

## Section 4 – Development Standards

These regulations supplement and qualify regulations contained elsewhere in this ordinance. Unless otherwise stated, the regulations hereafter established by the adoption of this ordinance shall apply to all districts established by this ordinance.

### Section 4.1 – Off-Street Parking, Loading, and Stacking Requirements

#### 4.1.1 - Intent and Purpose

It is the purpose of these off-street parking and loading requirements to provide for sufficient accessory use areas for the temporary parking of motor vehicles and for loading and unloading of transport vehicles associated with large multi-family dwellings, commercial uses, and industrial uses. The requirements for off-street parking and loading spaces are intended to reduce the congestion on the streets due to excessive use of such streets for parking and/or loading and unloading of motor vehicles.

#### 4.1.2 - Applicability

For every use, activity, or structure permitted by this ordinance, and for all buildings or structures erected in accordance therewith with this ordinance, there shall be provided sufficient space for access and off-street standing; parking; circulation; unloading and loading of motor vehicles that may be expected to transport their occupants, whether as patrons, residents, customers, employees, guests or otherwise, to an establishment, activity, or place of residence at any time under normal conditions for any purpose. Except as otherwise provided for in this Section, when a use is expanded or changed, accessory off-street parking and loading shall be provided in accordance with the regulations herein established by this ordinance for the area or capacity of such expansion or change.

#### 4.1.3 - Design and Load Requirements

##### 1) Surfacing and Drainage of Parking Areas

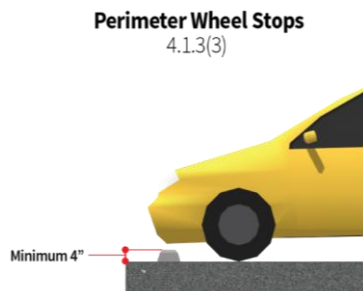
All open off-street parking areas and driveways, ~~except required parking spaces accessory to single-family dwellings,~~ shall be graded and paved with a durable dust-free and hard material, such as bituminous hot mix or portland cement concrete, or approved comparable material over a compacted gravel base of not less than four (4) inches (4") thick. ~~Off-street parking areas for single-family dwellings shall be paved as specified above or with gravel or crushed stone.~~ All parking areas and driveways shall be properly drained to avoid standing water or damage to adjacent property.

##### 2) Surfacing and Drainage of Loading Areas

All loading spaces shall be improved with a compacted select gravel base, not less than four (4) inches (4") thick, ~~and~~ thick and surfaced with portland cement concrete not less than six (6) inches (6") thick.

##### 3) Perimeter Curbing and Wheel Stops

Except for parking areas accessory to single-family dwellings, fixed and permanent wheel stops securely anchored into the ground or curbs of portland cement concrete or approved comparable material at least four (4) inches (4") high shall be installed for each parking stall which is located along the perimeter of any off-street parking area. Such wheel stops ~~stops,~~ or curbing shall be so placed to prevent damage to landscaping, fences, or walls, and to prevent encroachment of vehicles into public walkways.



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#### 4.1.4 - Vehicular Access and Circulation

##### 1) Access

**Access to parking and loading areas:** Off-street parking or loading areas shall be provided with vehicular access via curb-cuts and access drives from an improved street or alley which will least interfere with vehicular and pedestrian traffic flow. Except for off-street parking accessory to single-family dwellings, such parking areas shall be designed to prohibit motor vehicles backing into public streets, alleys, or sidewalks.

**Access to parking and loading spaces:** Each off-street parking and loading space shall be accessible directly from an aisle or driveway. The only exception to this requirement is off-street parking associated with single family dwellings and parking reserved exclusively for vehicle sales, leasing, or rental.

##### 2) Parking Area Delineations

All parking lots shall be striped to provide a visible indicator for vehicle circulation and parking maneuvers. Parking spaces and other circulation markings shall be restored, as necessary, to maintain a clear identification of separate parking spaces and other markings at all times.

##### 3) Traffic Control

Vehicular traffic to, from, and within an off-street parking or loading area shall be controlled by appropriate traffic control signs, surface markings, and curb islands. All parking areas which will, in the opinion of the Public Works Director or his/her designee, generate a significant volume of traffic movement shall have its entrances clearly marked and designated as to direction of traffic flow or other conditions of use of the access driveway by the use of low-profile signs.

#### 4.1.5 - Location of Parking Spaces

All required off-street parking shall be provided on the same lot occupied by the use or building to which it is appurtenant unless otherwise provided for in this Section.

#### 4.1.6 - Shared and Remote Parking

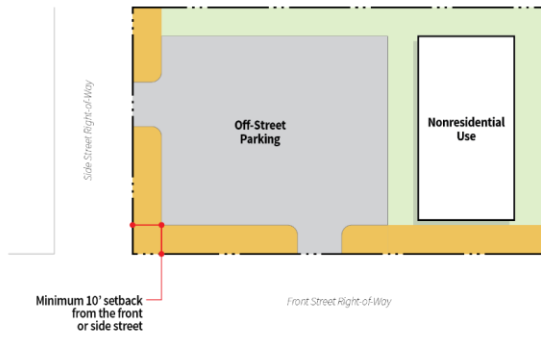
One (1) parking area may contain required spaces for other adjacent uses, but except as otherwise provided for in this title, the required parking spaces assigned to one (1) use shall not be credited to any other use. To the extent that two (2) or more adjacent uses experience peak parking demand at different times, some parking spaces may be counted as meeting the demand for both uses. In determining the parking requirements where the uses intend to share parking, Public Works Director or his/her designee will establish the peak hourly demand by calculating such need from the appropriate methodology set out in the most recent version of the ITE reference manual or on the basis of a Parking Demand Study. Persons intending to take advantage of this provision shall be required to demonstrate that an enforceable agreement exists between the parties who intend to share the parking.

**4.1.7 - Parking and Loading Area Setback Requirements**

**1) Nonresidential**

- a) **Setback of parking spaces:** Parking spaces for nonresidential uses shall not occupy any part of a site between the street right-of-way and ~~ten (10)~~~~ten (10)~~ feet (10') from the front or side street right-of-way. A variance to this may be granted for a lot of record, if the lot depth is ~~one hundred and thirty (130)~~~~one hundred and thirty (130)~~ feet (130') or less or, in the case of a corner lot, the lot width is ~~one hundred and thirty (130)~~~~one hundred and thirty (130)~~ feet (130') or less, but in no case shall parking spaces be closer than ~~six feet six inches (6.5)~~~~six feet six inches (6.5)~~ feet (6.5') from the front or side street right-of-way.
- b) **Setback of circulation aisles:** Parking circulation aisles and parking/loading maneuvering areas may be located in a required front yard, side yard, or rear yard; provided that a minimum of five-foot (5') setback is maintained between the paved area and the property line or right-of-way line. A variance to this may be granted for a lot of record, if the lot depth is ~~one hundred and thirty feet (130)~~~~one hundred and thirty (130)~~ feet (130') or less or, in the case of a corner lot, the lot width is ~~one hundred and thirty feet (130)~~~~one hundred and thirty (130)~~ feet (130') or less, but in no case shall the variance allow for the encroachment of vehicles into the street right-of-way except for access drives.

**Nonresidential Parking Setback Requirements**  
4.1.7(1)(a)



b)

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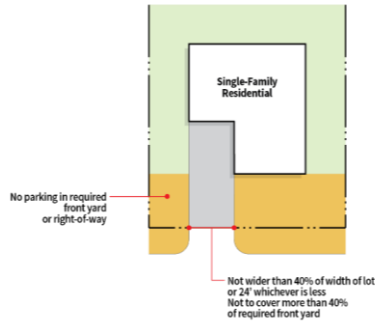
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**2) Single-Family Residential**

On lots developed with single-family dwellings, no motor vehicle shall be permitted to be parked between the dwelling and any street unless such vehicle is parked upon a driveway. Said driveway shall conform to all of the following standards:

- a) The driveway shall not be wider than ~~forty~~ ~~(40)~~forty percent (40%) of the width of the lot on which the driveway is located or ~~twenty-four~~ ~~(24)~~twenty-four feet (24'), whichever is less;
- b) The driveway shall not cover more than ~~forty~~ ~~(40)~~forty percent (40%) of the required front yard; and
- c) In all instances, no vehicle shall be parked so as to have any portion of the vehicle located over a public or private sidewalk or pedestrian way.

**Single-Family Residential Parking Setback Requirements**  
4.1.7(2)



c)

**3) Loading**

No loading space shall be closer than ~~fty~~ ~~(50)~~50 feet (50') to any property in a residential district unless said space is completely enclosed by a building. No loading space shall be located within any area where parking is prohibited by this ordinance.

