall be submitted that shows the location, size, species, and tree canopy coverage potential of trees that are to be planted on-site.
- (4) If spatial limitations prohibit the ability to replant all required trees on the site, the City may accept a plan to plant the additional trees on a City-owned site or the City may accept a payment into an established tree bank for use by the City to plant or maintain public trees in the future. The payment will equal the reasonable cost to plant the required trees.
- b. Trees within 100 feet of natural watercourses or water bodies shall be protected. An exception will be granted if the only access to the site is through the natural watercourses or water body. These trees will take precedence over all other trees on the tract for protection.
- 3. Tree Protection Measures
 - a. Prior to the commencement of any tree removal or grading on any property protected under this Article, the Certified Tree Arborist having prepared the Tree Stand Delineation Study (TSD) and the Tree Preservation Plan (TPP) for the subject property shall:
 - (1) Mark on the property, with construction fencing or other appropriate barricade, the limits of disturbance beyond which no grading will occur as such limits are identified on the approved TPP; and
 - (2) Implement on the ground any and all other measures called for on the approved TPP.

- b. As necessary and as determined by the City of Lake Saint Louis, the Certified Tree Arborist, having prepared the Tree Stand Delineation Study (TSD) and the Tree Preservation Plan (TPP) for the property in question, will be responsible for the maintenance of required protection measures throughout the construction of the project until a certificate of occupancy or other final permit is issued.
4. Tree Replacement
- a. Financial Guarantee
 - (1) The developer shall post a financial guarantee for the benefit of the City to account for trees that die, or are damaged beyond repair, as a result of grading or construction damage within a two year period after the issuance of final occupancy permits.
 - (2) The required financial guarantee may be in the form of cash, letter of credit or surety bond.
 - (3) The amount of the required financial guarantee shall be in the amount of \$2,000 for each acre of the tree preservation area or \$10,000, whichever is greater.
 - b. Prior to Occupancy
 - (1) Prior to issuing any occupancy permits, should any preserved tree die or become damaged as a result of grading or construction, the developer will pay a non-refundable assessment equal to the value of the trees that die, are damaged or are removed.
 - (2) The value of the trees will be determined using the International Society of Arboriculture's methodology of tree appraisal.
 - (3) The City will withhold any occupancy permits until the assessment is paid.
 - c. Post Occupancy
 - (1) Within a two-year period after the occupancy permit is issued, the developer shall replace protected trees that die or are damaged beyond repair, as a result of grading or construction damage, as determined by a certified arborist.
 - (2) The number of replacement trees is determined by matching the combined caliper of trees to be planted with the diameter (DBH) of trees that were lost.
 - (3) Failure to plant the required replacement trees shall constitute default and the City shall be entitled to proceed against the financial guarantee.
 - (4) If spatial limitations prohibit the ability to replant all required trees on the site, the City may accept a plan to plant the additional trees on a City-owned site or the City may accept a payment into an established tree bank for use by the City to plant or maintain public trees in the future. The payment will equal the reasonable cost to plant the required trees.

Section 425.080 Visibility at Intersections

- A. It shall be unlawful for any person who owns, manages or occupies any premises within the City to allow trees, shrubs, plants or other vegetation to be planted or allowed to grow in such a manner as to materially obstruct motorist line of sight accessing street right-of-way from private driveways, private streets or alleys, and public streets.
- B. The sight distance criteria as adopted in or by the *Engineering and Plan Preparation Manual for Public Facilities (Title V, Appendix A)*, shall be used for determining the required line of sight.
- C. Owners shall trim all vegetation that obstructs the view or passage on any street, sidewalk or bike path in accordance with the following:
 - 1. Street tree limbs shall be pruned to 14 feet or more in height above the road elevation.
 - 2. Dead limbs shall be removed to prevent becoming a hazard to the motoring and pedestrian public.
 - 3. All vegetation shall be trimmed so it shall not obstruct any street or traffic sign.

Section 425.090 Penalty

- A. It shall be unlawful for any person to damage, cut, kill or remove any tree in violation of this Article or maintain or allow to stand upon a lot or parcel any tree or tree limb which, due to a diseased, decayed or hazardous condition or for any other reason, endangers or is likely to injure any person in and upon City-owned property, or cause damage to City owned property, including but not limited to public streets, public sidewalks and City parks. Any violator shall, upon conviction, be punished by a fine up to \$500 or the maximum allowable under state law.
- B. It shall be unlawful for any person to interfere with a City employee engaged in or about the planting, cultivating, mulching, pruning, spraying or removing any trees in the public community forest. Such violations are punishable by a fine of not more than \$500.
- C. Fines for removing a residential landmark tree without prior approval shall be decided by the Municipal Judge and not exceed \$500.00 per offense. At the discretion of the Municipal Judge, the imposed fine may be to replace the landmark tree with another tree of the same species as the landmark tree and said fine shall purchase the replacement tree and be planted by the violator. If the City determines it is not feasible to plant a replacement tree on the site of the violation, the Municipal Judge may order the replacement tree to be planted on City property. In this event, City park employees will plant the tree.
- D. Fines for engaging in the business or occupation of pruning, treating or removing any public or private tree within the City without a business license shall be \$500 per offense and shall double for the second separate offense.
- E. Tree topping by any persons or firms engaged in the business or occupation of pruning, treating or removing any public or private tree is unlawful and punishable by a fine of \$500 per offense.

Section 425.100 Screening

- A. The following items shall be screened from public view or be located so as not to be visible from any public or private street, Lake Saint Louis, or Lake Saint Louise:
 - 1. Electrical and mechanical equipment such as transformers, air conditioners, or communication equipment and antennas, whether ground, wall or roof mounted;
 - 2. Pool equipment;
 - 3. Permanent or temporary outdoor storage areas;
 - 4. Solid waste containers in accordance with **Chapter 235** of the Municipal Code, *Solid Waste*;
 - 5. Utility stations.
- B. Acceptable screening includes dense evergreen vegetation, a decorative opaque fence or wall complementing the architectural details and materials of the building, architectural features of the building, or a combination of these.

Section 425.110 Fences

- A. Applicability
 - 1. This Section shall apply to all fences with the following exceptions:
 - a. Decorative fences less than 18 inches in height.
 - b. Guardrails required by the Building Code.
- B. All Fences
 - 1. Fences are permitted as specified in **Table 425.110.B**, *Summary of Fence Standards*.

Table 425.110.B, Summary of Fence Standards

Permitted Sites	Fence Location	Enclosed Area, Maximum	Height, Maximum	Setback, Minimum	Openness, Minimum	Permitted Materials	Additional Standards
Agricultural uses in the RR Zoning District	Front, rear and side yards	No Maximum	6 feet	50 feet (front)	66 percent	Wood, metal, masonry, vinyl, PVC, or similar. Electric, barbed or ribbon wire or similar.	
Mixed-Use and Nonresidential uses	Rear and side yards	No Maximum	8 feet	No Minimum	No Minimum	Wood, metal, masonry, vinyl, PVC, or similar. Chain-link pre-finished in black, brown or green.	
Residential uses	Rear and side yards enclosing a pool	4 times the pool surface area	6 feet (4 feet minimum)	4 feet (rear and side)	66 percent; 4 inches minimum between pickets	Wood, metal, masonry, vinyl, PVC, or similar.	
Residential uses	Rear and side yards	200 square feet	6 feet	4 feet (rear and side)	66 percent	Wood, metal, masonry, vinyl, PVC, or similar.	
Residential uses	Decks and patios	Not permitted	6 feet	4 feet (rear and side)	No Minimum	Wood, metal, masonry, vinyl, PVC, or similar.	
Residential uses	Rear and side property lines abutting the City's corporate limits or City-owned parks.	Not permitted	6 feet	No Minimum	66 percent	Black metal. The design and material shall be consistent throughout the same subdivision.	Section 425.110.D
Residential uses in the following subdivisions: <ul style="list-style-type: none"> • Brookfield Crossing • Cedar Springs Estates • Mason Glen • Saratoga • Waterside Crossing • Wyndemere Estates • Wyndstone 	Rear and side yards	No Maximum	Varies, see Section 425.110.C	Varies, see Section 425.110.C	Varies, see Section 425.110.C	Varies, see Section 425.110.C	Section 425.110.C

2. Location
 - a. Fences may encroach into required setbacks as specified in **Table 425.110.B**, *Summary of Fence Standards*.
 - b. Fences shall be subject to the visibility clearance requirements of **Section 425.080**, *Visibility at Intersections*.
 - c. Fences that are placed in utility easements are subject to removal without notice by utility companies or the City when work is being done in the utility easements. Replacement of the fence shall be at the property owner's expense.
 - d. Fences shall not impede, inhibit, or obstruct culverts, drains, natural watercourses, or stormwater drainage in any zoning district.
 3. Height
 - a. Fence height shall not exceed the maximum height specified in **Table 425.110.B**, *Summary of Fence Standards*.
 - b. Fence height shall be measured from finished grade to the top of the fence. Supporting posts, including decorative features, may exceed the fence height a maximum of six inches.
 - c. Public buildings or uses, public parks, sports courts, and sports fields are exempt from the height requirements.
 4. Design and Materials
 - a. All fences shall be constructed of materials specified in **Table 425.110.B**, *Summary of Fence Standards*.
 - b. Fences shall be designed to be consistent in style and color with the principal structure.
 - c. Every fence shall be constructed in a substantial, workmanlike manner and of substantial material suited for the purpose for which the fence is intended.
- C. Uniform Subdivision-Specific Fence Standards
1. Fences in the following subdivisions are subject to subdivision-specific requirements regulating the location, height, design and materials of fences:
 - a. Brookfield Crossing
 - b. Cedar Springs Estates
 - c. Mason Glen
 - d. Saratoga
 - e. Waterside Crossing
 - f. Wyndemere Estates
 - g. Wyndstone
 2. These subdivision-specific requirements are documented in the recorded subdivision trust indentures, approved preannexation agreements, or other similar instruments of record.
 3. It is the responsibility of each Property Owners Association to verify that any proposed fence conforms to the subdivision-specific requirements and that the

fences throughout the subdivision are consistent in terms of location, height, design and materials.

4. Subdivision-specific fence standards may only be requested and approved through the preliminary plat procedure (**Section 405.120**) for new subdivisions containing 20 or more lots. Requests for subdivision-specific fence standards shall not be considered after the preliminary plat has been approved. The approval or denial of subdivision-specific fence standards shall be at the sole discretion of the Board of Aldermen.
5. The applicable fence types listed in **Table 425.110.B, Summary of Fence Standards**, are permitted in these subdivisions to the extent that fences conform to any additional subdivision-specific requirements.
6. In addition to the permitted fence types specified in **Table 425.110.B, Summary of Fence Standards**, fences enclosing rear and side yards may be permitted.

D. Residential Perimeter Fences

1. A fence may be erected in residential subdivisions along rear and side property lines abutting the City's corporate limits or City-owned parks.
2. The Property Owners Association shall be responsible for the installation and maintenance of the fence.
3. The fence shall be continuous along the length of the property lines abutting the City's corporate limits or City-owned park.
4. The entire length of fence shall be installed at the same time.
5. The City shall be indemnified for any damage caused to the fence.

Article III Parking, Access, and Mobility

Section 425.120 Purpose

- A. The regulations of this Article are intended to achieve, among other things, the following purposes:
1. To require adequate off-street parking, loading, and stacking spaces to avoid traffic congestion;
 2. To avoid inefficient use of land by provision of unnecessary parking facilities;
 3. To ensure safe pedestrian access to and between developments;
 4. To protect adjoining residential neighborhoods from the impacts of large nonresidential vehicular use areas; and
 5. To promote general convenience, welfare and prosperity of developments which depend upon off-street parking, loading, and circulation.

Section 425.130 Applicability

- A. This Article shall apply to the following:
1. The construction of new principal structures.
 2. Activities which require approval of a site plan (**Section 405.160**).
 3. The change or enlargement of a building or use constructed or established prior to the effective date of this Code by more than 15 percent in terms of gross floor area, number of dwelling units, or seating capacity.

- B. This Article shall not apply to
 - 1. 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. In cases where expansions or enlargements occur over a period of time, the site shall come into full compliance with the requirements of this Article once the increase exceeds 50 percent.
- C. Modification to Existing Vehicular Use Areas
 - 1. Any vehicular use area provided before the effective date of this Code shall not be permanently modified, removed or reduced in a way that would bring the property out of conformance with this Article or would increase the degree of any existing nonconformity.
 - 2. The modification of any existing vehicular use areas, including, but not limited to, reduction, enlargement, restriping or remarking of any vehicular use area shall be reviewed in accordance with **Section 405.080.D**, *Amendments to Approved Applications*.

Section 425.140 Waivers and Modifications

- A. The standards of this Article may be waived or modified through one of the following procedures, except where an alternative procedure is specified in this Article:
 - 1. Minor Adjustment (**Section 405.220**)
 - 2. Variance (**Section 405.230**)
 - 3. Zoning Map Amendment (**Section 405.100**) to Planned Unit Development (**Section 415.130**)

Section 425.150 Required Off-Street Parking

- A. Minimum Parking Requirements
 - 1. Detached House, Duplex, and Townhouse Uses
 - a. Two parking spaces per dwelling unit.
 - 2. Multi-Unit, Mixed-Use and Nonresidential Uses
 - a. General
 - (1) Applicants shall submit a parking plan demonstrating that the proposed number of off-street parking spaces is sufficient to serve the proposed use or activity.
 - (2) When a change or enlargement of a building or use constructed or established prior to the effective date of this Code is more than 15 percent and less than 50 percent in terms of gross floor area, number of dwelling units, or seating capacity, additional parking spaces are required based only on the parking needs of the enlarged area or change.
 - (3) Nonresidential and mixed-uses uses shall not provide more than 125 percent of the minimum parking spaces required as specified by the parking plan. For example, if 20 parking spaces are required, the

maximum number of parking spaces allowed is 25 ($20 \times 1.25 = 25$). The following land uses exempt from this requirement:

- (a) “Automotive sales or leasing” and “motor vehicle sales or leasing” uses.
 - (b) A change in use where fewer parking spaces are required.
 - (4) The minimum number of required parking spaces specified in the parking plan may be reduced in accordance with **Section 425.160, *Alternative Parking Solutions***.
- b. Parking Plan Contents
- (1) The applicant shall provide a written analysis of parking requirements which may include but is not limited to the following information:
 - (a) Availability of on-street parking near the use and the distances to those spaces;
 - (b) Building square footage for each specific use to be served by off-street parking;
 - (c) Number of dwelling units;
 - (d) Hours of operation;
 - (e) Estimated number of patrons/customers at peak hours of operation;
 - (f) Maximum number of employees present on one shift;
 - (g) Building occupancy loads;
 - (h) Estimates of parking demand based on recommendations of the Institute of Traffic Engineers, Urban Land Institute, the International Council of Shopping Centers, the American Association of State Highway and Transportation Officials, the American Planning Association, or other acceptable source of parking demand data; and,
 - (i) Any additional information as requested by the Community Development Director.
- c. Review and Approval
- (1) The parking plan shall be approved by the applicable decision-making body or official, based on the specific application type in **Chapter 405, *Administration and Procedures***.
 - (2) The parking plan shall be approved if it is determined that the proposed number of off-street parking spaces, in consideration of any proposed parking alternatives in accordance with **Section 425.160, *Alternative Parking Solutions***, is sufficient to serve the proposed use or activity.
- B. Accessible Parking
- 1. The number and design of accessible parking spaces shall be pursuant to the International Building Code as adopted in the Municipal Code, Section 301.143 RSMo, as amended, and the American Disabilities Act, as amended.