**4.1.8 - 4.1.8 - Dimensional Standards**

Except for off-street parking associated with single-family dwellings and as otherwise provided in this section, the following minimum dimensional requirements shall apply to all off-street parking areas:

Parking Angle	Stall Width (W)	Stall Length (L)	Aisle Width (A)	Single Loaded Module Width (SL)	Double Loaded Module Width (DL)
0°	9'	21'	24'	20.5'	29'
45°	9'	18'	13'	32'	51'
60°	9'	18'	17'	38'	58'
90°	9'	18'	24'	42'	60'

			A
	45°	60°	90°

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<b>B</b>	9.0'	9.0'	9.0'
<b>C-1</b>	16.5'	18.5'	19.0'
<b>C-2</b>	20.0'	21.0'	19.0'
<b>D</b>	13.0'	18.0'	24.0'
<b>E</b>	12.7'	10.5'	9.0'
<b>F</b>	53.0'	60.0'	62.0'
<b>G</b>	46.0'	55.0'	—
<b>A-<sup>2</sup></b>	Angle of parking space. <sup>††</sup>		
<b>B</b>	Parking space width		
<b>C-1</b>	Space depth—perpendicular to curb or reference plane (with overhang)		
<b>C-2</b>	Space depth perpendicular to reference plane (without overhang)		
<b>D-<sup>2</sup></b>	Aisle width. <sup>††</sup>		
<b>E</b>	Curb length per parking space		
<b>F</b>	Width of parking bay (without overhang either side)		
<b>G</b>	Width of parking bay (double loaded aisle or with overhang on each side)		

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### 1) Dimensional Standards of Loading Areas

Loading spaces shall be at least ~~twelve (12)~~ ~~twelve~~ 12 feet (12') in width and ~~twenty-five (25) [feet]~~ ~~twenty-five~~ 25 feet (25') in length (~~fifty (50)~~ ~~fifty~~ 50 feet (50') in length for tractor/trailer loading spaces), exclusive of vehicle maneuvering areas, and shall have a vertical clearance of at least ~~fifteen (15)~~ ~~fifteen~~ 15 feet (15').

#### 4.1.7.3 Dimensional Standards of Stacking Spaces

Queuing or waiting area for drive-through facilities shall be a minimum of eleven (11) feet in width and twenty (20) feet in length per required stacking space.

### 2) Exceptions to Dimensional Standards

- Additional aisle width may be required to accommodate emergency vehicles and equipment, or where the aisle serves as a principal means of access and circulation within the site, including access to loading spaces, drive-through facilities, or trash storage facilities.
- If the desired parking angle is not specified in this section, the Public Works Director or his/her designee may specify other equivalent dimensions associated with the desired parking angle by interpolating from dimensional standards specified in this section.
- Off-street parking spaces for vehicles, other than personal passenger vehicles, shall be of a size (exclusive of aisle, drives and maneuvering space) sufficient to accommodate the length and width of the vehicle as well as the opening of vehicle doors for ingress and egress.

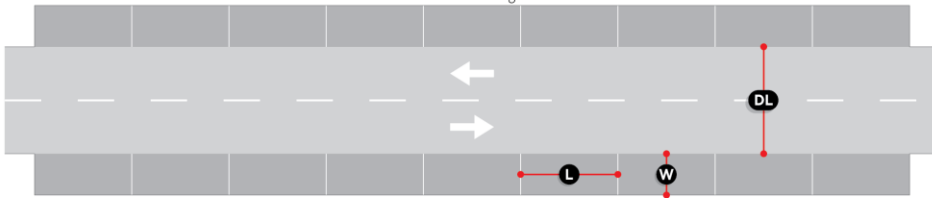
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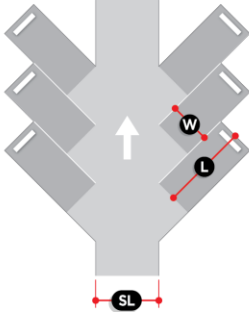
### Dimensional Standards

4.1.8

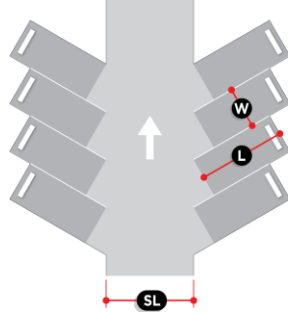
Parallel Parking



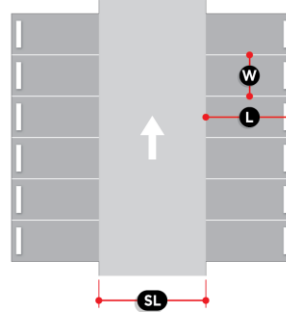
45° Parking



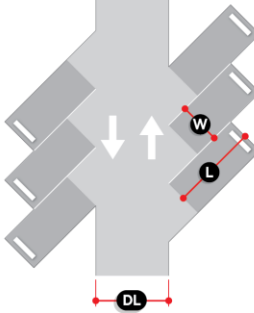
60° Parking



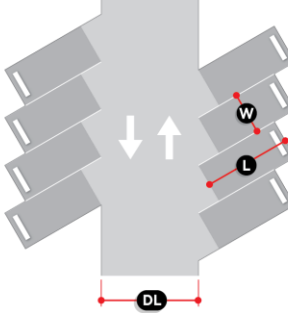
90° Parking



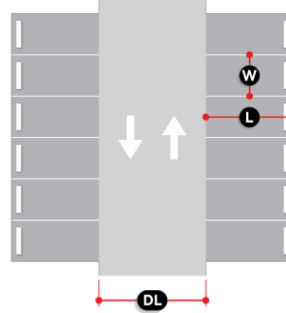
45° Parking



60° Parking



90° Parking



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**4.1.9 – Lighting**

**1) Applicability**

Except for parking accessory to single-family dwellings, lights shall be installed in all parking areas containing five (5) or more parking spaces and shall be illuminated between dusk and dawn whenever said premises are open for operation. "Open for operation" shall be any time that a business is open for the sale of goods or services or if the retail, office, industrial, or other facility actually has employees working within or upon said premises, other than security personnel.

**2) Illumination Standards**

Where lighted-lit areas are required, the following illumination standards (in foot candles) shall apply:

Permitted Parking Lot Illumination Standards	
Maximum level at property lines adjacent to Commercial, Office, or Industrial Districts measured 5' above the center line datum of the nearest road	0.5 fc
Maximum level at property lines adjacent to Residential or Parks and Open Space Districts measured 5' above the center line datum of the nearest road	0.1 fc
Maximum level 5 feet from base of light standards	8.0 fc
Maximum level under canopies	22 fc

Minimum initial level at any point on the parking area or drive:	
Residential use:	0.07
Commercial/industrial use	0.5
Other uses:	0.3
Average initial level:	
Residential use:	0.35
Commercial/industrial use:	1
Other uses:	0.5
Maximum initial level, five (5) feet (5') from the base of a light standard:	
Residential use:	3
Commercial/industrial use:	8
Other uses:	5

Residential use:	0.07
Commercial/industrial use	0.50
Other uses:	0.30
Residential use:	0.35
Commercial/industrial use:	1.00
Other uses:	0.50

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Residential use:	3.00
Commercial/industrial use:	8.00
Other uses:	5.00

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### 3) Excessive Illumination

Lighting within any property that unnecessarily illuminates any other property and substantially interferes with the use or enjoyment of such other property is prohibited. In furtherance of this requirement, all lighting on private property shall be so arranged or designed using cut-off lenses as necessary to direct light away from adjoining premises and streets. Flood and spot lights shall be shielded when necessary to prevent glare on adjoining properties or streets and to avoid visual interference with traffic control devices. Detailed lighting design plans and calculations shall be provided when deemed necessary by the Public Works Director or his/her designee to ensure compliance with this requirement.

#### 4.1.-10 – Americans with Disabilities Act Compliant Parking

The number of parking spaces for physically disabled persons shall comply with the standards set forth in the Revised Ordinances of St. Louis County as may be amended from time to time.

#### 4.1.-11 – Parking for Multiple Use Buildings

Unless otherwise specified in this section, the number of parking spaces required for land or buildings used for two (2) or more purposes, shall be the sum of the requirements for the various uses, computed in accordance with this section. Parking facilities for one (1) use shall not be considered as providing the required parking facilities for any other use.

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#### 4.1.-12 – Prohibited Off-Street Parking Uses

Except as expressly permitted by this ordinance, no off-street parking space or loading space shall be utilized for any other purpose. The following off-street parking uses are expressly prohibited:

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- 1) Off-street parking or storage of vehicles on surfaces other than properly maintained and properly drained pavements complying with the construction requirements of Section 7.1.3.
- 2) Off-street parking of vehicles on any established lawn or landscaped area, except for vehicles required for performing repairs or construction on site.
- 3) Storage of mobile homes or use for dwelling purposes in any zoning district.
- 4) The use of recreational equipment or motor homes for living, sleeping or housekeeping purposes when parked or stored in any zoning district.
- 5) ~~Motor vehicles, trailers and motorized equipment undergoing repairs or remodeling are prohibited to be in public view and shall be covered or kept within a shelter, provided, however, that this provision shall not take effect until said motor vehicle, trailer or motorized equipment has been in public view for one (1) week. A motor vehicle, trailer, or other motorized equipment undergoing repairs or remodeling shall be in public view for a period not to exceed one (1) week. Any such motorized equipment shall be covered or kept within a shelter.~~
- 6) Parking of a vehicle, trailer, or boat upon any premises in the city designated by the Missouri Department of Transportation as a "commuter lot" for the principal purpose of displaying such vehicle, ~~trailer~~trailer, or boat for sale.
- 7) Improved/paved parking areas cannot cover more than ~~thirty five (35)~~thirty-five35 percent (35%) of the required lot size less the footprint of the existing residence.