Section 425.160 Alternative Parking Solutions

A. Generally

1. A reduction to the number of parking spaces required by **Section 425.150, Required Off-Street Parking**, may be granted by complying with any one or combination of the parking alternatives listed in this Section provided that it is determined by the applicable decision-making body or official that the analysis provides adequate documentation of reduced parking demand and demonstrates that the reduction will not create significant adverse impacts on surrounding properties.
- B. Parking Alternatives
1. Parking Studies
 - a. The minimum parking requirements may be modified upon submittal of a parking demand study demonstrating that anticipated off-street parking demand for the proposed development, use, or combination of uses will be less or more than that specified in the parking plan.
 - b. Parking demand studies shall estimate the parking and loading demand based on recommendations of the Institute of Traffic Engineers, Urban Land Institute, the International Council of Shopping Centers, the American Association of State Highway and Transportation Officials, the American Planning Association, or other acceptable source of parking demand data for uses and/or combinations of uses of comparable activities, scale, bulk, area and location.
 2. Shared Parking
 - a. The number of required parking spaces may be reduced for parking facilities that are shared by more than one use if the applicant demonstrates that the peak parking demands for such uses occur at different times either daily or seasonally.
 - b. The applicant shall prepare and submit a parking study in accordance with **subsection B.1.**
 - c. Shared parking areas shall require a parking agreement to be recorded prior to issuance of a building permit for new development or a certificate of occupancy for existing buildings. If such agreement is revoked by any party, then the required off-street parking spaces shall be provided pursuant to this Code.
 3. On-Street Parking
 - a. For mixed-use and nonresidential uses, any on-street parking located directly in front of the subject property may be counted towards on-site parking requirements.
 4. Bicycle Parking
 - a. The number of required parking spaces may be reduced for uses providing bicycle parking located in accordance with the following:
 - (1) Outside the building served in a highly visible, active, well-illuminated area.
 - (2) Within 50 feet of a main building entrance.

- (3) On private property unless otherwise approved by the Department of Public Works.
- b. Such reduction may be approved at a ratio of up to one off-street vehicle space reduction per two bicycle spaces provided. The total number of required vehicle off-street parking spaces shall not be reduced by more than five percent for any project.

Section 425.170 Loading Requirements

A. Number

- 1. This Article does not require a minimum number of off-street loading spaces; however, uses requiring shipping and receiving of materials or goods shall provide off-street loading spaces built to the standards identified in this Section.

B. Size

- 1. Loading spaces shall conform to the following minimum dimensions:
 - a. Clearance height: 14 feet
 - b. Minimum width: 12 feet
 - c. Minimum length: 35 feet

C. Location

- 1. Loading areas shall not be located in the front yard.
- 2. Off-street loading spaces shall not obstruct or occupy any parking space, circulation or vehicle stacking space for drive through lanes.
- 3. Each required loading space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of access to a street or public service drive.

D. Design

- 1. All loading areas shall be striped and/or signed so as to clearly prohibit vehicle parking other than for the purposes of loading or unloading.

Section 425.180 Stacking Space Requirements

- A. Drive-through facilities and other establishments which, by their nature, create lines of customers waiting in automobiles, shall provide off-street waiting areas, on the same lot as the use, in addition to the required number of parking spaces.
- B. The number of required stacking spaces shall be provided in accordance with **Table 425.180.A, Stacking Space Requirements**.

Table 425.180.A, Stacking Space Requirements

Drive-Through Activity	Minimum Required Stacking Spaces (per lane)	Measured from Flow Line To
Bank or Financial Institution, or Automated Teller Machine	5	Teller window

Restaurant	5	Pick-up window
Automobile Wash	5	Outside of washing bay
Automotive Repair	3	Outside of bay
Other	Determined by the Community Development Director based on anticipated demand	

- C. Vehicle stacking spaces shall be a minimum of 9 feet in width and 19 feet in length.
- D. If two or more drive-through lanes converge into one lane, the stacking spaces located after the convergence point will count towards the required stacking spaces for both drive-through lanes.
- E. Required vehicle stacking spaces shall not interfere with access to parking spaces.
- F. Drive-through lanes shall be designed with an abutting bypass lane to allow motorists an opportunity to exit the drive-through lane.

Section 425.190 Parking and Loading Area Use and Design

A. Use of Parking and Loading Areas

- 1. Except for residential uses, no off-street parking or loading space shall be used for any purpose other than the parking of vehicles.
 - a. It shall be unlawful to utilize any required off-street parking or loading facilities for motor vehicle repair work or service of any kind, except as expressly permitted in this Code.
 - b. Vehicles for sale shall be parked only at facilities approved for vehicle sales.
 - c. Vehicles for sale may be parked in nonresidential areas for a maximum of 10 hours and only when the vehicle is used for transportation purposes to that commercial destination.
- 2. Off-street parking spaces provided in excess of the number required may be used for any legal purpose within the respective zoning district.
- 3. If a required off-street parking space is converted to another use or can no longer be used for off-street parking, it shall be deemed a violation of this Code.

B. Location of Parking and Loading Areas

- 1. Proximity to Structure and/or Use
 - a. Required parking spaces and loading spaces shall be located on the same lot with the principal structure or the principal use.
 - b. Required parking spaces may be located on a separate lot subject to the following:
 - (1) Mixed-use and nonresidential uses only.
 - (2) Americans with Disabilities Act (ADA) accessible parking shall not be located off-site.
 - (3) 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.
 - (4) Off-site parking may be shared with another use provided that the shared parking meets the standards in **Section 425.160.B.2, Shared Parking**.

- (5) Off-site parking areas shall require a parking agreement to be recorded prior to issuance of a building permit for new development or a certificate of occupancy for existing buildings. If such agreement is revoked by any party, then the required off-street parking spaces shall be provided pursuant to this Code.
2. Location on a Site
- Required parking spaces for detached houses, duplexes, and townhouses shall be located within a detached or attached garage.
 - Parking areas and drive aisles shall be set back a minimum of 10 feet from all property lines.
 - Parking areas and drive aisles located within the required front building setback shall be set back a minimum of 10 feet from the front property line, curb, or sidewalk, whichever is greater, and shall be landscaped in accordance with **Chapter 425, Article II, Landscape, Screening, and Fencing**.
 - In the MU District, parking is discouraged between the principal structure and the street.
3. Parking Area Layout
- Parking Stall and Aisle Design
 - Parking stalls and aisles shall be designed according to **Table 425.190.B.3, Parking Stall Design**.
 - Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and efficient means of access to a street or public service drive.
 - Off-street parking lots designed for parking vehicles longer than 19 feet, bumper to bumper, shall have parking stall and maneuvering space areas of such sizes and dimensions as will accommodate the parking and maneuvering of such vehicles.
 - Vertical clearance of not less than seven feet is required for all parking areas.

Table 425.190.B.3, Parking Stall Design

Angle of Parking (degrees)	Depth of Stall Perpendicular (feet)	Width of Stall Parallel to Aisle (feet)	Minimum Aisle Width (feet)	Curb length per stall (feet)
Parallel	9.0	24.0	12.0 one way	24.0
30	17.3	18.0	23.0 one way	18.0
45	19.8	12.7	12.5 one way	12.7

60	21.0	10.5	17.5 one way	10.5
90	19.0	9.0	23.0	9.0

C. Parking and Loading Area Surfacing

1. All required off-street parking lots shall comply with the following:
 - a. Be constructed in accordance with design specifications located in the *Engineering and Plan Preparation Manual for Public Facilities (Title V, Appendix A)*.
 - b. Have a thoroughly compacted subgrade, be properly drained and surfaced with either:
 - (1) Portland cement concrete having a minimum thickness of six inches and a minimum compressive strength of 3,000 pounds per square inch when 28 days old.
 - (2) Asphaltic concrete construction consisting of a minimum six-inch waterbound macadam or penetration macadam base covered with two inches of asphaltic hot-mix.
 - (3) A five and one-half inch base of rolled stone, two inches of Type X asphaltic concrete mix and one and one-half inches of Type C asphaltic concrete mix. An alternate pavement design may be approved if the Public Works Director finds the alternative design to be equivalent in strength and useful life.
 - (4) Be provided with a six-inch high concrete curb around the perimeter of the lot so as to protect all adjacent properties from trespass and to control and direct surface drainage.
 - c. Parking stalls shall be marked by two and one-half inches wide painted lines and suitable directional arrows and markings shall be painted on the lot surface.

D. Other Standards

1. Refer to **Chapter 365** of the Municipal Code, *Stopping, Standing or Parking Restricted or Prohibited on Certain Streets*, for additional requirements.
2. Landscaping shall be provided in accordance with **Chapter 425, Article II, Landscape, Screening, and Fencing**.
3. Lighting shall be provided in accordance with **Chapter 425, Article VI, Exterior Lighting**.

Section 425.200 Parking Structures

- A. The visual impacts of a parking structure shall be minimized through compliance with the following standards:
1. Parking structures shall be located in the rear of lots when feasible, reserving the street frontage for commercial uses.
 2. Parking structures shall blend in with the architectural characteristics and materials of buildings in the surrounding area.

3. Automobile entrances shall be located on secondary streets or alleys, to the maximum extent feasible.
4. Pedestrian entrances shall be designed to be welcoming and easily identifiable.
5. Where visible from a public right of way, structured parking shall be screened or wrapped on upper floors with architectural details and materials to screen vehicles.

Section 425.210 Driveways and Access

A. General

1. The location, width, and number of entrance and exit access drives to parking areas shall be in accordance with the *Engineering and Plan Preparation Manual for Public Facilities (Title V, Appendix A)* and the St. Louis County Access Management Guidelines.
2. The decision-making body or official, as applicable based on the specific application type in **Chapter 405, Administration and Procedures**, may grant an exception to the requirements of this Section.

B. Cross-Access Requirements

1. Development that includes nonresidential uses shall allow for shared, private vehicular access among all buildings and/or lots within the development and with adjacent lots to the maximum extent feasible in order to facilitate movement of customers and their vehicles without generating additional turning movements on public streets.
2. Where cross-access is provided across multiple lots, a cross-access easement shall be recorded with the St. Charles County Recorder of Deeds prior to issuance of a certificate of occupancy.
3. The Public Works Director may waive the requirement for cross-access, in whole or in part, administratively, where cross-access is deemed impractical due to vehicular safety issues or environmental constraints such as severe topography.

Section 425.220 Pedestrian and Bicycle Circulation

A. Required Pedestrian and Bicycle Facilities

1. Sidewalks

- a. 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, with the following exceptions:
 - (1) Sidewalks are not required on local streets in the RR, R1, and LI Zoning Districts.
 - (2) In steep-slope areas, sidewalks on one side of the street may be approved to reduce excessive slope disturbance, adverse impacts on natural resources, and potential soil erosion and drainage problems.
 - (3) In lieu of a sidewalk, the decision-making body or official, as applicable based on the specific application type in **Chapter 405, Administration and Procedures**, may require a multi-use trail or bikeway be installed along

- rights-of-way as indicated in Comprehensive Plan or the City's Bicycle Plan.
- b. Multi-unit, nonresidential, and mixed-use developments shall provide sidewalks in the following additional locations, as applicable:
 - (1) Main Entry to Public Sidewalk
 - (a) Provide a safe, convenient, and accessible pedestrian connection from the main entrance of a building to a public sidewalk or internal walkway that connects to a public sidewalk.
 - (2) To Adjoining Streets
 - (a) Provide pedestrian connections between internal and perimeter sidewalks at a maximum of 1,000 feet along the perimeter street (pedestrians walking along the perimeter sidewalks shall be able to locate a sidewalk connection into the internal sidewalk system without walking more than 1,000 feet along the perimeter of the site).
 - (3) Between Multiple Buildings on a Site
 - (a) All developments containing more than one building shall provide sidewalks between the principal entrances of buildings.
 - (4) To Adjacent Development
 - (a) Sidewalks serving a site shall align and connect with any sidewalks on adjacent properties that extend to the boundary of such properties. Multiple pedestrian connections between adjacent developments shall be provided to the maximum extent practical.
 - (5) At each point where a sidewalk must cross a parking lot, internal street or driveway to make a required connection, it shall be clearly marked by using a change in paving materials or a change in paving color.
 2. Multi-use trails or bikeways
 - a. Multi-use trails or bikeways shall be installed as recommended by the City's Comprehensive Plan.
 - B. Standards for all Pedestrian and Bicycle Facilities
 1. Pedestrian and bicycle facilities shall be provided by the developer to allow convenient access through or across the development and connectivity with pedestrian and bicycle facilities, parks, schools, and adjacent neighborhoods.
 2. Pedestrian and bicycle facilities shall be constructed in accordance with the *Engineering and Plan Preparation Manual for Public Facilities (Title V, Appendix A)*.
 3. Pedestrian and bicycle facilities or other locations as required by the Public Works Director, shall include ramps that are compliant with the American with Disabilities Act (ADA).

Article IV Residential Site and Building Design

Section 425.230 Purpose

- A. This Article is intended to:

1. Promote high-quality residential development and construction;
2. Protect the character of established residential neighborhoods;
3. Promote new residential developments that are distinctive, have character, and relate and connect to established neighborhoods;
4. Encourage a variety of housing choices;
5. Provide variety and visual interest in the exterior design of residential buildings;
6. Protect and enhance property values; and
7. Enhance residential streetscapes.