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**4.1.-13 – Minimum Required Off-Street Parking Spaces**

Except as otherwise expressly provided in this title, off-street parking spaces shall be provided with the parking ratio requirements of Table 4.1.-13 below. In no instance shall there be permitted, off-street parking in excess of ~~twenty~~ 20 percent (20%) of the off-street parking required in this title. If the designated use has two (2) or more parking ratio options, the option that requires the greater number of spaces shall be used. When computation of the required number of off-street parking spaces results in a requirement of a fraction space, a fraction of any amount shall be counted as one (1) space. Upon receiving a development application for a use not specifically listed in this title, the Public Works Director or his/her designee is authorized to apply the parking ratio specified for the listed use that he/she deems most similar to the proposed or establish a different minimum parking requirement on the basis of a Parking Demand Study.

Where floor area is the unit of measurement to determine the required number of off-street parking spaces, Gross Floor Area (GFA) shall be used. For the purposes of calculating required off-street parking spaces, designated outdoor dining, seating and sales areas shall be applied toward the floor area. When the number of employees is used as a measurement for determining the number of required parking spaces, it shall be based on the number of employees that can be expected to be on the premises during the largest shift, except as otherwise specified in this ordinance. The number of employees shall be based on the use activity operating at full capacity.

Table 4.1-13 Off-Street Parking Requirements

Use	Minimum Required Parking
<b>Single-family Dwellings</b>	
Single-family detached	2 per DU
Single-family attached	2 per DU
<b>Multi-family Dwellings</b>	
Multifamily Dwelling Fewer Than 5 Units	2 per DU
Multifamily Dwelling More Than 5 Units	2.25 per DU
Senior Housing	1 per 3 beds at capacity
Dwelling units located above ground floor as part of mixed use	2 per DU
Group homes	1 per 2 occupants
<b>Temporary Dwellings</b>	
Childcare facilities	1 per 300 GFA
Assisted living facility	1 per 2 occupants
Nursing homes	1 per 3 beds at capacity
<b>Hotels and Motels</b>	
Hotel	1.2 per room + <b>seventy-five percent (75%)</b> of requirement for any other use associated with the establishment
<b>Educational Uses</b>	
Nurseries or preschools	1 per 250 GFA
Schools (elementary, middle)	1.2 per classroom or 1 per 4 seats in main assembly area
Schools (high)	10 per classroom or 1 per 4 seats in main assembly area
Colleges and universities	1 per 200 GFA or 1 per 4 seats or as determined by PW director
Vocational and trade schools	1 per 200 GFA or 1 per 4 seats or as determined by PW director
<b>Religious</b>	
Places of worship	1 per 4 seats in main assembly area
Convents, monasteries and seminaries	1 per 4 seats in main assembly area
Cemeteries and mausoleums*	1 per 1.15 employees
Crematorium	1 per 300 GFA
Funeral homes (Personal Services)	1 per 4 seats in main assembly area
<b>Other Educational, Religious, Cultural</b>	
Library	1 per 500 GFA
Museums and Cultural Institutions	1 per 500 GFA
<b>Emergency Services*</b>	
Public Safety facility (police, fire, ambulance)	1.15 per employee
Municipal Buildings	1 per 200 GFA
<b>Recreation Uses</b>	
Health, athletic, recreation, and amusement facilities, indoor	1 per 200 GFA
Parks, playgrounds, and skating rinks publicly owned and operated	As determined by PW Director
Swimming pools, athletic fields, and other recreational facilities publicly owned and operated	As determined by PW Director
Amphitheatre, Bandshell, and Outdoor Theaters	1 per 4 seats in main assembly area
Swimming Pools and Aquatic Centers (Indoor and Outdoor) <b>privately owned and operated</b>	1 per 50 <b>sq/ftsq. ft.</b> of water surface area
<b>Private club, lodge, and recreation facilities</b>	
Golf Course	60 per 9 holes + <b>75%seventy-five percent (75%)</b> of requirement for any other use associated with the establishment

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Miniature Golf Course	3 per hole
Bowling	3 per lane + <del>75%</del> <b>seventy-five percent (75%)</b> of requirement for any other use associated with the establishment
Marina	1.25 per slip
<b>General Office Uses</b>	
Banks, no drive-in	1 per 200 GFA
Banks, drive-in	1 per 300 GFA
Drive-up Automatic tellers	none required
Post office*	1 per 200 GFA
Other general offices	1 per 200 GFA
<b>Professional Office Uses</b>	
Service oriented business office	1 per 200 GFA
Contractor's office	1 per 200 GFA
<b>Medical Uses</b>	
Acute care center	1 per 150 GFA
Hospital	3 per bed
Medical or Dental Office	1 per 200 GFA
<b>Services</b>	
Hair, nail, tanning, and personal care services	1 per 200 GFA
Service and repair, clothing, and small appliance	1 per 300 GFA
Mail, copying, parcel, and printing services	1 per 300 GFA
Tattoo parlors	1 per 300 GFA
All other personal service-oriented uses	<del>1 per 300 GFA</del>
<b>Laundries</b>	
Launderettes (self-service dry cleaning)	1 per 250 GFA
Dry cleaning, processing on premises	1 per 250 GFA
Dry cleaning, processing done elsewhere	1 per 250 GFA
Commercial laundries	1 per 250 GFA
<b>Animal Care Uses</b>	
Animal Hospitals	1 per 250 GFA
Kennels and Pet Daycares	1 per 300 GFA
Pet grooming	1 per 250 GFA
<b>General Retail</b>	
Mixed commercial center	1 per 250 GFA
Bakeries	1 per 200 GFA
Candy and ice cream stores	1 per 200 GFA
Grocery stores	1 per 200 GFA
Liquor stores, package goods only	1 per 200 GFA
Business and office equipment	1 per 200 GFA
Clothing and costume rental	1 per 200 GFA
Pet shops	1 per 200 GFA
Lighting stores	1 per 200 GFA
Open sales lots	1 per 200 GFA
Plumbing, heating and air conditioning	1 per 200 GFA
Sale of liquid fuels (stored underground)	1 per 200 GFA
Secondhand stores and rummage shops	1 per 200 GFA
Gun shops	1 per 200 GFA
Adult Uses	1 per 200 GFA
Other Retail	1 per 200 GFA
<b>Eating and Drinking Establishments</b>	

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Sit down Restaurants	1 per 200 GFA
Drive through Restaurants	1 per 300 GFA
Taverns and brewpubs	1 per 200 GFA
Delivery Only/Carry-Out Restaurants	1 per 300 GFA
Delicatessens	1 per 200 GFA
<b>Meeting facility or Banquet Hall</b>	
Banquet Hall	1 per 4 seats in main assembly area
<b>Motor Vehicle Uses</b>	
Gasoline service/sales	1.25 per pump plus <del>75%</del> <b>seventy-five percent (75%)</b> of requirement for any other use associated with the establishment
Vehicle repair and service	4 per 25/stall
Car wash	1 per washing bay
Vehicle sales and rental	1 per 600 GFA + 1 per 2,000 sq./ft. of outdoor sales display area
<b>Wholesale, Distribution, and Storage Facilities</b>	
Wholesale sales	1 per 2,000 GFA
Distribution center	1 per 2,000 GFA + 100% of requirement for any use associated with the establishment
Garden supply and seed stores	1 per 600 GFA + 1 per 2,000 sq./ft. of outdoor sales display area
Nurseries	1 per 600 GFA + 1 per 2,000 sq./ft. of outdoor sales display area
Lumber yards	1 per 600 GFA + 1 per 2,000 sq./ft. of outdoor sales display area
Contractor supply houses	1 per 800 GFA
Auction sales	1 per 4 seats in main assembly area
Nonhazardous inside storage	1 per 1,600 GFA
Nonhazardous outside storage	1 per 1,600 GFA
<b>Industrial Uses</b>	
Laboratories, medical and dental	1 per 600 GFA
Research laboratories	1 per 600 GFA
Light manufacturing	1 per 600 GFA
Breweries and distilleries	1 per 600 GFA + <del>75%</del> <b>seventy-five percent (75%)</b> of requirement for any use associated with the establishment
<b>Communications Antenna Uses</b>	
Radio, cellular and television towers (manned)	1 per 200 GFA
<b>Major Utility Uses</b>	
Electric distribution, electric substation	As determined by PW Director
Gas regulator stations	As determined by PW Director
Microwave relay towers	As determined by PW Director
Sewage lift stations	As determined by PW Director
Static transformer stations	As determined by PW Director
Telephone exchanges	As determined by PW Director
Telephone transmission, equipment buildings	As determined by PW Director
Water system facilities	As determined by PW Director
Wastewater treatment plants	As determined by PW Director
Energy generating stations	As determined by PW Director
<b>Transportation Uses</b>	
Bus stations, bus garages, bus lots	As determined by PW Director
Taxi stands	As determined by PW Director

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**4.1.-134 - Minimum Required Loading Spaces**

On the same premises with every building erected and occupied for retail business, manufacturing, storage, store, hotel, hospital or other uses similarly involving the receipt or distribution of vehicles, materials or merchandise, there shall be provided and maintained on the lot adequate space for standing, turning, loading, and unloading services in a manner that does not interfere with required parking and with the public use of streets and alleys. ~~The minimum number of loading spaces shall be provided according to the following schedule:~~

5 Floor Area	6 No. Required Loading Spaces
7 1 to 1,400 sq. ft.	8 1
9 1,401 to 20,000 sq. ft.	10 2
11 20,001 to 100,000 sq. ft.	12 2 + 1 space for each 20,000 sq. ft. in excess of 20,000 sq. ft.
13 100,001 to 500,000 sq. ft.	14 6 + 1 space for each 40,000 sq. ft. in excess of 100,000 sq. ft.
15 Over 500,000 sq. ft.	16 15 + 1 space for each 80,000 sq. ft. in excess of 500,000 sq. ft.