Section 425.240 Applicability

A. This Article shall apply to the following:

1. The construction of new detached houses, duplexes, townhouses, and multi-unit buildings.
2. An addition to an existing detached house, duplex, or townhouse where the total gross floor area of the proposed addition is 50 percent or more than that of the total gross floor area of the existing structure before the addition or renovation.
3. An addition to a multi-unit building which requires approval of a site plan (**Section 405.160**).

B. This Article shall not apply to the following:

1. Mixed-use buildings which are subject instead to **Chapter 430, Article V, *Mixed-Use and Nonresidential Site and Building Design***.

Section 425.250 Waivers and Modifications

A. The standards of this Article may be waived or modified through one of the following procedures, except where an alternative procedure is specified in this Article:

1. Minor Adjustment (**Section 405.220**)
2. Variance (**Section 405.230**)
3. Zoning Map Amendment (**Section 405.100**) to Planned Unit Development (**Section 415.130**)

Section 425.260 Site Design

A. Site Drainage

1. Drainage must be established away from the proposed foundation.
2. The finished grade must fall a minimum of one-half inch per foot for a distance of ten feet from the structure.
3. No stormwater shall drain directly or indirectly into the sanitary sewers. Stormwater shall be directed to the street or established drainage ways.

B. Building Orientation

1. Detached Houses and Duplexes
 - a. The orientation of the primary entrance and façade shall be consistent with the established pattern along the block face.
 - b. No structure shall be sited diagonally or otherwise skewed on the lot.
2. Townhouse and Multi-Unit Buildings

- a. To the maximum extent feasible, the primary entrance and façade of individual buildings within a development shall be oriented towards:
 - (1) Primary, internal or perimeter streets; or
 - (2) Common open space, such as interior courtyards, parks, or on-site natural areas or features with a clearly defined and easily accessible pedestrian circulation system.
- C. Walk-Out Lower Levels
 - 1. Houses with walk-out lower levels are permitted when the existing topography of the site descends from the proposed or existing roadway a vertical distance of six feet from front to rear across the depth of the proposed building.
- D. Dimensional Standards
 - 1. Refer to **Section 415.030, Residential Dimensional Standards.**
- E. Landscape, Screening, and Fencing
 - 1. Refer to **Chapter 425, Article II, Landscape, Screening, and Fencing.**
- F. Parking, Access, and Mobility
 - 1. Refer to **Chapter 425, Article III, Parking, Access, and Mobility.**
- G. Exterior Lighting
 - 1. Refer to **Chapter 425, Article VI, Exterior Lighting.**

Section 425.270 Gross Floor Area

- A. Detached houses shall conform to the minimum gross floor space requirements listed in **Table 425.270.A, Gross Floor Area for Detached Houses.**

Table 425.270.A, Gross Floor Area for Detached Houses

House Type	Lake Lots & Golf Course Lots	R1	R2	R3, R4, R6
One story above grade	2,000 square feet	2,000 square feet	1,500 square feet	1,500 square feet
Two-story above grade	2,000 square feet	2,200 square feet	2,000 square feet	1,800 square feet

- B. The minimum gross floor area for duplex and townhouse dwelling units is 1,000 square feet.
- C. The minimum gross floor area for dwelling units in multi-unit buildings is 600 square feet.

Section 425.280 Building Height Transitions

- A. 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:
 - 1. “Stepping down” building height and mass along the shared property line to meet the height of the existing neighboring home along a minimum of 50 percent of the

new building's length. The "stepped-down" portion of the new building shall be a minimum of ten feet in width and depth. This option is available only where the existing residential building is located along the property line adjacent to the new building;

2. Providing variations in the side building wall and/or roof form so that new structures have a comparable scale as neighboring homes along the shared property line;
3. Utilizing a roof pitch and overhang similar to that of the neighboring structures; and
4. Utilizing dormers and sloping roofs to accommodate upper stories.

Section 425.290 Building Elevations

A. Architectural Variety

1. Identical front elevation designs of new detached homes and duplexes shall not be permitted on any two adjacent lots on the same block face.
2. A continuous row of identical buildings along a block is prohibited. This provision is not intended to prohibit a row of attached townhouses, provided that each individual unit is architecturally distinguished from adjacent units through distinctions in the architectural features required in **subsection A.4**.
3. All sides of a residential building shall incorporate architectural detailing that complements the front facade and provides visual interest. Blank walls void of architectural detailing are prohibited except where required by the fire code.
4. For the purposes of satisfying the requirements of **subsection A.3**, architectural features shall be incorporated into the overall design of each side of the building. Each detached house, duplex, and townhouse shall provide at least three of the following architectural features, and each multi-unit building shall provide at least five of the following architectural features:
 - a. Covered porches;
 - b. Balconies;
 - c. Prominent entry features;
 - d. Bay windows;
 - e. Door openings;
 - f. Distinct variations in color;
 - g. Variations in materials;
 - h. Variations in building height;
 - i. Variations in roof form;
 - j. Dormers;
 - k. Projected or recessed building walls; or
 - l. Other architectural features as approved by the Community Development Director.

B. Housing Type Variety

1. A mix of residential housing types, including detached houses, duplexes, townhouses, and multi-unit buildings, is encouraged in zoning districts where such housing types are permitted.
2. 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.

Section 425.300 Building Materials and Colors

A. Principal Building Materials

1. Principal building materials shall be selected for their ability to withstand the local climate. Materials with demonstrated durability include, but are not limited to:
 - a. Brick;
 - b. Stone;
 - c. Cementitious and vinyl siding; or
 - d. Other comparable materials as approved by the Community Development Director.

B. Other Standards

1. Brick or stone wraps of at least 18 inches shall be required on the outside corner when brick or stone is used on the front elevation of an outside corner, except on side entry garages the front corner wrap shall be a minimum of 12 inches.
2. The primary exterior wall material shall extend to within eight inches of the finished grade.
3. Finished materials on exterior chimney surfaces shall be extended to within 12 inches of the finished grade or terminate on a deck.
4. Architectural trim is required completely around all window openings, including basement windows. The window sash and trim measured together shall be a minimum of four inches on the front elevations of residential structures and three inches on side and rear elevations.

C. Colors

1. Color selections for residential buildings shall be compatible with neighboring residences, the natural surroundings, and with community standards.
2. The color selection shall not be materially and obviously dissimilar to the exterior color selections of other buildings in the surrounding neighborhood or to the range of colors in customary use in the community at large as to appear to be jarring, clashing, exotic or bizarre.
3. Identical front elevation color schemes of new detached homes and duplexes shall not be permitted on any two adjacent lots on the same block face.

Section 425.310 Garages and Accessory Structures

A. General

1. All detached houses, duplexes, and townhouses shall have a minimum two-car detached or attached garage.
2. Side or rear entry garages are encouraged.

3. All garages shall be equipped with garage doors.
 4. Garage doors shall be finished with an approved color to blend with the building colors.
- B. Alley-oriented Garages
1. Where an alley exists, new garages serving new residential development shall be located at the rear of the lot and accessed from the alley.
- C. Street-oriented Garages
1. For detached houses, street-oriented garages shall not comprise more than 50 percent of the width of the front façade.
 2. 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 either:
 - a. Recessed a minimum of ten feet behind the front façade of the dwelling portion of the structure (including side-oriented garages) or a front porch or porte-cochere that is a minimum of five feet deep by eight feet long, or
 - b. Recessed a minimum of two feet beneath a second floor bay or balcony that extends the length of the garage door(s), roof overhang, or decorative roof element.
 3. Other garage configurations may be warranted by site constraints, such as topographic features and/or access limitations, and may be administratively approved as determined by the Community Development Director.
- D. Additional Standards for Multi-Unit Buildings
1. Garages and carports are not required for multi-unit buildings; however, when provided, they shall comply with the following standards.
 2. Residential developments with five or more units shall incorporate a variety of garage or carport configurations to minimize the visual impact resulting from long, uninterrupted rows of garages or carports.
 3. For multi-unit developments with multiple buildings in the R6 and MU Districts, garage/carports or garage/carport entries shall be internalized in building groupings and located away from street frontages or accessed using an alley.
 4. Tuck under garages shall be recessed a minimum of one foot beneath a second floor bay or balcony that extends the length of the garage door(s).
- E. Other Accessory Buildings
1. For multi-unit developments, free-standing garages, carports and other accessory structures (including but not limited to grouped mailboxes, storage and maintenance facilities, recreational facilities, picnic shelters, and gazebos) shall incorporate materials, scale, colors, architectural details, and roof slopes that are compatible with the principal multi-unit buildings, except that flat and shed roofs are prohibited.

Article V Mixed-Use and Nonresidential Site and Building Design

Section 425.320 Purpose

- A. This Article is intended to promote high-quality building design and is intended to:
1. Protect and enhance the visual interest, character, and quality of nonresidential and mixed-use areas;
 2. Ensure compatibility between residential neighborhoods and adjacent commercial and mixed-use areas;
 3. Mitigate negative impacts created by the scale and bulk of large buildings;
 4. Promote an environment that is friendly toward multiple modes of transportation and accommodates varying ages and abilities; and
 5. Protect and enhance property values and encourage further investment and reinvestment.

Section 425.330 Applicability

- A. This Article shall apply to the following:
1. The construction of new nonresidential or mixed-use buildings which requires approval of a site plan (**Section 405.160**).
 2. Additions to nonresidential or mixed-use buildings which require approval of a site plan (**Section 405.160**).

Section 425.340 Waivers and Modifications

- A. The standards of this Article may be waived or modified through one of the following procedures, except where an alternative procedure is specified in this Article:
1. Minor Adjustment (**Section 405.220**)
 2. Variance (**Section 405.230**)
 3. Zoning Map Amendment (**Section 405.100**) to Planned Unit Development (**Section 415.130**)

Section 425.350 Site Design

- A. Building Orientation
1. Buildings shall be sited parallel to public rights-of-way or internal streets, to the maximum extent practicable.
 2. Buildings shall be oriented so that the principal building entrance faces the principal street or the street providing main access to the site.
 3. Where there are multiple buildings on a development parcel, at least one building shall be oriented with an entrance facing the principal street or the street providing main access to the site.
 4. When a structure is located on a corner lot, prominent entries are encouraged for both façades along the street edge or a single prominent entry to face the corner.
- B. Dimensional Standards
1. Refer to **Section 415.080, *Mixed-Use and Nonresidential Dimensional Standards***.
- C. Landscape, Screening, and Fencing

1. Refer to **Chapter 425, Article II, Landscape, Screening, and Fencing.**
- D. Parking, Access, and Mobility
 1. Refer to **Chapter 425, Article III, Parking, Access, and Mobility.**
- E. Exterior Lighting
 1. Refer to **Chapter 425, Article VI, Exterior Lighting.**

Section 425.360 Building Height Transitions

- A. 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:
 1. “Stepping down” building height and mass along the shared property line to meet the height of the existing neighboring home along a minimum of 50 percent of the new building’s length. The “stepped-down” portion of the new building shall be a minimum of ten feet in width and depth. This option is available only where the existing residential building is located along the property line adjacent to the new building;
 2. Providing variations in the side building wall and/or roof form so that new structures have a comparable scale as neighboring homes along the shared property line;
 3. Utilizing a roof pitch and overhang similar to that of the neighboring structures; and
 4. Utilizing dormers and sloping roofs to accommodate upper stories.

Section 425.370 Building Elevations

- A. Architectural Variety
 1. Monotony of design in single or multiple building projects shall be avoided. Where appropriate, variation of detail, form and siting shall be used to provide visual interest.
- B. Horizontal and Vertical Articulation
 1. No building elevation, regardless of exterior wall plane setback or the location of interior walls, shall exceed 30 feet in length without incorporating at least three of the following elements:
 - a. Projections, recessions, or reveals such as, but not limited to, columns, pilasters, cornices, and bays, and having a change of wall plane that is a minimum of 24 inches in depth and that has the effect of casting shadows.
 - b. Glazed windows and doors, if used to comply with this standard shall comprise not less than 30 percent of the elevation of which they are a part. See also **subsection D, Windows and Doors**, for additional requirements.
 - c. Change in texture and/or masonry pattern.
 - d. Change in building, parapet, or roofline height. If used to comply with this standard, the minimum change in roofline shall be two feet.
 - e. Awnings or canopies extending at least four feet beyond the building face.
 2. Alternative Designs

- a. An equivalent design that provides pedestrian interest by dividing the façade into horizontal and vertical planes and is in proportion to the height and width of the entire building may be approved; however, design elements used to fulfill this standard shall not consist solely of color variations.
 3. Building Elevations Facing Public Rights-of-Way
 - a. Building elevations that face public rights-of-way, parking lots, or adjacent residential land uses shall include glazed windows and doors as one of the required elements enumerated in **subsection B.1**. See also **subsection D, Windows and Doors**.
 4. False Windows and Doors
 - a. Building elevations not adjacent to residential land uses, public rights-of-way, parking lots, Lake Saint Louis, Lake Sainte Louise, or that do not have a customer entrance, may use false windows and/or doors to fulfill the requirement in **subsection B.1**. The windows and/or doors, whether functional, false, or a combination of functional and false windows and/or doors, shall make up a minimum of 30 percent of the elevation of which they are a part and shall have a minimum six-inch change of wall plane from the primary wall in order to provide shadow or sense of depth.
- C. Roofs
 1. To reduce the visual impact of roof mass, no roofline along any building elevation shall exceed 50 feet in length without a visual variation that incorporates:
 - a. Projections, recessions, dormers that alter the vertical or horizontal plane of the roof by at least two feet; or
 - b. Change in roof height of at least two feet; or
 - c. Another architectural feature approved through the Alternative Compliance process.
 2. Mansard roofs, or roofs having a mansard-like appearance, are prohibited.
 3. Flat roofs shall be concealed by parapets that are in proportion to the overall building design and that are generally of sufficient height to conceal rooftop mechanical systems that are in view from public rights-of-way, residential land uses, public parking areas, and/or adjacent properties. Parapets shall not exceed the maximum building height as established in **Section 415.080, Dimensional Standards**, except where allowed by **Section 410.140.A.3, Exceptions**.
- D. Windows and Doors
 1. In order to create a sense of transparency and to visually connect the building's interior with the public exterior, primary and secondary customer entrances shall be clearly defined, highly visible and feature a minimum of two of the following treatments:
 - a. Recessions and/or projections with a minimum change in wall plane of 24 inches.
 - b. Display windows that are located immediately adjacent to the customer entrance and that are in proportion to the overall façade of which they are a part.

- c. Canopies, porticos, overhangs, or awnings with a minimum projection of four feet and of a width that at minimum spans the customer entrance.
 - d. Raised, corniced parapets located over the customer entrance with a minimum projection of four feet and that span at least the width of the customer entrance door.
 - e. Outdoor patios with customer seating and landscaping that at a minimum includes perennials, shrub plantings, and/or ornamental trees.
2. To preserve views and to provide a clear sense of connection into and out of the building, window and door glazing shall be transparent or have a low-reflectivity. Mirror-like windows are prohibited.
 3. The primary entrances to a building shall be clearly identified.

Section 425.380 Building Materials and Colors

A. Generally

1. All sides of the building shall be constructed using materials that are compatible with, or of equal or greater quality, as those used on elevations with customer entrances, elevations facing public rights-of-way or surface parking areas, and elevations adjacent to Lake Saint Louis, or Lake Saint Louise.
2. Building materials and colors shall be compatible with adjacent buildings.

B. Principal Building Materials

1. Building materials shall be high-quality and long-lasting and shall have a proven ability to withstand the local climate. The primary exterior building wall material, consisting of at least 70 percent of the elevation to which it is applied, shall be one or more of the following:
 - a. Brick
 - b. Natural and cultured stone
 - c. Stucco, including synthetic stucco
 - d. Another material that meets the intent of this standard.
2. The primary exterior wall material shall extend to within eight inches of the finished grade.

C. Roofing Materials

1. Roofing material shall not include corrugated metal panels.

D. Colors

1. Color and intensity of color proposed for all exterior building and roofing materials, including exposed rooftop mechanical systems such as HVAC equipment, roof vents, air handling/exchange units, shall be natural, non-primary or muted colors with low reflectivity.
2. Exterior building and roofing colors shall not include white, off-white, high-intensity primary colors, and/or fluorescent colors.

Article VI Exterior Lighting

Section 425.390 Purpose

- A. The purpose of this Article 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.

Section 425.400 Applicability

- A. This Article shall apply to all land uses unless otherwise exempted by this Article.
- B. The following types of exterior lighting are exempt from the requirements of this Article, provided they shall not create glare to motorists or result in light trespass onto adjacent properties:
1. Holiday Lighting.
 2. Twinkle lighting located on trees, bushes, or landscape features in mixed-use and nonresidential zoning districts.
 3. Bistro lighting located in a mixed-use or nonresidential zoning district.
 4. Temporary lighting of construction sites and special events.
 5. Lighting of signs.
 6. Lighting associated with detached homes, duplexes, and townhouses.
 7. Lighting associated with public and private parks and recreational uses.
- C. Modification of Existing Exterior Lighting
1. No property shall permanently modify, remove or reduce any exterior lighting provided before the effective date of this Code, or add additional lighting fixtures, in a way that would bring the property out of conformance with this Article or would increase the degree of any existing nonconformity.
 2. The modification of any existing required lighting or the addition of new lighting fixtures shall be reviewed in accordance with **Section 405.080.D**, *Amendments to Approved Applications*.

Section 425.410 Waivers and Modifications

- A. The standards of this Article may be waived or modified through one of the following procedures, except where an alternative procedure is specified in this Article:
1. Minor Adjustment (**Section 405.220**)
 2. Variance (**Section 405.230**)
 3. Zoning Map Amendment (**Section 405.100**) to Planned Unit Development (**Section 415.130**)

Section 425.420 General Lighting Requirements

- A. Maximum on-site illumination shall not exceed 10 foot-candles, unless otherwise allowed in this Code. The following are exempt from this requirement:
1. Canopy lighting for gasoline stations
 2. Security lighting

- B. Light spillover onto adjacent properties shall not exceed 0.0 footcandles at any property line, except where the property line is adjacent to walkways, driveways, and streets; or multi-unit, mixed-use or nonresidential developments.

Section 425.430 Prohibited Lighting Types

- A. The following types of exterior lighting are prohibited unless allowed elsewhere in this Code:
 - 1. Unshielded lights, lamps, or floodlights that produce glare and light trespass.
 - 2. Lights that flash, move, revolve, blink, flicker, vary in intensity, change color, or use intermittent electrical pulsation, except holiday lighting.

Section 425.440 Parking Area Lighting

- A. Poles
 - 1. The maximum pole height is 25 feet.
 - 2. The maximum base height is three feet.
 - 3. All poles and luminaries shall be black, dark bronze, grey, or other neutral color. Bases shall be unpainted concrete.
- B. Shielding of Lights
 - 1. All light fixtures shall be full cutoff and/or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane.
- C. Illuminance
 - 1. Maintained average illuminance values in parking areas associated with mixed-use, nonresidential and multi-unit residential uses shall be no less than two foot-candles, and no single point shall measure less than one foot-candle. Illuminance shall be measured using only the light produced on site.
 - 2. The acceptable uniformity ratio for lighted areas shall comply with recommended ranges adopted by the International Engineering Society of North America (IESNA) for low, medium, and high activity areas.

Section 425.450 Building Lighting

- A. Except for decorative lighting, all building-mounted light fixtures shall be full cutoff and/or constructed so that no light rays are emitted by the installed fixture at angles above the horizontal plane.
- B. Decorative lighting shall be permitted provided all light is cast against the building surface.
- C. Lighting fixtures for canopies or similar structures shall be flush-mounted or recessed above the lower edge of the canopy.

Article VII Signs

Section 425.460 Purpose

- A. The City recognizes that signs are a necessary means of visual communication for the public convenience and that uses and activities have the right to identify

themselves by using signs that are accessory and incidental to the use on the property where the signs are located. The purpose of this Article is to:

1. Minimize incompatibility between signs and their surroundings;
2. Provide for signs within reasonable limitations, consistent with the goals and objectives of the community, to retain the special character and economic advantages that rest largely on the quality of the community's appearance;
3. Protect the public from hazardous conditions by prohibiting signs that are structurally unsafe or obscure, distract the vision of motorists, or compete or conflict with necessary traffic signs and warning signals;
4. Eliminate hazards caused by the size and placement of signs and reduce the possibility of injuries to those coming near or under signs;
5. Promote the health, safety and public welfare of the City, its residents and its visitors;
6. Regulate signs in accordance with the City's policies and with the U.S. and Missouri Constitutions; and
7. Protect the right to free speech by the display of messages on signs through content-neutral regulations.

Section 425.470 Applicability

- A. The requirements of this Article apply to all signs and support structures located within the City. The following are signs and messaging that are not regulated by this Article including any requirements for sign permits:
 1. Sign Activities
 - a. The ordinary preventative maintenance of a lawfully existing sign that does not involve a change of placement, size, lighting, or height.
 - b. The repainting of a lawfully existing sign.
 - c. The changing of copy of lawfully existing changeable copy signs.
 2. Address Numbers
 - a. For the purpose of safety services locating a property, a sign denoting the number and street address of the premises is permitted provided such sign complies with the applicable building and fire codes.
 3. Directional Signs
 - a. On-premise signs directing and guiding traffic on private property that do not exceed four square feet each and that bear no advertising matter.
 4. Flags
 - a. Flags that do not contain a commercial message.
 5. Fuel Pumps, ATMs and Shopping Cart Corrals
 - a. Signs located on fuel pumps, ATMs, shopping cart corrals, or similar structures.
 6. Integral Signs
 - a. Any inscription carved into stone or similar material that is integral to a building, such as those commonly found on cornerstones, stamped into sidewalks, or identified by plaques or tables.

7. Interior Signs
 - a. Any sign located inside a building.
 - b. Signs located within facilities for public assembly such as parks, stadiums, open-air theaters, and arenas, which are not visible from a public right-of-way or adjacent property and can be viewed only by persons within such facility.
8. Minor Noncommercial Message Signs
 - a. Signs not exceeding two square feet in area that do not contain a commercial message.
9. Patio Signs
 - a. Any sign located on umbrellas or similarly related private patio furniture or seating.
10. Public Art
 - a. Any works of art that do not contain a commercial message.
11. Public Signs
 - a. Signs installed or required by the public utility providers, the City, St. Charles County, or any agency of the State of Missouri or federal government.
12. Seasonal Decorations
 - a. Any lighting, signs, or related decorations erected on a seasonal basis in observance of religious, national, or state holidays that are not intended to be permanent in nature and which do not contain a commercial message.
13. Vehicle Signs
 - a. Signs painted on or otherwise attached to currently licensed motor vehicles that are not primarily used as signs.
14. Way-Finding Signs
 - a. In accordance with **Chapter 511, Article V** of the Municipal Code, *Way-Finding Signs*.
15. Window Signs
 - a. Signs affixed to or painted on the glass of an exterior door or window or located inside a building.

Section 425.480 Waivers and Modifications

- A. The standards of this Article may be waived or modified through one of the following procedures, except where an alternative procedure is specified in this Article:
 1. Comprehensive Sign Plan (**Section 425.580**)
 2. Variance (**Section 405.230**)
 3. Zoning Map Amendment (**Section 405.100**) to Planned Unit Development (**Section 415.130**)

Section 425.490 General Provisions

- A. Savings and Severability
 1. If any clause, section, or other provision of the application of this Article shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such clause, subsection, or other party of the application of this Article shall be

considered eliminated and not affecting the validity of the remaining clauses, sections, or applications remaining in full force and effect.

B. Administration and Interpretation

1. This Article shall be administered and enforced by the Community Development Director.
2. Literal readings of the code language will be used.
3. Regulations are no more or less strict than as stated.
4. Application of the regulations that are consistent with the rules of this Article are non-discretionary actions to implement the requirements of this Article.
5. This Article shall be interpreted in a manner consistent with the First Amendment guarantee of free speech.
6. Where this Article is silent, or where the rules of this Article do not provide a basis for concluding that a sign is allowed, said sign is therefore prohibited.

Section 425.500 Sign Permits

- A. Except as provided for in **Section 425.470**, *Applicability*, or where otherwise expressly stated, **Table 425.540.A**, *Summary of Permanent Sign Standards*, and **Table 425.540.B**, *Summary of Temporary Sign Standards*, establish all permitted sign types and establish where a sign permit is required for individual signs in accordance with **Section 405.200**, *Sign Permit*.

Section 425.510 Prohibited Signs

- A. The following types of signs are specifically prohibited:

1. General
 - a. Any sign not specifically allowed by this Article.
2. Attention-Grabbing Devices
 - a. Windblown devices, not including projecting signs.
 - b. Flashing, intermittent, or moving signs that flash or move more than once every three seconds, blinker, racer type, animated, whirligig devices, and other similar types of attention-grabbing devices.
 - c. Beacons, spotlights, and searchlights, except for emergency purposes;
 - d. Pennants, ribbons, or streamers.
 - e. Portable signs, not including A-frame or T-frame sidewalk signs as allowed in this chapter.
 - f. Balloon signs or air activated signs.
3. Location
 - a. Signs which are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure unless specifically permitted as a temporary sign.
 - b. Signs that are applied to trees, utility poles, benches, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting structure.

- c. Signs placed on any surface located on, over, or across any right-of-way shall be prohibited unless otherwise permitted by this Article or authorized by the Public Works Director.
- d. Signs that obstruct or substantially interfere with any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress to any building.
- 4. Public Safety
 - a. Any sign that copies or imitates a sign installed by a government agency for official purposes.
- 5. Vehicles
 - a. Signs with a commercial message that are painted on or attached to a stationary vehicle or trailer which is located in such a manner as to serve exclusively as permanent, temporary, or portable signage.

Section 425.520 Sign Measurements

A. Sign Area

- 1. The sign area is the entire face of a sign, including the advertising surface and any framing, trim, or molding but not including the supporting structure.
- 2. Signs Enclosed in Frames or Cabinets
 - a. The area of a sign enclosed in frames or cabinets is determined based on the outer dimensions of the frame or cabinet surrounding the sign face.



Figure 425.520.A.2, Sign Area - Signs Enclosed in Frames or Cabinets

- 3. Individual Letters or Elements
 - a. The area of a sign comprised of individual letters or elements attached to a building wall is determined by calculating the area of the smallest square or rectangle that can be drawn around the letters and/or elements. Signs consisting of individual letters and/or elements will be measured as one sign when the distance between the letters and/or elements is less than two times the dimension of each letter and/or element.

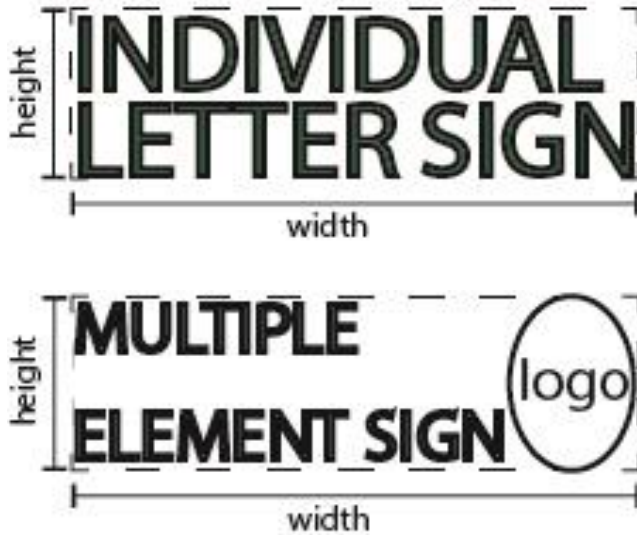


Figure 425.520.A.3, Sign Area – Individual Letters or Elements

4. Back to Back Signs
 - a. Projecting, suspended, and freestanding signs may be back-to-back with two sign faces, and each face may have an area not to exceed the maximum stated for each respective sign type.
- B. Building Façade Area
 1. The building façade area is the entire surface area of the facade where a sign is located or is proposed to be located, including building walls, doors, windows, recessed and projecting areas, and all other features.



Figure 425.520.B, Building Façade Area

2. The calculation shall be based on viewing the façade from a 90-degree angle (i.e., straight on), regardless of façade insets, offsets, or angles.
3. For single-tenant buildings and multi-tenant buildings with a shared entrance, the facade length is measured between two side facades.
4. For multi-tenant buildings with separate entrances for each tenant, the facade length is measured from the individual tenant's party wall to the opposite party wall or the side facade, if applicable.

5. The facade height is measured from the ground to the top edge or roof line of a building with a flat roof, the eave line of a building with a gambrel, gable or hip roof, or the deck line of a building with a mansard roof.