**4.1.-145 - Minimum Required Stacking Spaces**

**Stacking Spaces for Drive-Through Facilities**

**1) General Requirements**

~~Every use having a drive-through facility shall provide stacking spaces. The following general standards apply to all stacking spaces and drive-through facilities:~~

- a) ~~Stacking spaces and lanes for drive-through stations are not to impede on- and off-street traffic movement, are not to cross or pass through off-street parking areas and are not to impede pedestrian access to a public entrance of a building.~~
- b) ~~Drive-through lanes are to be separated from off-street parking areas. Individual lanes are to be striped, marked, or otherwise distinctly delineated.~~
- c) ~~Approach lanes for drive-through facilities are to have the following minimum dimensions:~~
  - i. ~~Nine feet (9') in width~~
  - ii. ~~Eighteen±8 feet (18') in length~~
- a) ~~All drive-through facilities are to be provided with a bypass lane with a minimum width of ten±0 feet (10').~~
- d)

**2) Requirements by Use**

Use	Minimum Stack	Measured From
Automated Teller Machine	Two (2) per machine	Teller Machine
Bank Teller Lane	Two (2) per lane	Teller or Window
Restaurant	Six (6) per order-box	Order-Box (four (4) 4-of the required spaces are to be located between the order-box and the pick-up window)be located between the order-box and pick up window, including the space at the order-box

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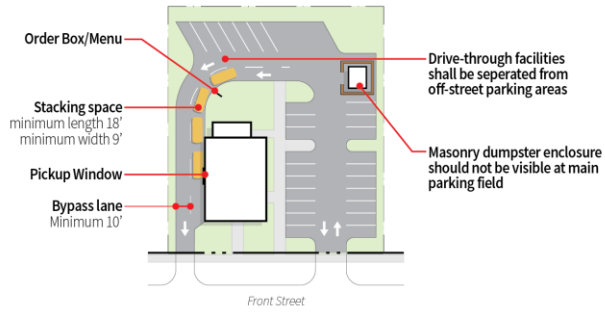
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Carwash Stall, automatic	Five (5) per stall	Entrance
Carwash Stall, manual	Two (2) per stall	Entrance
Other	At the discretion of the Director of Public Works	

**Stacking Spaces for Drive-Through Facilities**

4.1.15(1)



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#### 4.14.2 Landscaping Landscape Requirements

##### 4.2.1 - Planting Specifications

###### 1) General

Landscaping required by this ordinance shall mean living plants in a combination of trees, shrubs, and/or ground cover. Unless otherwise stated in this ordinance, all size specifications for plant materials shall be based upon the time of planting. When caliper is specified for tree planting, the caliper of the tree trunk shall be measured at ~~twelve (12)~~ ~~twelve (12)~~ inches (12") above the ground level. Any plant materials used to meet the requirements of this section shall not include any plant material determined by the state of Missouri as an invasive species.

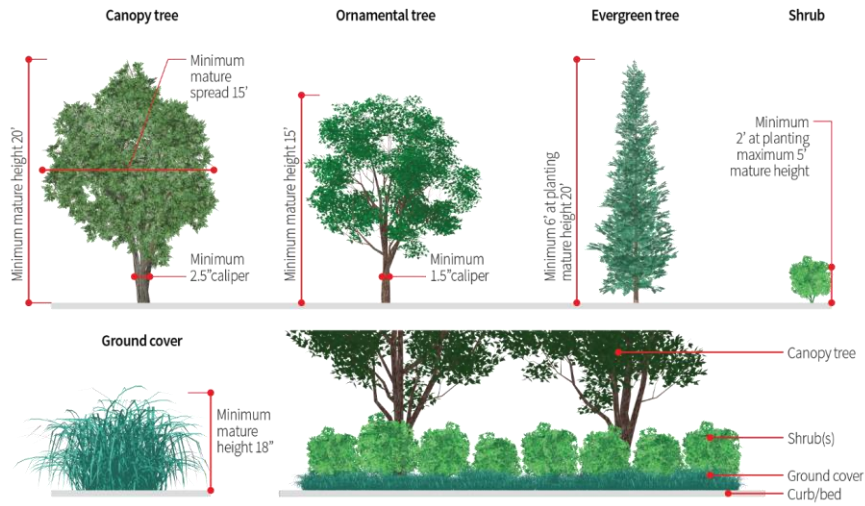
###### 2) Planting Types

- a) **Canopy trees:** A ~~self-supporting woody, deciduous~~ ~~hard wood~~ plant having not less than a ~~two and one-half inches (two and one-half (2½) 2.5")~~ ~~inch~~ caliper and reaches a mature height of not less than ~~twenty (20)~~ ~~twenty (20)~~ feet (20') and a mature spread of not less than ~~fifteen (15)~~ ~~fifteen (15)~~ feet (15').
- b) **Ornamental trees:** A ~~self-supporting woody, deciduous~~ ~~hard wood~~ plant having not less than a ~~one and one-half (1½)~~ ~~one and one-half (1.5)~~ inches (1.5") caliper and normally attains a mature height of at least ~~fifteen (15)~~ ~~fifteen (15)~~ feet (15') and usually has one ~~(1)~~ ~~(1)~~ main stem or trunk and many branches. Several species may appear to have several stems or trunks.
- c) **Evergreen trees:** A tree having foliage that persists and remains green throughout the year and having a height of not less than ~~six (6)~~ ~~feet (6')~~ ~~at installation~~ and maturing to a height of not less than ~~twenty (20)~~ ~~twenty (20)~~ feet (20').
- d) **Shrub:** A ~~self-supporting~~ woody perennial plant (deciduous or evergreen) of low to medium height characterized by multiple stems and branches continuous from its base and having a height of not less than ~~two (2)~~ ~~feet (2')~~ and normally maturing to a height of not more than ~~ten (10)~~ ~~five (5)~~ feet (5').
- e) **Ground cover:** Plants, other than turf grass, normally reaching an average maximum height of not more than ~~twenty-four (24)~~ ~~eighteen (18)~~ inches (18") at maturity.

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### Planting Types 4.2.1(2)

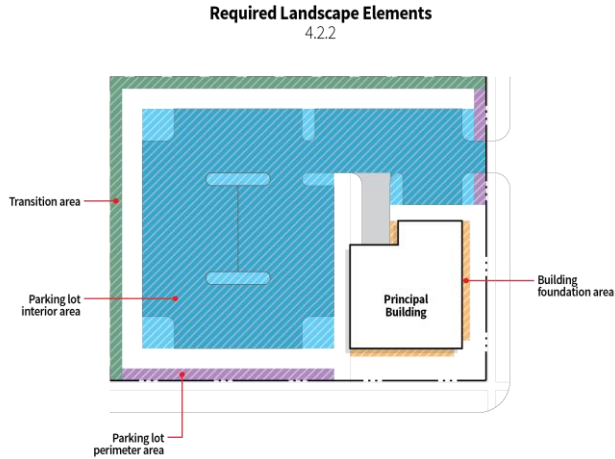


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**4.2.2 -- Screening Required Landscape Elements**

The graphic below illustrates the location of the landscape and screening requirements detailed in this section.



**1) Building Foundation Area**

- a) A multi-family residential, non-residential, or mixed-use development is required to maintain a building foundation area at front and corner side yards of five feet (5') at a minimum.
- b) Foundation plantings shall be designed to supplement buffer yard plantings to frame important views, while visually softening long expanses of walls. Foundation plantings shall respond to the windows and materials of the building.
- c) Foundation plantings shall be installed across sixty percent (60%) of the length of the façade of the building, except where walkways and driveways are located.
- d) A minimum four-foot-wide (4' wide) hedge row shall be planted with one (1) shrub every three feet (3') on center, spaced linearly. Foundation plantings may also include trees, additional shrubs, grasses, perennials, and groundcover.

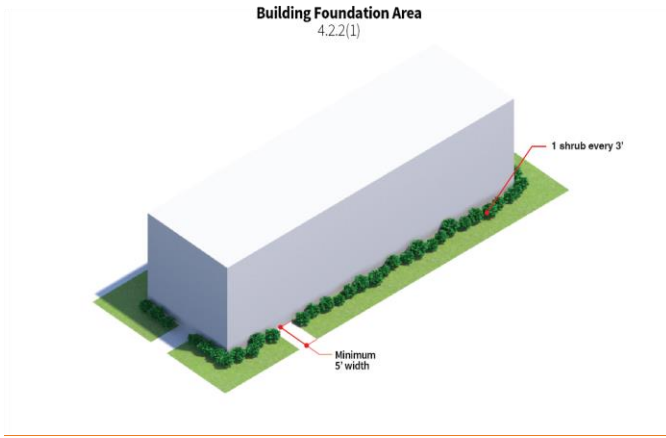
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**2) Parking Lot Perimeter Area**

All parking lots shall include landscaping and trees located on the perimeter of parking areas as required by this section. Trees and landscaping required by this section shall be in addition to trees and landscaping required under other sections of this ordinance. It is the objective of this section to provide screening between parking areas and street right-of-way.

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a) **Applicability.** The parking lot perimeter landscaping regulations of this section apply to all the following:

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- i. The construction or installation of any new surface parking lot or vehicular use area that is adjacent to street right-of-way; and
- ii. The expansion of any existing surface parking lot or vehicular use area that is adjacent to street right-of-way, in which case the requirements of this section apply only to the expanded area.

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b) **Exemptions.** Installation of parking lot perimeter landscaping is not required when the parking lot or vehicular use area is not visible from adjacent street right-of-way.

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c) **Requirements.** Perimeter landscaping is required for all parking lots and shall be established along the edge of the parking lot with a minimum depth of seven feet (7') as measured from the back of curb, to accommodate vehicle bumper overhang and ensure planting areas that are adequate in size.

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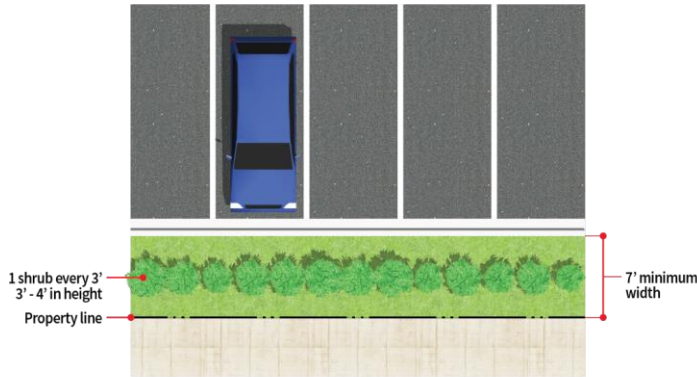
i. The landscape treatment shall run the full length of the parking lot and shall be located between the property line and the edge of the parking lot. All perimeter parking lot screening areas shall be protected with raised concrete curbs. Landscaped areas outside of shrub and tree masses shall be planted in live groundcover. The landscaped area shall be improved as follows:

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- i. One (1) shrub the height of which shall not be less than three feet (3') nor greater than four feet (4'), shall be planted for every three feet (3') of landscaped area length, spaced linearly to adequately screen vehicle bumpers (ideally creating a solid hedge row).
- ii. Alternatively, a low pedestrian wall or fence the height of which provides effective screening to a maximum height of three feet (3') may be used in conjunction with required landscaping. Plant materials shall be installed between the sidewalk and the fence or wall to provide a softening effect.

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**Parking Lot Perimeter Area**  
4.2.2(2)(c)



**3) Parking Lot Interior Area**

All parking lots shall include landscaping and trees located within the parking area as required by this section. Trees required by this section shall be in addition to trees and landscaping required under other sections of this ordinance. It is the objective of this section to provide shade within parking areas, break up large expanses of parking lot pavement, and provide a safe pedestrian environment.

- a) **Applicability.** The parking lot interior landscape regulations of this section apply to all the following:
  - i. The construction or installation of any new surface parking lot containing 8 or more parking spaces; and
  - ii. The expansion of any existing surface parking lot if the expansion would result in eight or more new parking spaces, in which case the requirements of this section apply only to the expanded area.
- b) **Requirements.** For parking lots consisting of 15 or more spaces, interior parking lot landscaping shall be required. For parking lots consisting of fewer than 15 spaces, all rows of parking shall be terminated by a parking lot island or landscaped area.
- c) **Amount.** One (1) parking lot island shall be provided between every 15 parking spaces. Parking lot island locations may be varied based on specific site requirements or design scheme, but the total number of islands shall be no less than the amount required one (1) island for every 15 spaces. However, all rows of parking spaces shall be terminated by a parking lot island or landscaped area.
- d) **Size and Planting of Parking Lot Islands.** Parking lot islands shall be the same dimension as the parking stall. Double rows of parking shall provide parking lot islands that are the same dimension as the double row. A minimum of one (1) canopy tree shall be provided for every parking lot island or landscaped area. If the island extends the width of a double row, then two (2) canopy trees shall be provided.
- e) **Design of Planting Areas.** Parking lot islands or landscaped areas shall be at least one hundred and forty-four (144) square feet (144 sq. ft.) in area and at least six inches (6") above the surface of the parking lot and protected with concrete curbing, except where designed specifically for the absorption of

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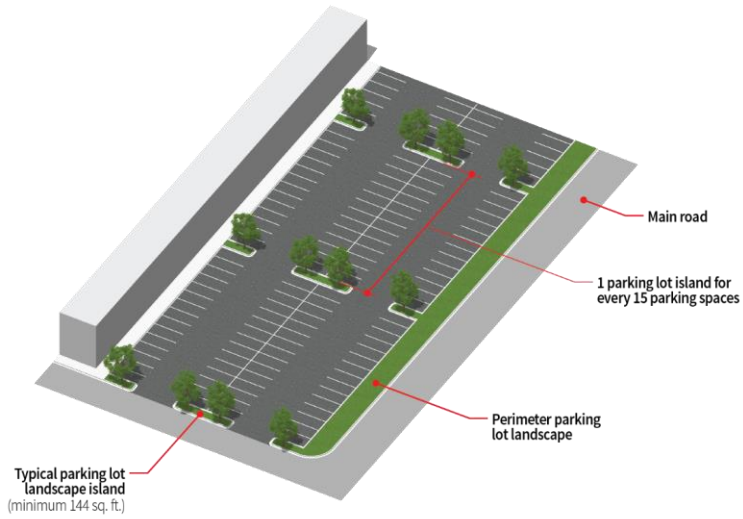
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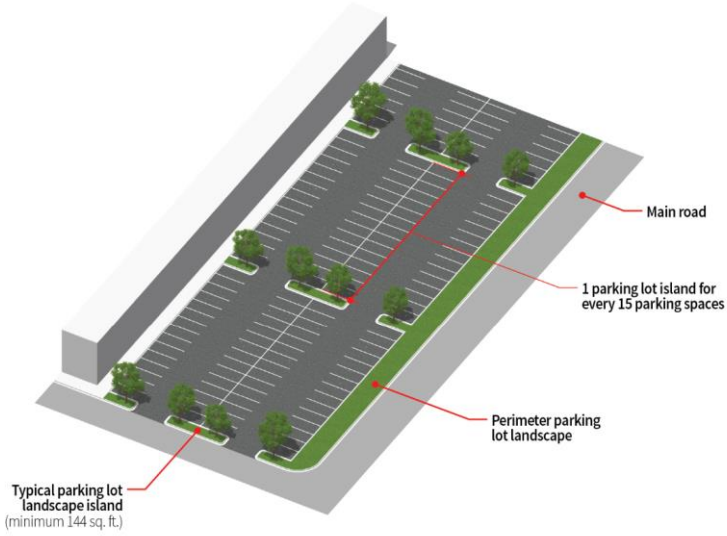
stormwater. Such islands and landscaped areas shall be properly drained and irrigated as appropriate to the site conditions to ensure survivability.

- f) **Type of Landscape Material.** Canopy trees shall be the primary plant materials used in parking lot islands and landscaped areas. Ornamental trees, evergreen trees, shrubs, groundcover, and other plant materials may be used to supplement the canopy tree plantings but shall not create visibility concerns for automobiles and pedestrians.
- g) **Groundcover.** A minimum of ~~seventy-five~~ 75 percent (75%) of every parking lot island shall be planted in groundcover.

**Parking Lot Interior Area**  
4.2.2(3)

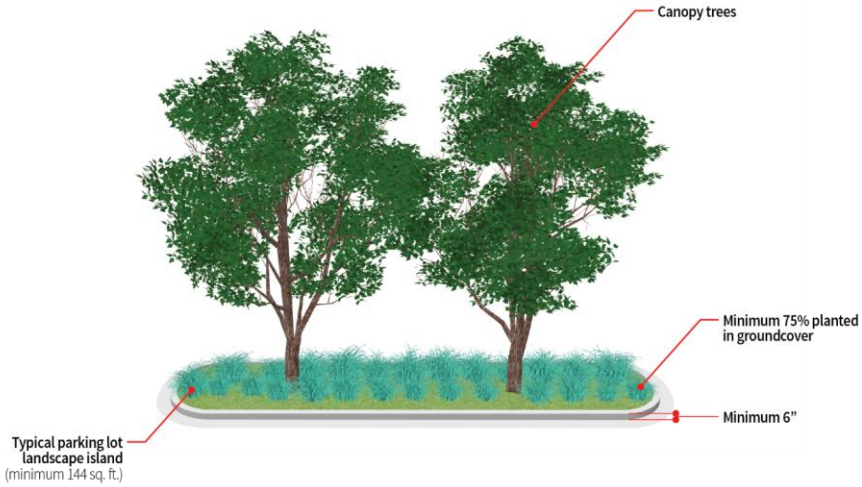


**Parking Lot Interior Area**  
4.2.2(3)



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### Typical Parking Lot Landscape Island (Double Row) 4.2.2(3)



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**4) Transition Area**

a) It is the objective of the transition area to minimize the land use conflicts between incompatible uses. It is not expected that the transition area will totally screen such uses. It is expected that the transition area design elements identified below will minimize land use conflicts and will enhance over time as landscaping matures. The transition area landscape regulations of this section apply along interior property lines in those instances expressly identified in this ordinance and only to the following activities:

- i. The construction or installation of any new principal building or principal use; and
- ii. The expansion of any existing principal building or principal use that results in an increase in gross floor area or site area improvements by more than five percent (5%) or one thousand square feet (1,000 sq. ft.), whichever is greater. In the case of expansions that trigger compliance with transition area requirements, transition area landscaping is required only in proportion to the degree of expansion. The Public Works Director or his/her designee is authorized to allow the transition area to be established adjacent to the area of expansion or to disperse transition area landscaping along the entire site transition area.

b) **Transition Area Types.** Four (4) transition yard types are established in recognition of the different contexts that may exist, as shown in the table below. Transition yards may include a combination of elements including setback distances for separation, planting types, solid fencing, groundcover, and turf. When an alley exists between two (2) lots that would typically require a transition yard, the width of the alley can be used toward the required transition yard, provided that all required landscaping is provided for at least the first five (5') of the yard, or the remainder of the required transition yard, whichever is greater.