C. Sign Height

1. Sign height shall be determined by calculating the vertical distance between the lowest elevation of the ground abutting the sign and the level of the highest point of the sign.

D. Sign Clearance

1. Clearance is measured from the highest point of the ground directly below the sign to the lowest point on the sign structure enclosing the sign face.

Section 425.530 General Regulations for All Permanent and Temporary Sign Types

A. Safety

1. No sign permitted by this Article shall be placed or erected so as to prevent ready access to any window, door, passageway or fire escape, nor shall any sign be placed on private property in such a manner as specified in this Code so as to constitute a hazard to motor vehicles and pedestrian traffic or obscure the view of motor vehicle operators or pedestrians.
2. No sign may be erected so that by its location, color, size, shape, nature or message it would tend to obstruct the view of or to be confused with official traffic signs or other signs erected by governmental agencies.
3. No sign may be located so that it substantially interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit from public or private streets, roads or parking lots.

B. Clearance

1. The lowest point of a sign that extends over an area intended for pedestrian use shall be at least eight feet above the finished grade below it. The lowest point of a sign that extends over an area intended for vehicular use shall be at least 14 feet above the finished grade below it.

C. Materials

1. Permanent signs shall be constructed of durable materials and installed to comply with applicable City codes. Permanent signs shall not be made of paper, cloth, canvas (except for awning and canopy signs), cardboard, wallboard, or other similar nondurable materials.
2. Permanent signs shall be securely fastened to the ground or to some other substantial supportive structure so that there is virtually no danger that either the sign or the supportive structure may be moved by the wind or other forces of nature and cause injury to persons or property.
3. Signs containing unpainted metal or reflective material of any type shall be prohibited.
4. All visible structural components of signs (excluding the sign face) shall be constructed of natural materials that blend with the natural environment or are

compatible (however, not necessarily identical) in color and texture with the adjoining buildings or shall be painted a neutral or compatible color that is compatible with adjoining buildings and/or the natural environment.

D. Illumination

1. Unless otherwise prohibited by this Article, signs may be illuminated in accordance with the following:
 - d. Lighting directed toward a sign shall be shielded so that it illuminates only the face of the sign and does not shine directly onto surrounding areas.
 - e. Illumination on the surface of an illuminated sign, measured at the brightest point ten feet from the surface of the sign, shall not exceed five foot-candles.
 - a. No illumination source shall create a traffic hazard or distraction to operators of motor vehicles.
 - b. No sign may contain or be illuminated by flashing or intermittent lights or lights of changing degrees of intensity.
 - c. Illumination of electronic message signs shall comply with **Section 425.550.C.4, *Electronic Message Center***.

E. Sign Setbacks

1. Freestanding signs shall be set back from the property lines in accordance with **Table 425.540.A, *Summary of Permanent Sign Standards***, and **Table 425.540.B, *Summary of Temporary Sign Standards***.
2. Attached signs are not subject to setback requirements.
3. Any signs located at intersections of streets and driveways shall comply with **Section 425.080, *Visibility at Intersections***.

F. Sign Projections

1. No sign attached to a building may project more than 12 inches from the building wall, unless specifically outlined in this Article.

Section 425.540 Summary of Permanent and Temporary Sign Standards

- A. **Table 425.540.A, *Summary of Permanent Sign Standards***, establishes the allowed permanent sign types and standards. Permanent signs are subject to additional standards in **Section 425.550, *Additional Standards for Permanent Signs***.

Table 425.540.A, Summary of Permanent Sign Standards

Key: P = Permitted, - = Not Permitted

Sign Type	Sign Permit Required	RR-R4	R5-R6	MU	CO	C1	C2	LI	PA	Number of Signs, Maximum	Sign Area, Maximum Per Face	Sign Height, Maximum	Sign Location	Additional Standards
Permanent - On Premises - Attached														
Awning or canopy	Yes	-	-	P	P	P	P	P	P	One per awning or canopy	30 percent of the awning or canopy surface area.	Maximum building height in the applicable zoning district	Flush to the sides or front of an awning or canopy, or hung beneath a canopy	Sections 425.550.B.1 and 425.550.B.2
Projecting	Yes	-	-	P	P	P	P	P	P	One per building entrance	10 square feet	Maximum building height in the applicable zoning district	Below the roof line	Section 425.550.B.1
Roof	Yes	-	-	P	P	P	P	P	P	No maximum	The combined sign area of all roof and wall signs shall not exceed 6% of the building façade area.	Maximum building height in the applicable zoning district	On roofs not more than six feet above the lowest point of the roof, and not extending above a parapet wall or above the roof's major ridgeline.	Sections 425.550.B.1 and 425.550.B.4
Suspended	Yes	-	-	P	P	P	P	P	P	One per building entrance	4 square feet	Maximum building height in the applicable zoning district	<ul style="list-style-type: none"> • Shall not project beyond the limits of the awning or canopy to which it is attached • 12 feet from other suspended signs 	Sections 425.550.B.1 and 425.550.B.5
Wall	Yes	-	-	P	P	P	P	P	P	No maximum	The combined sign area of all roof and wall signs shall not exceed 6% of the building façade area.	Maximum building height in the applicable zoning district	On walls, parapets, or gasoline station canopies.	Sections 425.550.B.1 and 425.550.B.6
Permanent - On Premises - Freestanding														
Changeable Copy	Yes	-	-	-	-	-	-	-	P	Only allowed as part of a monument sign	40 square feet	6 feet	10 feet from lot lines	Sections 425.550.C.1 and 425.550.C.2
Drive-through	Yes	-	-	P	P	P	P	P	P	Two per drive-through lane	36 square feet per sign, 72 square feet total	7 feet	10 feet from lot lines; adjacent to drive through lane(s) in side and rear yards	Sections 425.550.C.1 and 425.550.C.3
Electronic Message Center	Yes	-	-	-	-	P	P	-	P	Only allowed as part of a monument sign	35% of the monument sign area, not to exceed 32 square feet.	6 feet	10 feet from lot lines	Sections 425.550.C.1 and 425.550.C.4

Monument	Yes	P	P	P	P	P	P	P	P	MU, CO, C1, C2, LI, PA: One per street frontage RR-R6: Two per vehicular entrance to the subdivision or multi-unit development	100 square feet	10 feet	10 feet from lot lines	Sections 425.550.C.1 and 425.550.C.5
Pole	Yes	-	-	-	-	P	P	-	-	One per lot	<u>C1</u> : 120 square feet <u>C2</u> : 200 square feet	<u>C1</u> : 20 feet <u>C2</u> : 35 feet	15 feet from lot lines	Sections 425.550.C.1 and 425.550.C.2
Permanent - Off Premises - Freestanding														
Billboard	Yes	-	-	-	P	P	P	P	-	See Section 425.550.D.1	See Section 425.550.D.1	See Section 425.550.D.1	See Section 425.550.D.1	Section 425.550.D.1

- B. **Table 425.540.B**, *Summary of Temporary Sign Standards*, establishes the allowed temporary sign types and standards. Temporary signs are subject to additional standards in **Section 425.560**, *Additional Standards for Temporary Signs*.

Table 425.540.B, Summary of Temporary Sign Standards

Key: P = Permitted

Sign Types	Qualifications	Sign Permit Required	RIGHT-OF-WAY	RR-R4	R5-R6	MU	CO	C1	C2	LI	PA	Sign Area, Maximum	Number of Signs, Maximum	Sign Height, Maximum	Sign Location	Duration	Additional Standards
On Premises - Commercial Message - Attached or Freestanding																	
Banner	-	Yes	-	-	P <i>multi-unit buildings only</i>	P	P	P	P	P	P	32 square feet	One per street frontage or one per nonresidential tenant and no more than three per property at one time	5 feet (freestanding)	10 feet from property lines	45 days per year, not to exceed 14 consecutive days at a time; or, up to 60 consecutive days for a new use or change in nonresidential use.	Sections 425.560.A, and 425.560.C.1
On Premises - Commercial Message - Freestanding																	
Sidewalk	-	No	-	-	-	P	P	P	P	P	P	8 square feet	One per tenant	4 feet	See Section 425.570.C.2	No limit	Sections 425.560.A, and 425.560.C.2
Yard	Properties for sale or lease	No	-	P	P	P	P	P	P	P	P	6 square feet <i>Residential Zoning Districts</i> 32 square feet <i>Mixed-Use and Nonresidential Zoning Districts</i>	One per street frontage	5 feet <i>Residential Zoning Districts</i> 8 feet <i>Mixed-Use and Nonresidential Zoning Districts</i>	10 feet from property lines	No limit	Sections 425.560.A, and 425.560.C.3
Yard	Properties with an active grading or building permit	No	-	P	P	P	P	P	P	P	P	32 square feet	One per street frontage	8 feet	10 feet from property lines or attached to a construction fence	No limit	Sections 425.560.A, and 425.560.C.3
Yard	New residential development with an active sales or leasing office	No	-	P	P	P	-	-	-	-	-	64 square feet	One per street frontage	8 feet	-	No limit, except developments with permanent leasing offices shall remove all such signs upon the issuance of a certificate of occupancy	Sections 425.560.A, 425.560.B, and 425.560.C.3

Sign Types	Qualifications	Sign Permit Required	RIGHT-OF-WAY	RR-R4	R5-R6	MU	CO	C1	C2	LI	PA	Sign Area, Maximum	Number of Signs, Maximum	Sign Height, Maximum	Sign Location	Duration	Additional Standards
Yard	New residential development with an active sales or leasing office	No	-	P	P	P	-	-	-	-	-	32 square feet	Two per sales center	5 feet	On the same property as the sales or leasing office.	No limit, except developments with permanent leasing offices shall remove all such signs upon the issuance of a certificate of occupancy	Sections 425.560.A, 425.560.B, and 425.560.C.3
Yard	New residential development with an active sales or leasing office	No	-	P	P	P	-	-	-	-	-	18 square feet	Two per every 25 lots or units	5 feet	At least 250 linear feet from the entrance and may not be oriented to traffic on abutting publicly accepted roads.	No limit, except developments with permanent leasing offices shall remove all such signs upon the issuance of a certificate of occupancy	Sections 425.560.A, 425.560.B, and 425.560.C.3
On Premises - Noncommercial Message - Attached or Freestanding																	
Banner or Yard	-	No	-	P	P	P	P	P	P	P	P	32 square feet <i>Mixed-Use and Nonresidential Zoning Districts and Multi-Unit uses</i> 6 square feet <i>All other zoning districts and uses</i>	No limit	5 feet (freestanding)	10 feet from property lines	No limit	Sections 425.560.A, 425.560.C1 and 425.560.C.3
Off Premises - Noncommercial Message - Freestanding																	
Banner	-	Yes	P	-	-	-	-	-	-	-	-	32 square feet	One per location, five per activity or event	5 feet	10 feet from property lines on City-owned property; or within right-of-way adjacent to nonresidential zoning districts.	10 consecutive days	Sections 425.560.A, and 425.560.C.1
Yard	Directional signs only	No	P	-	-	-	-	-	-	-	-	3 square feet	One per intersection in any one direction, eight per activity or event	3 feet	Right-of-Way	Not more than one day before and one day after an activity or event, three consecutive days maximum	Sections 425.560.A, and 425.560.C.3

Sign Types	Qualifications	Sign Permit Required	RIGHT-OF-WAY	RR-R4	R5-R6	MU	CO	C1	C2	LI	PA	Sign Area, Maximum	Number of Signs, Maximum	Sign Height, Maximum	Sign Location	Duration	Additional Standards
Yard	New residential development with an active sales or leasing office Directional signs only	Yes	P	-	-	-	-	-	-	-	-	See Section 425.560.B.3	See Section 425.560.B.3	12 feet	See Section 425.560.B.3	See Section 425.560.B.3	Section 425.560.B.3

Section 425.550 Additional Standards for Permanent Signs

A. Generally

1. Permanent signs are allowed as indicated in **Table 425.540.A**, *Summary of Permanent Sign Standards*, and are subject to the additional standards of this Section.

B. On Premises Signs - Attached

1. Generally

- a. Attached signs shall be designed to be consistent and compatible with the building to which the signs are attached, including proportional scale and compatible design, materials, and color.
- b. Attached signs may be illuminated.
- c. Attached signs shall be permitted on any building elevation, regardless of street frontage; however, in no case shall attached signs be allowed on building elevations fronting Lake Saint Louis, Lake Saint Louise, or property that is zoned or used for residential purposes, unless it is determined by the Community Development Director that a sufficient combination of distance, buffer, or other conditions exists between the subject property and the proposed sign so that the sign will not be visible from such property or will not adversely affect such property. A sign approved in this manner shall not be illuminated.

2. Awning or Canopy Sign

- a. Awning and canopy signs may either be:
 - (1) Made of rigid weatherproof materials; or
 - (2) Made of the same material as the awning or canopy; or
 - (3) Painted with weather-resistant paint directly on the awning or canopy material.
- b. All signs constructed of materials other than paint or the material with which the canopy or awning is covered shall be permanently attached to the frame of the awning or canopy.
- c. The maximum vertical dimension of the sign shall not exceed 18 inches.

3. Projecting Sign

- a. No additional requirements.

4. Roof Sign

- a. In no case shall the maximum sign surface area of any permitted roof sign exceed 200 square feet on any one unplatted parcel of land or 500 square feet on any platted parcel of land.

5. Suspended Sign

- a. Suspended signs hanging from the underside of an awning or canopy shall not extend beyond the edge of such structure.

6. Wall Sign

- a. In no case shall the maximum sign surface area of any permitted wall sign exceed 200 square feet on any one unplatted parcel of land or 500 square feet on any platted parcel of land.

C. On Premises Signs - Freestanding

1. Generally

- a. Freestanding signs shall be designed to be consistent and compatible with the building to which the signs are associated with, including proportional scale and compatible design, materials, and color.
- b. Freestanding signs shall be placed within a landscaped area equal in size to the area of the sign face or shall be located within an improved area clearly oriented toward pedestrians such as a seating, dining, or landscaped entry area.
- c. Freestanding signs serving multiple tenants or parcels must be owned and operated by the owner of the parcel and be available to serve all tenants.
- d. Freestanding signs may be illuminated.

2. Changeable Copy Sign

- a. Signs are permitted only as they can be incorporated into monument signs.
- b. One sign may be placed on each side of a two-faced monument sign.
- c. Signs, whether incorporated into one side of a monument sign or two sides of a monument sign, will be permitted at only one location on any one lot.

3. Drive-through Sign

- a. One face per sign is permitted.
- b. Signs shall be of a similar design using similar colors and materials as other freestanding signs associated with the use.
- c. Digital displays are permitted.

4. Electronic Message Center

a. Design

- (1) Signs are permitted only as they can be incorporated into monument signs.
- (2) One sign may be placed on each side of a two-faced monument sign.

b. Location

- (1) Signs, whether incorporated into one side of a monument sign or two sides of a commercial sign, will be permitted at only one location on any one lot in close proximity to the facility's main vehicular entrance.
- (2) Signs located in the MU, C1 or C2 Districts shall be located no closer than 250 feet from the nearest residential property line.

c. Display

- (1) Use of graphic functions such as explode, swirl, flash, grow, melt, x-ray, scroll (up or down), write-on, travel, inverse, roll, twinkle, snow or other animation is prohibited.
- (2) Use of video or moving video images is not permitted.
- (3) Displays on signs must be displayed for a minimum of 30 seconds between the hours of 6:00 A.M. and 10:00 P.M. Display boards shall remain static without change of message between the hours of 10:00 P.M. and 6:00 A.M.

- (4) Change to a separate display must utilize the graphic functions of fade-out and fade-in.
 - (5) Signs must be designed and equipped to freeze the device in one position if a malfunction occurs.
 - d. Brightness
 - (1) Signs must have capabilities for regulating brightness.
 - (2) The brightness of signs must automatically adjust via photocell for use during daylight hours and non-daylight hours.
 - (3) The maximum permitted brightness is 5,000 NIT (candela per square meter) during daylight hours and 300 NIT (candela per square meter) during non-daylight hours.
 - e. At the request of appropriate City officials at any reasonable time following installation, the operator of the sign shall demonstrate that settings are in compliance with the requirements of this subsection.
 - 5. Monument Sign
 - a. Monument sign foundations shall be constructed with a finished material such as brick or stone.
 - b. Monument signs may be located in medians and in such cases are not subject to setback requirements but shall comply with sight distance requirements.
 - c. In residential zoning districts, freestanding signs supported by a fence, wall, posts, columns, or other permanent measure will be allowed in lieu of permitted monument signs.
 - 6. Pole Sign
 - a. Pole signs are only permitted on lots that are 15 acres or larger in size.
- D. Off-Premises – Freestanding
- 1. Billboards
 - a. Purpose
 - (1) The intent of these regulations is to regulate and control the display of billboards to promote roadway safety, convenience and enjoyment of roadway travel and to preserve the aesthetic character along major roads.
 - b. Location
 - (1) Billboards shall be permitted in the CO, C1, C2 and LI zoning districts in areas within 660 feet of the nearest edge of the right-of-way and visible from any part of the interstate or primary highway system subject to these regulations and any superseding regulations by the Missouri Department of Transportation or Sections 226.500 to 226.600, 71.288, RSMo., as amended.
 - c. Spacing
 - (1) No sign structure shall be erected within 2,000 feet of an existing billboard on the same side of the highway.
 - (2) Before a permit is issued, the applicant shall submit a sign survey to indicate the relative vertical and horizontal distances between the

proposed sign and all other pole mounted signs within 1,000 feet. If by reason of height, size or spacing the proposed sign creates a significant disharmony with pole mounted signs within 1,000 feet or unreasonably detracts from the visibility of other neighboring signs or properties, the Planning and Zoning Commission or Community Development Director may require reasonable modification of the sign's dimensions to cure such deficiencies as a condition to granting a permit.

- (3) No sign shall be located in such a manner as to obstruct or otherwise physically interfere with the effectiveness of any official traffic sign, signal or device or obstruct or physically interfere with a motor vehicle operator's view of approaching, merging or intersecting traffic.
 - (4) The spacing requirements do not apply to signs which are separated by buildings, natural surroundings or other obstructions in such a manner that only one sign facing located within such distance is visible at any one time. Directional or other official signs or those advertising the sale or lease of the property on which they are located or those which advertise activities on the property on which they are located, including products sold, shall not be counted or shall measurements be made from them for the purpose of compliance with spacing provisions.
 - (5) The measurement in this subsection shall be minimum distances between outdoor advertising sign structures measured along the nearest edge of the pavement between points directly opposite the signs along each side of the highway and shall apply only to outdoor advertising sign structures located on the same side of the highway involved.
- d. Setbacks, Safety Clearances and Heights
- (1) In order to provide a safety zone to prevent injury or property damage from collapse of billboard caused by acts of God or other causes, each billboard shall have the following minimum setbacks:
 - (a) 90 feet from its nearest edge to the right-of-way of any interstate or primary highway.
 - (b) 90 feet from all property lines and from all roofed structures, from all points of the off-premises billboard.
 - (i) The applicant shall present documentation to the reasonable satisfaction of the Community Development Director that the applicant has secured the legally enforceable right to prevent the erection of structures within the setback zones.
 - (c) 1,000 feet from any interchange, existing or approved for construction by the Missouri Highway and Transportation Department, intersection at grade or safety rest area. Said 1,000 feet shall be measured from the beginning or ending of the pavement widening at the exit from or entrance to the main traveled way.
 - (d) 1,000 feet from land zoned for residential or public activity purposes.
- e. Height

- (1) Each off-premises billboard shall have a maximum height, measured from the ground to the highest point of such off-premises billboard, of 35 feet.
- f. Size
- (1) The maximum area for any one sign shall be 672 square feet with a maximum width of 20 feet and a maximum length of 50 feet, inclusive of border and trim but excluding the base or apron, supports and other structural members.
 - (a) In determining the size of a conforming or nonconforming sign structure, temporary cutouts and extensions installed for the length of a specific display contract shall not be considered a substantial increase to the size of the permanent display; provided the actual square footage of such temporary cutouts or extensions may not exceed thirty-three percent of the permanent display area.
 - (2) The maximum size limitations shall apply to each side of a sign structure; and signs may be placed back to back, double faced or in V-type construction with not more than two displays to each facing, but sign structure shall be considered as one sign.
- g. Lighting
- (1) No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any sign. No flashing, intermittent or moving light or lights will be permitted.
 - (2) External lighting such as floodlights, thin line and gooseneck reflectors are permitted, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the main traveled way of the interstate of Federal-aid primary highway and the lights are not of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle.
 - (3) No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, any official traffic sign, device or signal, nor shall the illumination be directed toward any residential area.
 - (4) The maximum average lighting intensity level for such sign shall be 20 foot-candles.
 - (5) No billboard shall have any electronic, digital, tri-vision or other changeable copy display.
- h. Nuisances
- (1) Any off-premises billboard which, because of lack of maintenance, upkeep, vandalism, accumulation of litter, refuse or debris or the deterioration of landscaping, lighting or fencing, becomes unsightly or unsafe is hereby declared to be a nuisance and shall be subject to abatement by the City in the same manner all other nuisances on private property.
- i. Access

- (1) Direct access to off-premises billboards from curb cuts along a State highway or service road shall be prohibited. Direct access shall be gained through paved roads and drives which are private and internal to a lot or parcel. All vehicles, equipment and people used to build, service, maintain and repair such signs must confine their activity so as not to interfere with pedestrian or vehicular traffic on public roads.
- j. Application Procedure
- (1) All new billboard structures shall require approval of a special use permit (**Section 405.170**).
 - (2) The sign located on the billboard face shall be approved through the sign permit process (**Section 405.200**).
 - (3) A building permit, electrical permit and/or certification of a structural engineer may be required in association with a billboard structure and/or sign.
 - (4) The City shall not issue a permit for any new off-premises billboard without a permit having first been issued by the Missouri Highway and Transportation Commission.
- k. Annual Inspection
- (1) Owners of all signs erected after the effective date of this Code shall be required to submit an inspection report from a Missouri licensed engineer as to the sign's structural integrity. Such certification shall be done on or before June 1 of each year. Failure to submit a report shall result in the immediate revocation of the sign's permit.

Section 425.560 Additional Standards for Temporary Signs

A. Generally

1. Temporary signs are allowed as indicated in **Table 425.540.B**, *Summary of Temporary Sign Standards*, and are subject to the additional standards of this Section.
2. No balloons, ribbons, flags, pennants, ornaments or other embellishments shall be attached to any temporary signs.
3. Temporary signs shall not be affixed to any public utility structure, tree, fence or any public or existing private sign standard.
4. Temporary signs may not be illuminated.
5. Any person, persons, firm, corporation or partnership promoting the event promoted by a temporary sign shall be presumed to be the owner of such sign.
6. Because of the nature of materials typically used to construct temporary signs and to avoid the unsightliness of deteriorating signs and all safety concerns which accompany such a condition, temporary signs shall be removed or replaced when such sign is deteriorated.

7. Temporary signs placed or exhibited in a manner not in compliance with the provisions of this Code are subject to removal in accordance with **Section 425.570.D, *Removal of Signs***.
 8. The Community Development Director may approve an alternative sign type in lieu of a permitted sign type.
- B. Temporary Signage for New Residential Developments
1. In addition to permitted temporary signs allowed as indicated in **Table 425.540.B, *Summary of Temporary Sign Standards***, additional temporary signs including but not limited to pole flags, banners, display home canopies and off-premises directional signs may be approved for new residential developments subject to approval by the Community Development Director.
 2. All such signs shall be removed upon the cessation of the presence of an active sales or leasing office within the development or when more than 80 percent of the buildable lots have been issued occupancy permits or when more than 80 percent of the units have been leased or sold. .
 3. Off-Premises Directional Signs
 - a. Eligibility
 - (1) Residential off-premises directional signs are permitted for residential developments located within the City limits when 80 percent or less of the buildable lots have been issued occupancy permits or when 80 percent or less of the units have been leased or sold.
 - b. Size and Design
 - (1) Signs shall not exceed 32 square feet in area.
 - (2) Signs shall be designed to accommodate equally-sized space for lettering and logos of at least four and no more than eight individual residential developments. Any unused space shall on the sign be made available for any eligible residential development. The entity that installed the sign structure shall not have the authority to deny or approve the addition of lettering or logos for individual residential developments on the sign.
 - (3) The sign shall not exceed 12 feet in height.
 - (4) Signs shall be substantially uniform in appearance.
 - c. Number and Location
 - (1) Signs shall be located on public rights-of-way at the intersection of arterial or collector streets, or upon a city-approved location.
 - (2) No more than two signs may be placed at such intersections, providing service for traffic moving in different directions. However, such signs may be configured with two faces, in which case no more than one sign may be located at the intersection.
 - (3) Signs shall conform to the visibility clearance requirements of **Section 425.080, *Visibility at Intersections***.
 - (4) Signs shall be located within 1.5 miles of the residential developments advertised on the sign.
 - d. Permitting and Maintenance

- (1) The sign design and location shall be approved by the City Administrator.
- (2) Applicants shall submit a Boring and Excavation Permit to the Public Works Department. Insurance and bonding requirements shall be equal to those required in **Section 511.200** for driveway approaches and sidewalks.
- (3) The applicant for the Boring and Excavation Permit is responsible for maintaining the sign with respect to safety and appearance until the sign is removed.
- (4) Lettering and logos for individual residential developments shall be removed from the sign within 30 days following the issuance of occupancy permits for more than 80 percent of the buildable lots in the development or when 80 percent or more of the units have been leased or sold. When lettering and logos for all residential developments have been removed from the sign, the sign itself shall also be removed.

C. Permitted Sign Types

1. Banners

- a. Banner signs may be displayed only as a wall sign on a building facade or as a ground-mounted sign.
- b. All banner signs shall be securely fastened to the facade of the building or to two or more posts in the ground.
- c. All freestanding banner signs shall include wind cuts to reduce the tendency of the banner to billow or sail.

2. Sidewalk Signs

- a. A-frame and T-frame sidewalk signs are permitted.
- b. Signs shall be located on the private or public sidewalk immediately adjacent to the front door of the business utilizing the sign when the business is open.
- c. Such signs may be located no further than 20 feet from the front door of the business and must be in front of the front facade of the business, if the business is located in a multi-tenant building.
- d. Such signs may be adorned with balloons.
- e. Signs shall not obstruct safe and clear pedestrian paths along sidewalks.

3. Yard Signs

- a. Yard signs can be configured in a "V-shape" or with two sides.

Section 425.570 Sign Installation and Maintenance

A. Maintenance

1. All signs and all components thereof, including without limitations supports, braces and anchors, shall be kept in a state of good repair.
2. All signs and all components thereof shall be maintained so that faded and chipped paint is removed and replaced, so that sign faces containing unintended holes, breaks or missing parts are repaired and/or replaced.

B. Abandonment

1. If a sign advertises a business, service, community, accommodations, attraction or other enterprise or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall, within 60 days after such abandonment, be removed by the sign owner, owner of the property on which the sign is located, or other party having control over such sign.

C. Sign Shells

1. If the message portion of a sign is removed, leaving only the supporting "shell" of a sign or the supporting structural components, the owner of the sign or the owners of the property where the sign is located or other person having control over such sign shall, within 60 days of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining sign components.
2. This subsection shall not be construed to alter the effect of **Section 425.590, *Nonconforming Signs***, which prohibits the replacement of a nonconforming sign. Nor shall this subsection be construed to prevent the changing of the message of a legal, conforming sign.

D. Removal of Signs

1. Signs may be removed by authorized officials of the City if:
 - a. Proper approval and permit from the City were not obtained prior to display;
 - b. Proper approval or permit has expired;
 - c. A temporary sign becomes unsightly;
 - d. The sign violates any provision of this Article; or
 - e. The sign constitutes a hazard to the public safety and welfare of the residents of the City of Lake Saint Louis or persons traveling on the public streets and roadways of the City.
2. Confiscated signs will be destroyed or otherwise properly disposed of 14 days from the date of confiscation.

Section 425.580 Comprehensive Sign Plan

A. Purpose

1. The intent of a comprehensive sign plan is to facilitate the planning of cohesive signage for specific areas or developments that may be unique in character and design otherwise not compatible with the standard sign regulations. Through a comprehensive sign plan process, applicants set specific sign regulations that will govern the specific property(ies), which shall supersede the requirements of this Article, as applicable.
2. The intent of a comprehensive sign plan is not to allow more signage than necessary for visibility and readability, but to allow for a creative approach that is specific to the qualities and needs of a development.