Specifications	Transition Area A	Transition Area B	Transition Area C	Transition Area D
Min. Yard Width [1] (feet)	3	8	10	15
Min. Fence/Wall Height (feet)	6	6	6	6
<b>Min. Trees (per one hundred feet (100'))</b>				
Ornamental	Not required	3	4	4
Canopy/Evergreen	4	3	4	5
Shrubs (per one hundred feet (100'))	Not required	Not required	20	30
[1] Yard widths calculated on the basis of average per one hundred feet (100'), provided that the yard width at any point may not be less than fifty percent (50%) of the minimums stated in the table. Required zoning district setbacks may be counted toward satisfying transition yard widths.				

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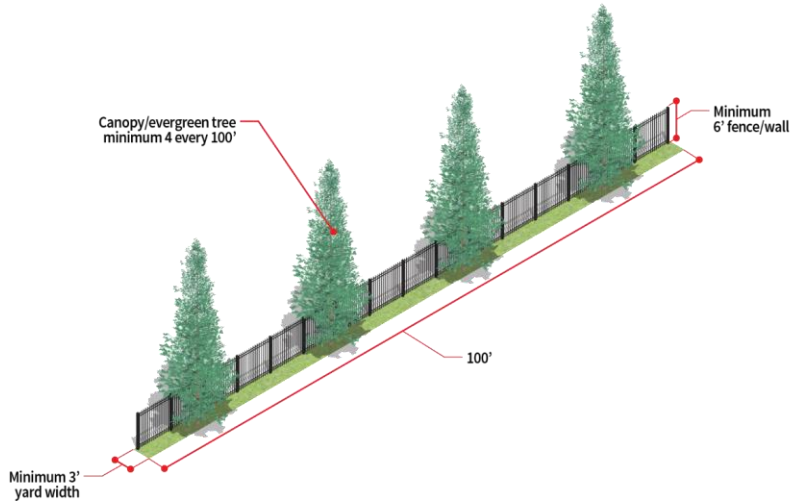
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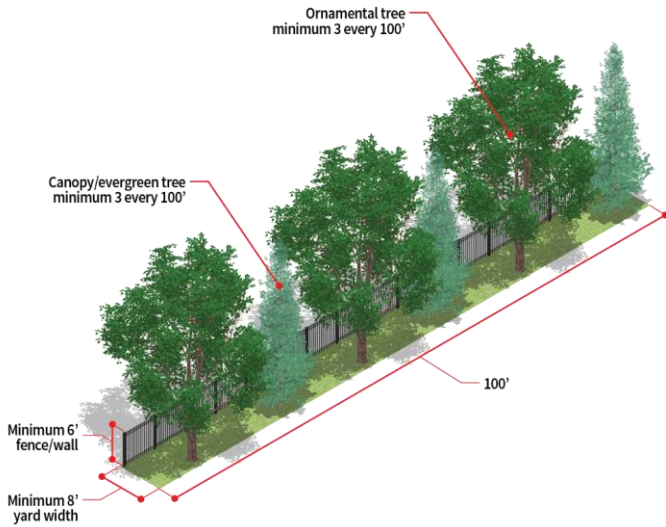
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**Transition Area - Type A**  
4.2.2(4)



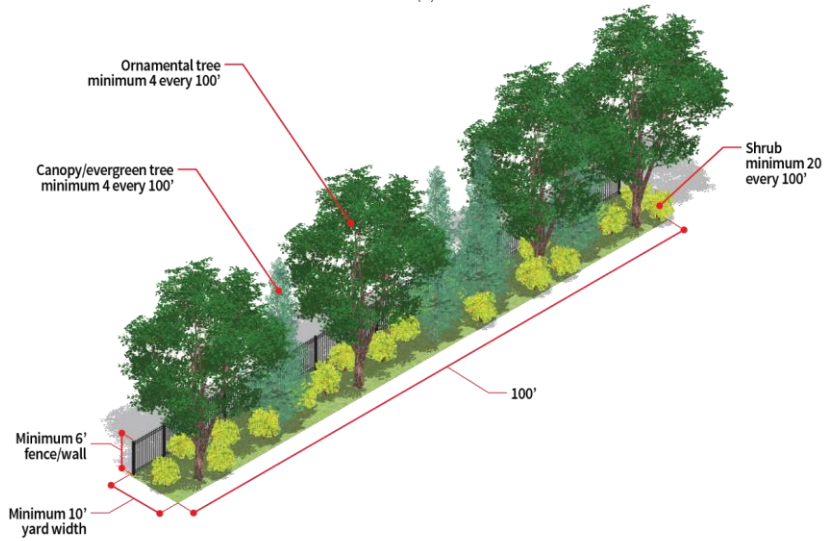
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**Transition Area - Type B**  
4.2.2(4)

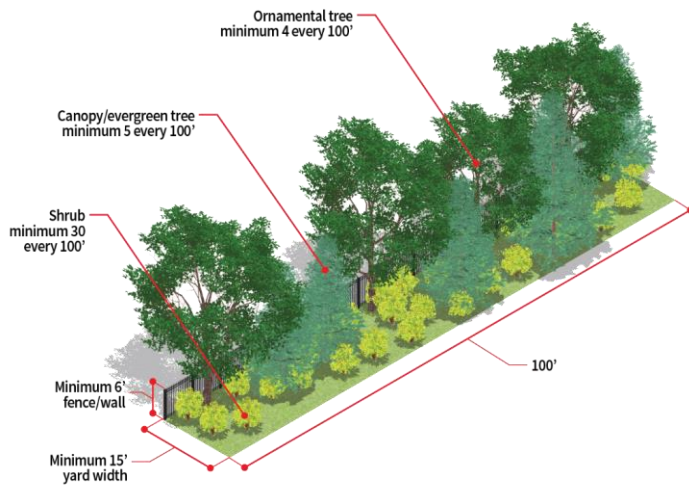


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**Transition Area - Type C**  
4.2.2(4)



**Transition Area - Type D**  
4.2.2(4)



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c) **Application of Transition Area Types.** Transition areas shall be provided based on the table below, except where adjacent uses are of a similar nature, scale, and intensity. As per the table, the type of required transition yard is dependent upon the land use type of the subject lot and the land use type of the adjacent lot(s). When the approved use of a lot would typically require a transition area of a certain type based on the table below, the Public Works Director or his/her designee may grant an Administrative Departure when a use is deemed not of a similar nature, scale, or intensity, but as a use with nominal impact on the character of uses in the adjacent zoning district. In this instance, the departure may be granted for one less intense type of area.

Subject Lot Land Use	Adjacent Lot Land Use					
	Open Space / Agriculture	Detached Single-Family	Attached Single-Family	Multi-Family	Business	Industrial
Open Space / Agriculture	None Required					
Detached Single-Family	None Required	None Required				
Attached Single-Family	Transition Area A	Transition Area A	None Required			
Multi-Family	Transition Area B	Transition Area B	Transition Area A	None Required		
Business	Transition Area C	Transition Area C	Transition Area B	Transition Area B	None Required	
Industrial	Transition Area D	Transition Area D	Transition Area C	Transition Area C	None Required	None Required

4.1.8-

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**4.2.-3 - 4.2.2.1 Screening Between Residential and Non-Residential Zoning Districts**

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*Where a non-residential use adjoins a residentially zoned property or property used for residential purposes in any district, the developer of the non-residential use shall provide the following screening within the required rear and/or side yard setback areas:*

*Within the setback area, there shall be a landscaped buffer planted with one (1) canopy tree for every thirty (30) lineal feet of common property line or planted with evergreen trees spaced so that such evergreen trees create a continuous visual screen within five (5) years after planting. Combination of canopy trees, evergreen trees, ornamental trees and shrubs are permissible and encouraged, provided that such landscaping, in the opinion of the enforcement officer, will effectively screen the non-residential uses from the view of the abutting residential zoned properties.*

*In addition, there shall be a neat, clean and maintained sight proof fence or wall having a minimum height of six (6) feet but not more than eight (8) feet. Where a loading area or access drive thereto is within fifty (50) feet of residentially zoned property, the fence shall be eight (8) feet in height.*

*In situations where a residential subdivision (more than three (3) lots) is constructed on a site that is adjacent to commercially or industrially zoned lot, the developer of the residential subdivision or development shall provide the following increase in setbacks and screening:*

*The minimum setback for the principal residential buildings shall be increased by fifteen (15) feet along the common property line separating the residential and commercial or industrial zoning district. A permanent buffer strip of a minimum of fifteen (15) feet shall be established adjacent to and parallel to the said common property line(s). This strip shall be indicated on the approved subdivision plat and/or development plan and annotated with the following statement: "This strip is reserved for landscape screening. The placement of buildings or other structures hereon is prohibited."*

*Within this buffer strip, there shall be a landscaped area planted with one (1) canopy tree for every thirty (30) lineal feet of common property line or planted with evergreen trees spaced so that such evergreen trees create a contiguous visual screen within five (5) years after planting. Combination of canopy trees, evergreen trees, and shrubs are permissible and encouraged, provided that such landscaping, in the opinion of the zoning enforcement officer, will effectively screen the non-residential property from the view of the residential subdivision or development.*