B. Applicability

1. A comprehensive sign plan may be applied for in any zoning district for one or more parcels.

2. The comprehensive sign plan shall only apply to on premises signs. The requirements of this Article applicable to off premises signs may not be modified by a comprehensive sign plan.
 3. An approved comprehensive sign plan shall govern the properties under the plan and shall remain in effect over the properties until it is amended, replaced or voided.
 4. Planned Unit Developments approved prior to the effective date of this Code which included sign plans and/or sign standards will be considered comprehensive sign plans and subject to the requirements of this Section.
- C. Procedure
1. Requests for a comprehensive sign plan shall follow the procedure for minor site plans (**Section 405.160**).
- D. Application Requirements
1. A site plan, depicting the proposed plan of development and illustration of proposed sign locations;
 2. Descriptions and drawings indicating the proposed placement, quantity, size and materials of all signs; and
 3. A narrative description of the common theme for signage within the property, how it relates to architectural and/or landscaping elements of the development, and a description of any site features that necessitate the deviation from the requirements of this Article.
- E. Criteria for Review
1. Placement
 - a. All signs shall be placed where they are sufficiently visible and readable for their function.
 - b. Factors to be considered shall include the purpose of the sign, its location relative to traffic movement and access points, site features, structures and sign orientation relative to viewing distances and viewing angles.
 2. Quantity
 - a. The number of signs that may be approved within any development shall be no greater than that required to provide project identification and entry signs, internal circulation and directional information to destinations and development sub-areas and business identification.
 - b. Factors to be considered shall include the size of the site, the number of buildings, and the division or integration of sign functions.
 3. Size
 - a. All signs shall be no larger than necessary for visibility and readability.
 - b. Factors to be considered in determining appropriate size shall include topography, volume of traffic, speed of traffic, visibility range, proximity to adjacent uses, amount of sign copy, placement of display (location and height), lettering style and the presence of distractive influences.
 - c. In no event shall a plan contain a sign or combination of signs which exceed by more than 50 percent the maximum sign area specified in **Table**

425.540.A, Summary of Permanent Sign Standards, and Table 425.540.B, Summary of Temporary Sign Standards.

4. Materials
 - a. Sign materials shall be compatible with architectural and/or natural features of the project. This may be accomplished through similarity of materials for sign structures and faces, the use of complementary colors, similarity of architectural style or the use of consistent lettering style and typography.
- F. Amending, Replacing and Voiding
 1. A request to amend, replace or void an existing approved comprehensive sign plan shall follow the same procedure as a new comprehensive sign plan.

Section 425.590 Nonconforming Signs

- A. Continuation
 1. Nonconforming signs may remain until they are required to be removed under the provisions of this Section.
- B. Alterations
 1. A nonconforming sign cannot be enlarged, expanded or otherwise improved except for the purpose of normal maintenance and incidental repairs.
 2. The only alteration to a nonconforming sign that is permitted is a change in the sign face, the words or symbols used or the message displayed.
 3. Any other alteration or change must be to bring the nonconforming sign into compliance with the regulations of this Code.
- C. Maintenance, Repair and Reconstruction
 1. Subject to the other provisions of this Article, nonconforming signs may be repaired and renovated so long as the cost of such work does not exceed, within any 12 month period, 50 percent of the value of such sign.
- D. Relocation
 1. A nonconforming sign may not be moved to a new location on the same property or to a new location on a different property or replaced except to bring the sign into complete conformity with this Article.

Article VIII General Performance Standards

Section 425.600 Purpose and Applicability

- A. This Article is intended to protect public health and safety by requiring that all uses shall be construed, maintained and operated so as to not be injurious or offensive to the occupants of adjacent premises by reason of the emission or creation of noise, vibration, smoke, dirt or other particulate matter, toxic or noxious waste materials, odors, fire and explosive hazard or glare.
- B. The standards of this Article shall apply to any new or existing use.
- C. If, at such time, the operations of any lawful existing use violate the standards of this Article, such violation shall be rectified immediately.

Section 425.610 Enforcement

- A. Whenever, in the opinion of the Community Development Director, there is a reasonable probability that any use of occupancy violates these standards, the Community Development Director is hereby authorized to employ a qualified technician or technicians to perform whatever investigations and analyses as are necessary to determine whether or not they are in fact being violated.
- B. In the event that a violation is found to exist, the violator shall be liable for the reasonable fee for retaining technicians to perform such investigations and analyses.
- C. Any violation of this Article shall hereby be considered as creating a public nuisance and therefore, in addition to the enforcement procedures specified in this Article, the regulations of the Municipal Code governing nuisances and any other applicable Sections of this Code shall apply.

Section 425.620 Standards

- A. In general, all properties shall:
 - 1. Not emit any smoke, dust, glare, noise, gases or other matter in such quantities as to be readily detectable at any point beyond the perimeter of the site.
 - 2. Not include the storage or maintenance of water or materials which attract or aid in the propagation of insects or rodents or create a health hazard.
 - 3. Provide or contract for the suppression, containment and cleanup of hazardous materials acceptable to the local Fire Department.
- B. Noise
 - 1. Every use shall be so operated that the pressure level of sound or noise generated, measured in decibels, shall not exceed, at any point on the lot line, the maximum decibel levels for the designated octave band as set forth in **Table 425.620.B, Maximum Permitted Decibel Levels**, below, for the appropriate area:

Table 425.620.B, Maximum Permitted Decibel Levels

Octave Band Cycles per Second	Maximum Permitted Sound Pressure Level in Decibels Within or Adjacent to Residence Districts	Within All Other Areas
0 to 75	72	79
75 to 150	67	74
150 to 300	59	66
300 to 600	52	59
600 to 1,200	46	53
1,200 to 2,400	40	47
2,400 to 4,800	34	41
above 4,800	32	39

C. Vibration

1. A use shall be so operated that ground vibration inherently and recurrently generated is not perceptible without instruments at any point on the property line of the property on which the use is located.

D. Dust, Dirt and Other Matter

1. Every use and site operation, such as construction or grading, shall be so operated as to prevent the emission into the air of dust, dirt, noxious acids, fumes, gases and other particulate matter, whatever its source, which may cause damage to property and health of persons at or beyond the lot line of the property on which the use is located.
2. The air quality standards and air pollution control regulations consisting of Title 10, Division 10, Chapters 5 and 6 of the Missouri Code of State Regulations as adopted and promulgated by the Air Conservation Commission of the State of Missouri for the St. Louis Metropolitan Area shall apply.

E. Smoke and Particulate Matter

1. No operation or use in the City of Lake Saint Louis shall cause, create or allow the emission for more than three minutes in any one hour of air contaminants which at the emission point or within the property are:
 - a. As dark or darker in shade as that designated as No. 2 on the Ringleman Chart as published by the United States Bureau of Mines Information Circular 7118.
 - b. Of such opacity as to obscure an observer's view to a degree equal to or greater than does smoke or contaminants in the standard prescribed in **subsection E.1.a** except that when the presence of uncombined water is the only reason for failure to comply or when such contaminants are emitted inside a building which prevents their escape into the outside atmosphere, the standards in **subsections E.1.a and E.1.b** shall not apply.
 - c. The emission of particulate matter from all sources shall not exceed one-half pounds per acre of property within the plant site per any one hour.
 - d. Allowable open storage and open processing operations, including on-site transportation movements, shall be so conducted that dust and other particulate matter so generated are not transported across the boundary line of the tract on which the use is located in concentrations exceeding four grains per one thousand 1,000 cubic feet of air.
 - e. Applicable standards and enforcement provisions contained in the Lake Saint Louis City Code covering "fire safety" shall apply.
 - f. Every use shall be so operated as to prevent the emission of objectionable or offensive odors in such concentration as to be readily perceptible at any point at or beyond the lot line of the property on which the use is located.
 - g. Every use shall be so operated that there is no dangerous amount of radioactive emissions in accordance with the standards of the Federal Radiation Council.
 - h. Any operation producing intense glare or heat shall be performed in an enclosure in such a manner as to be imperceptible along any lot line without instruments.

Article IX Floodplain Management

Section 425.630 Statutory Authorization

A. The legislature of the State of Missouri has in Chapter 89, RSMo., delegated the responsibility to local governmental units to adopt floodplain management regulations designed to protect the health, safety and general welfare. Therefore, the Board of Aldermen of the City of Lake Saint, Missouri, ordains as follows.

Section 425.640 Findings of Fact

A. Flood Losses Resulting from Periodic Inundation

1. The special flood hazard areas of the City of Lake Saint Louis, Missouri, are subject to inundation which results in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

B. General Causes of the Flood Losses

1. These flood losses are caused by:
 - a. The cumulative effect of development in any delineated floodplain causing increases in flood heights and velocities; and
 - b. The occupancy of flood hazard areas by uses vulnerable to floods, hazardous to others, inadequately elevated or otherwise unprotected from flood damages.

C. Methods Used to Analyze Flood Hazards

1. The Flood Insurance Study (FIS) that is the basis of this Article uses a standard engineering method of analyzing flood hazards which consist of a series of interrelated steps.
2. Selection of a base flood that is based upon engineering calculations which permit a consideration of such flood factors as its expected frequency of occurrence, the area inundated, and the depth of inundation. The base flood selected for this Article is representative of large floods which are characteristic of what can be expected to occur on the particular streams subject to this Article. It is in the general order of a flood which could be expected to have a one percent chance of occurrence in any one year as delineated on the Federal Insurance Administrator's Flood Insurance Study and illustrative materials for St. Charles County dated March 9, 2021, as amended, and any future revisions thereto.
3. Calculation of water surface profiles are based on a standard hydraulic engineering analysis of the capacity of the stream channel and overbank areas to convey the regulatory flood.
4. Computation of a floodway required to convey this flood without increasing flood heights more than one foot at any point.
5. Delineation of floodway encroachment lines within which no development is permitted that would cause any increase in flood height.

6. Delineation of flood fringe, i.e., that area outside the floodway encroachment lines but still subject to inundation by the base flood.

Section 425.650 Statement of Purpose

- A. It is the purpose of this Article is to promote the public health, safety and general welfare; to minimize those losses described in previous sections of this Article; to establish or maintain the community's eligibility for participation in the National Flood Insurance Program (NFIP) as defined in 44 Code of Federal Regulations (CFR) 59.22(a)(3); and to meet the requirements of 44 CFR 60.3(d) by applying the provisions of this Article to:
 1. Restrict or prohibit uses that are dangerous to health, safety or property in times of flooding or cause undue increases in flood heights or velocities;
 2. Require uses vulnerable to floods, including public facilities that serve such uses, be provided with flood protection at the time of initial construction; and
 3. Protect individuals from buying lands that are unsuited for the intended development purposes due to the flood hazard.

Section 425.660 Applicability

- A. This Article shall apply to all lands within the jurisdiction of the City of Lake Saint Louis identified as numbered and unnumbered A Zones and AE Zones on the Flood Insurance Rate Maps (FIRMs) for St. Charles County on map panels 29183C0215G, 29183C0220G, and 29183C0240G, dated March 9, 2021, as amended, and any future revisions thereto.
- B. In all areas subject to this Article, no development shall be permitted except through the issuance of a floodplain development permit (**Section 405.190**) granted by the Board of Aldermen or its duly designated representative under such safeguards and restrictions as the Board of Aldermen or the designated representative may reasonably impose for the promotion and maintenance of the general welfare and health of the inhabitants of the community.

Section 425.670 Floodplain Administrator

- A. The Chief Building Official is hereby designated as the Floodplain Administrator under this Article.
- B. Duties of the Floodplain Administrator shall include, but not be limited to:
 1. Review of all applications for floodplain development permits to assure that sites are reasonably safe from flooding and that the floodplain development permit requirements of this Article have been satisfied;
 2. Review of all applications for floodplain development permits for proposed development to assure that all necessary permits have been obtained from Federal, State or local governmental agencies from which prior approval is required by Federal, State or local law;

3. Review all subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, to determine whether such proposals will be reasonably safe from flooding;
4. Issue floodplain development permits for all approved applications;
5. Notify adjacent communities and the State Emergency Management Agency prior to any alteration or relocation of a watercourse and submit evidence of such notification to the Federal Emergency Management Agency (FEMA);
6. Assure that maintenance is provided within the altered or relocated portion of any watercourse so that the flood-carrying capacity is not diminished;
7. Verify and maintain a record of the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures;
8. Verify and maintain a record of the actual elevation (in relation to mean sea level) that the new or substantially improved nonresidential structures have been floodproofed; and
9. When floodproofing techniques are utilized for a particular nonresidential structure, the Chief Building Official shall require certification from a registered professional engineer or architect.

Section 425.680 General Provisions

A. Compliance

1. No development located within the special flood hazard areas of this community shall be located extended, converted or structurally altered without full compliance with the terms of this Article and other applicable regulations.

B. Abrogation and Greater Restrictions

1. It is not intended by this Article to repeal, abrogate or impair any existing easements, covenants or deed restrictions; however, where this Article imposes greater restrictions, the provisions of this Article shall prevail. All other ordinances inconsistent with this Article are hereby repealed to the extent of the inconsistency only.

C. Interpretation

1. In their interpretation and application, the provisions of this Article shall be held to be minimum requirements, shall be liberally construed in favor of the City and shall not be deemed a limitation or repeal of any other powers granted by State Statutes.

D. Warning and Disclaimer of Liability

1. The degree of flood protection required by this Article is considered reasonable for regulatory purposes and is based on engineering and scientific methods of study. Larger floods may occur on rare occasions or the flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This Article does not imply that areas outside the floodway and flood fringe or land uses permitted within such areas will be free from flooding or flood damage. This Article shall not create a liability on the part of the

City of Lake Saint Louis, any officer or employee thereof for any flood damages that may result from reliance on this Article or any administrative decision lawfully made thereunder.

E. Severability

1. If any Section, clause, provision, or portion of this Article is adjudged unconstitutional or invalid by a court of appropriate jurisdiction, the remainder of this Article shall not be affected thereby.

Section 425.690 Floodplain Development Permit Required

- A. A floodplain development permit (**Section 405.190**) shall be required for all proposed construction or other development, including the placement of manufactured homes, in the areas described in **Section 425.660, Applicability**. No person, firm, corporation or unit of government shall initiate any development or substantial improvement or cause the same to be done without first obtaining a separate floodplain development permit for each structure or other development.
- B. To obtain a floodplain development permit, the applicant shall first file an application in writing on a form furnished for that purpose. Every floodplain development permit application shall:
1. Describe the land on which the proposed work is to be done by lot, block and tract, house and street address or similar description that will readily identify and specifically locate the proposed structure or work;
 2. Identify and describe the work to be covered by the floodplain development permit;
 3. Indicate the use or occupancy for which the proposed work is intended;
 4. Indicate the assessed value of the structure and the fair market value of the improvement;
 5. Specify whether development is located in designated flood fringe or floodway;
 6. Identify the existing base flood elevation and the elevation of the proposed development;
 7. Give such other information as reasonably may be required by the Chief Building Official;
 8. Be accompanied by plans and specifications for proposed construction; and
 9. Be signed by the permittee or his/her authorized agent who may be required to submit evidence to indicate such authority.
- C. The application shall be processed, reviewed, approved or denied in accordance **Section 405.190, Floodplain Development Permit**.

Section 425.700 Provisions for Flood Hazard Reduction

A. General Standards

1. No permit for floodplain development shall be granted for new construction, substantial improvements and other improvements, including the placement of manufactured homes, within any numbered or unnumbered A Zones and AE Zones, unless the conditions of this subsection are satisfied.

2. All areas identified as unnumbered A Zones on the FIRM are subject to inundation of the 100-year flood; however, the base flood elevation is not provided. Development within unnumbered A Zones is subject to all provisions of this Article. If Flood Insurance Study data is not available, the community shall obtain, review and reasonably utilize any base flood elevation or floodway data currently available from Federal, State or other sources.
 3. Until a floodway is designated, no new construction, substantial improvements or other development, including fill, shall be permitted within any unnumbered or numbered A Zone or AE Zone on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
 4. All new construction, subdivision proposals, substantial improvements, prefabricated structures, placement of manufactured homes and other developments shall require:
 - a. Design or adequate anchorage to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy;
 - b. Construction with materials resistant to flood damage;
 - c. Utilization of methods and practices that minimize flood damages;
 - d. All electrical, heating, ventilation, plumbing, air-conditioning equipment, and other service facilities be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding;
 - e. New or replacement water supply systems and/or sanitary sewage systems be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters, and on-site waste disposal systems be located so as to avoid impairment or contamination; and
 - f. Subdivision proposals and other proposed new development, including manufactured home parks or subdivisions, located within special flood hazard areas are required to assure that:
 - (1) All such proposals are consistent with the need to minimize flood damage;
 - (2) All public utilities and facilities, such as sewer, gas, electrical and water systems, are located and constructed to minimize or eliminate flood damage;
 - (3) Adequate drainage is provided so as to reduce exposure to flood hazards; and
 - (4) All proposals for development, including proposals for manufactured home parks and subdivisions, of five acres or 50 lots, whichever is lesser, include within such proposals base flood elevation data.
- B. Storage, Material and Equipment**
1. The storage or processing of materials within the special flood hazard area that are in time of flooding buoyant, flammable, explosive or could be injurious to human, animal or plant life is prohibited.

2. Storage of other material or equipment may be allowed if not subject to major damage by floods, if firmly anchored to prevent flotation, or if readily removable from the area within the time available after a flood warning.

Section 425.710 Specific Standards

- A. In all areas identified as numbered and unnumbered A Zones, AE and AH Zones, where base flood elevation data have been provided, as set forth in **Section 425.700, Provisions for Flood Hazard Reduction**, the following provisions are required:
 1. Residential Construction
 - a. New construction or substantial improvement of any residential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to three feet above base flood elevation.
 2. Nonresidential Construction
 - a. New construction or substantial improvement of any commercial, industrial or other nonresidential structures, including manufactured homes, shall have the lowest floor, including basement, elevated to three feet above the base flood elevation or, together with attendant utility and sanitary facilities, be floodproofed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.
 - b. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification shall be provided to the Floodplain Administrator.
 3. All Construction
 - a. Require, for all new construction and substantial improvements, that fully enclosed areas below lowest floor used solely for parking of vehicles, building access, or storage in an area other than a basement and that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters.
 - b. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:
 - (1) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided; and
 - (2) The bottom of all opening shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

Section 425.720 Manufactured Homes

- A. All manufactured homes to be placed within all unnumbered and numbered A Zones and AE Zones on the community's FIRM shall be required to be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated and anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- B. Require manufactured homes that are placed or substantially improved within unnumbered or numbered A Zones and AE Zones on the community's FIRM on sites:
 - 1. Outside of manufactured home park or subdivision;
 - 2. In a new manufactured home park or subdivision;
 - 3. In an expansion to an existing manufactured home park or subdivision; or
 - 4. In an existing manufactured home park or subdivision on which a manufactured home has incurred substantial damage as the result of a flood;
 - 5. Be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to three feet above the base flood elevation and be securely attached to an adequately anchored foundation system to resist flotation, collapse and lateral movement.
- C. Require that manufactured homes to be placed or substantially improved on sites in an existing manufactured home park or subdivision within all unnumbered and numbered A Zones and AE Zones on the community's FIRM, that are not subject to the provisions of **subsection B**, be elevated so that either:
 - 1. The lowest floor of the manufactured home is at three feet above the base flood level; or
 - 2. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and be securely attached to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

Section 425.730 Floodway

- A. Located within areas of special flood hazard established in **Section 425.660**, *Applicability*, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of flood waters that carry debris and potential projectiles, the following provisions shall apply:
 - 1. The City shall select and adopt a regulatory floodway based on the principle that the area chosen for the regulatory floodway must be designed to carry the waters of the base flood without increasing the water surface elevation of that flood more than one foot at any point.
 - 2. The City shall prohibit any encroachments, including fill, new construction, substantial improvements, and other development, within the adopted regulatory floodway unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the

proposed encroachment would not result in any increase in flood levels within the community during the occurrence of the base flood discharge.

3. If **subsection A.2** is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of **Section 425.700, Provisions for Flood Hazard Reduction**.
4. In unnumbered A Zones, the City shall obtain, review and reasonably utilize any base flood elevation or floodway data currently available from Federal, State or other sources as set forth in **Section 425.700, Provisions for Flood Hazard Reduction**.

Section 425.740 Recreational Vehicles

- A. Require that recreational vehicles placed on sites within all unnumbered and numbered A Zones and AE Zones on the community's FIRM either:
 1. Be on the site for fewer than 180 consecutive days and be fully licensed and ready for highway use; or
 2. Meet the permitting, elevating and the anchoring requirements for manufactured homes of this Article.
 3. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick-disconnect type utilities and security devices, and has no permanently attached additions.

Section 425.750 Floodplain Management Appeal and Variance Procedures

- A. The Board of Adjustment shall hear and decide appeals and requests for variances from the requirements of this Article.
- B. Appeals
 1. The Board of Adjustment shall hear and decide appeals in accordance with **Section 405.240, Appeal of Administrative Enforcement**, when it is alleged that there is an error in any requirement, decision or determination made by the Floodplain Administrator in the enforcement or administration of this Article.
 2. An applicant aggrieved or adversely affected by the decision of the Floodplain Administrator regarding the approval or denial of a floodplain development permit may appeal the decision to the Board of Adjustment in accordance with **Section 405.230, Appeal of Final Decision**.
- C. Variances
 1. Requests for variances from the floodplain management requirements of this Article shall be in accordance with **Section 405.230, Variance**.
 2. Variance Criteria
 - a. In passing upon such applications for variances, the Board of Adjustment shall consider all technical data and evaluations, all relevant factors, standards specified in other Sections of this Article, and the following criteria:
 - (1) The danger to life and property due to flood damage;
 - (2) The danger that materials may be swept onto other lands to the injury of others;

- (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) The importance of the services provided by the proposed facility to the community;
 - (5) The necessity to the facility of a waterfront location, where applicable;
 - (6) The availability of alternative locations, not subject to flood damage, for the proposed use;
 - (7) The compatibility of the proposed use with existing and anticipated development;
 - (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (9) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (10) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters, if applicable, expected at the site; and
 - (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.
3. Conditions for Approving Variances
- a. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing the criteria specified in **subsection C.2** have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the variance increases.
 - b. Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places, the State inventory of historic places or local inventory of historic places upon determination, provided the proposed activity will not preclude the structure's continued historic designation.
 - c. Variances shall not be issued within any designated floodway if any significant increase in flood discharge would result.
 - d. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
 - e. Variances shall only be issued upon:
 - (1) A showing of good and sufficient cause,
 - (2) A determination that failure to grant the variance would result in exceptional hardship to the applicant, and
 - (3) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
 - f. A community shall notify the applicant in writing over the signature of a

community official that:

- (1) The issuance of a variance to construct a structure below base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage, and
- (2) Such construction below the base flood level increases risks to life and property. Such notification shall be maintained with the record of all variance actions as required by this Article.

Section 425.760 Penalties for Violation

- A. Any person who violates the provisions of this Article or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than \$500 and, in addition, shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.
- B. Nothing herein contained shall prevent the City or other appropriate authority from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 425.770 Amendments

- A. The regulations, restrictions and boundaries set forth in this Article may from time to time be amended, supplemented, changed or repealed to reflect any and all changes in the National Flood Disaster Protection Act of 1973, in accordance with **Section 405.090, Text Amendments**.
- B. A copy of such amendments will be provided to the Region VII office of the Federal Emergency Management Agency (FEMA). The regulations of this Article are in compliance with the National Flood Insurance Program (NFIP) regulations.

Article X Riparian Corridors

Section 425.780 Purpose

- A. The purpose of this Article is to establish minimal acceptable requirements for the design of vegetated buffers to protect the natural watercourses of all watersheds within the City of Lake Saint Louis which remain in their natural state; to protect the water quality of watercourses, reservoirs, lakes and other significant water resources within these watersheds; to protect riparian and aquatic ecosystems within these watersheds; to provide for the environmentally sound use of land and aquatic resources within these watersheds.

Section 425.790 Scope of Application and Requirements

- A. Applications
 1. This Article shall apply to all proposed development except for that development which meets waiver criteria as provided in **Section 425.830**.
 2. This Article shall not apply to land used primarily for agricultural purposes.
- B. Requirements
 1. All natural watercourses depicted on the most current United States Geological

Survey (U.S.G.S) 7.5 Minute Series (Topographic) Maps showing property within the corporate limits of the City shall be left in their natural state. For the purposes of this Article, Lake Saint Louis and Lake Saint Louise shall not be considered natural watercourses and therefore are not subject to the requirements of this Article.

2. All natural watercourses left in their natural state shall be flanked with vegetated buffers meeting the requirements of this Article.
3. Within such vegetated buffers, there shall be no clearing, grading, construction or disturbance of vegetation except as permitted by **Section 425.820, *Management and Maintenance of Vegetated Buffers***.
4. Development along natural watercourses which are left in their natural state shall have residential lot lines, commercial or industrial improvements, parking areas or driveways set back from the top of the existing stream bank or the 15-year, 20 minute water surface elevation where no established top of bank can be determined, all as provided by this Article.
5. In the case of subdivision plats, the watercourse and the above-mentioned setback area shall be preserved and made the responsibility of the subdivision trustees.
6. In the case of a site plan, commercial, industrial or private site, the watercourse and the above-mentioned setback area shall be preserved and made the responsibility of the property owner(s).
7. Permanent vegetation and existing ground elevation and grades within the above-mentioned setback area shall be left intact and undisturbed, except as permitted by this Article.

Section 425.800 Plan Requirements

- A. A vegetated buffer plan shall be submitted in conjunction with a grading plan for any development, and the vegetated buffer should be clearly delineated on the final grading plan.
- B. The vegetated buffer plan shall contain the following information:
 1. A location or vicinity map;
 2. Field-surveyed natural watercourses, which remain in their natural state;
 3. Field-surveyed vegetated buffers adjacent to natural watercourses, which remain in their natural state;
 4. Limits of the 100-year flood plain.
- C. Boundary markers locating the boundaries of vegetated buffers shall be installed prior to final approval of the required clearing and grading plan.

Section 425.810 Minimum Standards for Vegetated Buffers

- A. A vegetated buffer for a natural watercourse, which remains in its natural state, shall consist of a vegetated strip of land extending along both sides of a natural watercourse.
- B. The vegetated buffer shall begin at the edge of the bank of the natural watercourse.

- C. For those sites where vegetation does not exist, developers or owners shall allow the vegetated buffer to succeed naturally.
- D. The minimum width of the vegetated buffer shall be:
 - 1. 50 feet along the main branch of the Peruque Creek;
 - 2. 25 feet along all other natural watercourses left in its natural state.

Section 425.820 Management and Maintenance of Vegetated Buffer

- A. The vegetated buffer shall be managed to enhance and maximize its value and effectiveness. Management includes specific limitations on altering the natural conditions of the buffer. The following practices and activities are permitted only with the express written approval of the Community Development Director or Public Works Director:
 - 1. Clearing of existing vegetation;
 - 2. Soil disturbance by grading, stripping or other practices;
 - 3. Filling or dumping;
 - 4. Drainage by ditching, underdrains or other systems;
 - 5. Installation of detention/retention ponds.
- B. The following structures, practices and activities are permitted in the vegetated buffer, with specific design or maintenance features, subject to the review by the Community Development Director or Public Works Director:
 - 1. Roads, bridges and utilities.
 - a. The right-of-way shall be the minimum width needed to allow for maintenance access and installation.
 - b. As closely as possible, the angle of the crossing shall be perpendicular to the natural watercourse or vegetated buffer in order to minimize clearing requirements.
 - c. Plats and site plans shall include only the minimum number possible of such crossings.
 - 2. Paths, including hard-surfaced trails.
- C. Buffer restoration projects approved by the Community Development Director or Public Works Director are permitted within the vegetated buffer.
- D. Water quality monitoring and stream gauging are permitted within the vegetated buffer.
- E. Individual trees within the vegetated buffer that are in danger of falling, causing damage to dwellings or other structures, or causing blockage of the natural watercourse may be removed.
- F. Material dredged or removed during development authorized under this Section shall be stored outside the vegetated buffer.
- G. All plats, all improvement plans, and all site plans shall clearly:
 - 1. Show the boundaries of any vegetated buffer on the subject property;
 - 2. Provide a note to reference any vegetated buffer stating: "THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION EXCEPT AS PERMITTED BY SECTION 425.820 OF THE

MUNICIPAL CODE OF THE CITY OF LAKE SAINT LOUIS.”

Section 425.830 Waiver

- A. The Community Development Director or Public Works Director may grant a waiver allowing the vegetated buffer to be disturbed only in cases of public purpose and necessity or only upon the Community Development Director’s or Public Works Director’s approval of designed streambank or site development erosion control measures.
- B. Appeal of waiver decisions shall be made to the Board of Adjustment in accordance with **Section 405.240**, *Appeal of Administrative Enforcement*.