*In addition, there shall be a neat, clean, and maintained sight proof fence or wall having a minimum height of six (6) feet, but not more than eight (8) feet.*

**4.2.2.2 Screening of Building Mechanical or Electrical Equipment**

*Major mechanical and electrical systems should be located within the building envelope, if possible. In situations where this is not possible, the following screening standards shall apply to all building mechanical and electrical equipment located outdoors. Exception: Air conditioning units associated with individual residential dwellings need not comply with these screening requirements.*

*Ground-mounted equipment: Exterior equipment may be located at ground level, or depressed below ground level, so that the maximum height does not exceed eight (8) feet. The equipment shall not be visible between the ground level and six (6) feet above ground level of any street adjoining the property or from adjacent properties. Screening may be achieved with a wall that is consistent with and/or complementary to the exterior material of the principal building or with dense landscaping. In no case shall ground-mounted building equipment be located between the principal building and a public right-of-way or private street.*

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*Roof-mounted equipment: All rooftop building service equipment shall not be visible between the ground level and six (6) feet above ground level of any street adjoining the property or from adjacent properties. All mechanical equipment shall be screened by an integral element of the architectural design of the building or a separate permanently installed screen that harmonizes with the building in terms of material, color, size and shape. Rooftop equipment shall be permitted, without screening, if it is of a low profile design and in a location on the roof that is not visible between the ground level and six (6) feet above ground level of any street adjoining the property or from adjacent properties.*

*4.2.2.3 Screening of Refuse Disposal Containers*

*All dumpster, compactor and sanitary container equipment shall be fully screened from public view. Screening shall be provided on all four (4) sides with a masonry fence (brick, stone, or textured and pigmented concrete, with an opaque gate made of metal or wood, but excluding chain link or wire, having a minimum height of six (6) feet but not more than eight (8) feet. Enclosures that blend into the overall site design are encouraged. All refuse or disposable items must be contained or placed in the dumpster, compactor and/or sanitary container.*

*Landscaping of Off-Street Parking Areas*

*Landscaping Requirements for Parking Areas Adjacent to Streets*

*Where a parking lot, having thirty (30) or more parking spaces, is adjacent to or is visible from any public or private street, the entire frontage along said parking area, excluding entrance drives, shall be landscaped as follows:*

*One (1) canopy tree and four (4) shrubs shall be planted for every thirty (30) feet of frontage, to be located within a strip of land paralleling the adjacent street and having a width of not less than ten (10) feet. Trees do not have to be placed thirty (30) feet on center. Strategic placement and grouping of trees and shrubs is encouraged. Incorporation of ground cover in the planting scheme is also encouraged.*

*Other than turf grass or ground cover, landscaping of ground paralleling the adjacent street shall be located outside of the street right-of-way. The zoning enforcement officer may permit required landscaping within the street right-of-way if it can be demonstrated that no reasonable alternative exists and that written authorization is provided by any affected public agency or utility company that has jurisdiction over the right-of-way or has easement rights.*

*A maximum of fifty (50) percent of the required number of trees may consist of ornamental trees. The enforcement officer may authorize an increase in this percentage where canopy trees may interfere with overhead wires.*

*The planning and zoning commission may grant up to a fifty (50) percent reduction in the required number of trees and shrubs if earth sculpting, berms, or decorative screening walls are installed on private property along the frontage of the adjacent street to a height of not less than three (3) feet above the grade of the parking area and are designed to effectively screen the parking area yet avoid erosion, drainage or maintenance problems.*

*No landscaping, walls, or berm that exceeds twenty-four (24) inches in height shall be located within ten (10) feet of any parking lot access drive or otherwise located so as to interfere with the sight-distance visibility of vehicular traffic or pedestrians.*

*Landscaping Requirements for Interior Areas*

*A parking lot, having thirty (30) or more parking spaces, shall be landscaped as follows:*

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~~One (1) canopy or ornamental tree shall be planted and maintained within the interior parking area for every four thousand (4,000) square feet of parking provided. In order to qualify as interior landscaped area, said area shall be located wholly within or projecting inward from the boundaries of the parking area. The landscaped strip, as required under paragraph (A) above, shall not qualify as an interior landscaped area, regardless of its width or depth.~~

~~A maximum of fifty (50) percent of the required number of trees may consist of ornamental and/or evergreen trees.~~

~~Individual interior landscaped areas shall have a minimum area of least one hundred and seventy (170) square feet.~~

~~The ends of parking rows shall be provided with landscape planting areas.~~

~~Parking rows shall not exceed fifteen (15) spaces without the provision of a landscape planting area.~~

~~Protection of Landscaping~~

~~Landscaped areas shall be protected from the encroachment of motor vehicles by placing, along the entire perimeter of the landscaped area, a six-inch concrete curb or other curbing material approved by the zoning enforcement officer.~~

#### **Installation and Maintenance of Landscaped Areas**

- 1) Immediately upon planting, all trees shall conform to the American Standard for Nurserymen, published by the American Association of Nurserymen, Inc., as revised from time to time.
- 2) ~~All new landscaped areas shall be installed prior to the occupancy or use of the building or premises, or substantial completion of the building so as to allow for occupancy; or if the time of the season or weather conditions is not conducive to planting, the Public Works Director or his/her designee may authorize a delay for such planting up to six (6) months after occupancy or use of the buildings or premises. Dead plant materials shall be replaced up to eighteen (18) months after the completion of constructing the landscaped area with living plant material, taking into consideration the season of the year, and shall have at least the same quantity and quality of landscaping as initially approved. Dead plant materials shall be replaced within a sixty (60-day) taking into consideration the season of the year and shall have at least the same quantity and quality of landscaping as initially approved.~~ If the particular project is constructed in more than one (1) phase, the ~~18-month~~sixty-day (60-day) 60-day timeframe shall apply to each individual phase.
- 3) All landscaping and screening shall be maintained in a healthy, neat, trimmed, clean, and weed-free condition. The ground surface of landscaped areas shall be covered with either grass-turf and/or other types of pervious ground-cover located beneath and surrounding the trees and shrubs.
- 4) Any required landscaped area, greater than ~~one hundred and fifty (150)~~one hundred and fifty (150 sq. ft.) square feet in area, shall be provided with an underground irrigation system or be provided with a portable water supply within ~~fifty (50)~~fifty (50) feet (50') of said landscaped areas. ~~No part of an irrigation system may be installed in City right-of-way.~~

#### **4.2.4 – Existing Parking Lot Landscape**

~~For existing parking lots that currently do not comply with the required parking lot landscaping, such landscaping shall be provided when:~~

- 1) ~~A new principal building or building addition is constructed, or exterior remodeling of the principal building occurs.~~
- 2) ~~Over fifty (50) percent (50%) of the total area of an existing parking lot is reconstructed. Resealing or re-striping of an existing parking lot, which does not entail paving or resurfacing by replacement of the asphalt or concrete, shall not be subject to this requirement.~~

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- 3) ~~When an existing parking lot under 10,000 ten thousand square feet (10,000 sq. ft.) in area is expanded by fifty50 percent (50%) or more in total surface area.~~
- 4) ~~When an existing parking lot over 10,000 ten thousand square feet (10,000 sq. ft.) in area is expanded by twenty-five25 percent (25%) or more in total surface area.~~

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### 4.3 Screening Requirements

#### 4.3.1 - Screening of Trash and Recycling Receptacles

For all uses, except any individual lot occupied by a single-family or two-family dwelling, using a common trash receptacle and all nonresidential uses:

- 1) Solid material screening or full screening landscape on three (3) sides to a height that screens the containers, having a minimum height of six feet (6').
- 2) Materials used for screening shall complement the architecture of the principal structure. The use of materials that are not solid, such as slats in chain-link, shall not be used to meet this requirement.
- 3) Materials and elevations for enclosures that are attached to buildings shall be designed to be **compatible integrated with into** the main structure.
- 4) If enclosures are to be attached to buildings, they shall comply with applicable fire and building codes.
- 5) Enclosure openings directly visible from a public right-of-way and/or adjoining residential areas shall have a solid material gate. For larger enclosure areas, a separate gate access is encouraged.
- 6) Access drives shall be constructed of material and thickness to accommodate truck loading. Year-round accessibility to the enclosure area for service trucks shall be maintained by the property owner or tenant.
- 7) Enclosures shall be of an adequate size to accommodate expected containers. It is encouraged to design the enclosure area to be expandable to accommodate future additional containers.
- 8) Enclosure structures shall be designed to protect the walls from damage by containers. Such protection may be provided by use of barrier curbing, reinforced masonry walls, or other similar means.
- 9) Trash enclosures shall not be located within a required street front or street side setbacks or occupy area used for required parking spaces.

#### 4.3.2 - Outdoor Storage and Display Area

- 1) All outdoor storage areas must be completely screened by an opaque masonry wall (stone, stucco, or brick) or a solid wood screen fence no less than five feet (5') and no more than six feet (6') in height. Where feasible, plant materials should be installed along the fence or wall located along the public right-of-way to provide a softening effect.
- 2) When the rear or interior side yard of an outdoor display area abuts a residential district, or the rear yard is separated from a residential district by an alley, the outdoor display area must be effectively screened from view by an opaque masonry wall (stone, stucco, or brick), a solid wood or simulated wood screen fence or dense evergreen hedge no less than five feet (5') and no more than six feet (6') in height.
- 3) Growing areas for nursery stock located in the front or corner side yard are considered to meet screening requirements.

#### 4.3.3 - Screening of Ground Mounted Mechanical Units

For all uses, except any individual lot occupied by a single-family, two-family, or three-family dwelling, all ground-mounted mechanical units, including but not limited to air-conditioning condensers, heat pumps, ventilation units, computer cooling equipment, etc., and any related utility structures and equipment, that are visible from any adjacent public thoroughfare shall be visibly screened from public view. The screen shall be designed and established so that the area or element being screened is no more than ~~twenty20 percent (20%)~~ visible through the screen.

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**4.3.4 - Screening of Roof Mounted Mechanical Units**

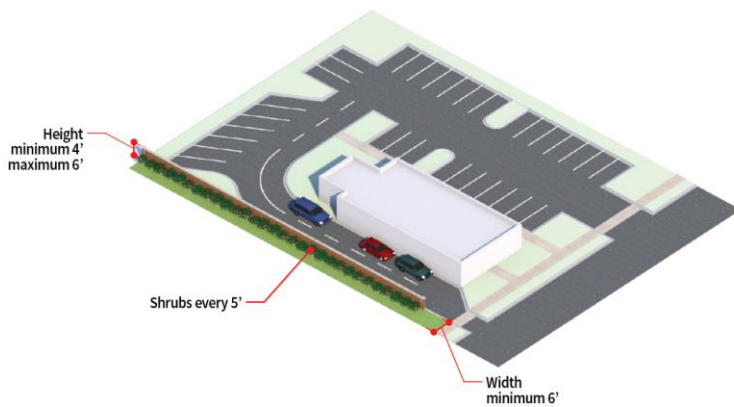
All roof-mounted mechanical units shall be screened from adjacent public thoroughfares using an opaque screening material compatible with the architecture of the building or architecturally designed screening such as a parapet wall. The screening of the roof-mounted units shall be designed to blend with the building and roof materials. Additional screening may be required due to topographic differences in the adjoining properties.

**4.3.5 - Drive-Through Facility**

Drive aisles of drive-through facilities must be effectively screened from view along the public right-of-way and at the edges of sites adjacent to residential properties to minimize the impact of exterior site lighting, headlight glare and any menu intercom displays. Such screening must be approved during the site plan review process, be a minimum of six feet (6') in width, and must consist of an opaque masonry wall (stone, stucco, or brick), a solid wood or simulated wood screen fence with a minimum height of four feet (4') and a maximum height of six feet (6'). Small shrubs must be installed every five feet (5') along the exterior of the fence or wall to provide a softening effect.

**Drive-Through Facility Screening**

4.3.5



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## 4.4 Fence Regulations

### 4.4.1 - Permit Required

Except for fences approved under the conditional use permit procedure or planned development procedure, a permit issued by the Public Works Director or his/her designee shall be required for the construction of a fence. Said permit shall be issued upon determination by the Public Works Director or his/her designee that the proposed fence installation complies with the requirements of this section.

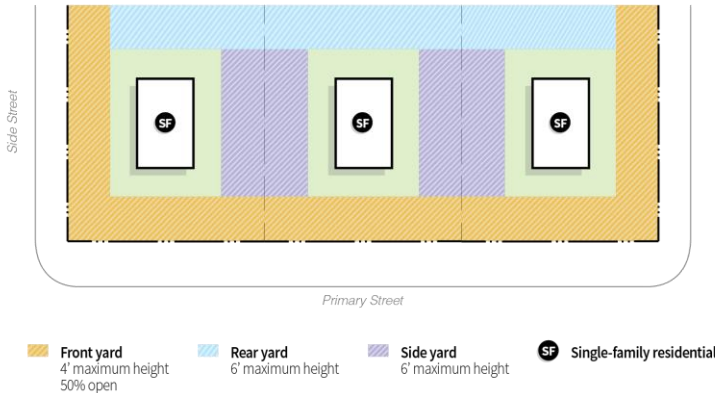
### 4.4.2 - Fence Height and Location

#### 1) Residential Districts

- a) **Interior lots:** Fences, having a height of not more than six ~~(6)~~ feet (6'), are permitted in the rear yard and side yards, provided that a fence, greater than four ~~(4)~~ feet (4') in height, ~~that is~~ located in a side yard shall not extend beyond either the established front face of the principal building on the lot or the principal building on an adjoining lot, whichever is closest to the street.
- b) **Corner lots:** Fences, having a height of not more than six ~~(6)~~ feet (6'), are permitted in the rear and side yards, provided that a fence, greater than four ~~(4)~~ feet (4') in height, shall not extend beyond either the established front face (oriented to either street) of the principal building on the lot or the principal building on the adjoining lot, whichever is closest to the street.
- c) **Through lots:** Fences, having a height of not more than six ~~(6)~~ feet (6'), are permitted in the yard adjacent to the right-of-way that does not serve as the access to the lot and for all intents and purposes is used as the "rear" yard, provided that fences greater than three ~~(3)~~ feet (3') in height shall not extend beyond the established front building line of a lot fronting onto such right-of-way and located within the same block, or the minimum front building setback line of such lot, if not developed.
- d) **Front yards:** Fences, having a height of not more than four ~~(4)~~ feet (4'), are permitted in front yards, provided that such fences shall be of non-sight barrier construction (e.g., post and rail fences) a minimum of ~~fifty~~ 50 percent (50%) of which shall be open. ~~Such fences shall comply with the requirements of Section 5.16 of this ordinance.~~

### Residential Fence Location

4.4.2(1)



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- 2) **Non-Residential Districts.** In any non-residential district, no fence shall exceed six ~~(6)~~ feet ~~(6')~~ in height except as otherwise provided for in this ordinance. In non-residential districts, fences are permitted in any yard, with the following limitations:
- Except for the PD-LI district, fences in the front yard shall be limited to low masonry walls of architectural quality (brick, stone, or textured and pigmented concrete). The height of such fences shall not exceed four ~~(4)~~ feet ~~(4')~~ in height except columns, that are integral to the fence design, may exceed four ~~(4)~~ feet ~~(4')~~.

#### 4.4.3 - Exceptions

- Recreational courts may be bounded by an open (no slats) chain link fence up to ~~ten (10)~~ ~~ten (10)~~ feet ~~(10')~~ in height, provided that such fences be located at least ~~twenty (20)~~ ~~twenty (20)~~ feet ~~(20')~~ from any abutting residential property. Such fences in any residential district shall be located within the rear yard.
- Fences (or walls), used as a decorative feature and/or as a backdrop to an identification sign for a subdivision or planned development entrance, may exceed the above stated maximum heights, subject to the requirements and procedures of the city's sign regulations (see Appendix D, City of Sunset Hills Code of Ordinances).

#### 4.4.4 - Fence Materials

- Except as otherwise provided for in paragraph ~~(B)~~ 2 below, fence material shall be that which is designed and intended for use in fence installations, including decorative masonry (e.g., brick, stone, or textured and pigmented concrete). ~~All wire, chain link, or makeshift material such as 2" x 4" lumber and plywood is shall be prohibited-not permitted,~~ except for temporary protective barriers on properties undergoing construction or demolition activities. All fences shall be maintained in a structurally sound condition and otherwise in a neat and clean appearance.
- ~~All wire and chain link,~~ Barbed or razor wire shall not constitute any part of a fence in any district, except ~~when used to screen recreational courts or~~ as may be approved by ~~board~~ Board of ~~aldermen~~ Aldermen in a ~~PD-LI~~ the LI district.

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**4.4.5 - Fences Surrounding Swimming Pools**

Swimming pools shall be ~~completely surrounded~~surrounded with a protective barrier in accordance with Saint Louis County Building Code as amended from time to time.

**4.4.6 - Fences at Street Intersections**

Fences, at or near street intersections or access private drives, shall be erected or placed in such a manner as to materially obstruct or impede vision between a height of two and one-half (2.5) and ten (10) feet above the center line grades of the intersection streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines twelve (12) feet from the point of intersection.

### 4.5 – Permitted Encroachments.

No obstructions shall be permitted in any yard required by this title. However, the following shall not be considered obstructions when located in the required yards specified, subject to the applicable requirements of Table 4.5 below.

TABLE 4.5: PERMITTED ENCROACHMENTS			
Encroachment	Front Yard	Side Yard	Rear Yard
Accessory buildings and uses as provided in Section 4.6 of this title	No	No	Yes
Advertising signs, devices, and nameplates in accordance with Chapter 3 of this title;	Yes	No	No
Agricultural use	Yes - Excludes buildings & structures		
Air conditioning compressors	Yes	Yes	Yes
Arbors, trellises, trees, shrubs, and similar landscaping features	Yes	Yes	Yes
Awnings or canopies	Projecting $\leq$ twenty-five percent (25%) of required yard depth		
Bay windows	Projecting $\leq$ three feet (3') into required yard	No	Projecting $\leq$ three feet (3') into required yard
Canopies over fuel pumps; fuel, air, and water pumps in conjunction with automobile service stations	Set back $\geq$ thirteen feet (13') from front lot line	No	No
Chimneys	Projecting $\leq$ two feet (2') into required yard		
Detached residential garages and carports	No	No	Yes
Eaves and Gutters	Yes	Projecting $\leq$ 2 feet (2') into required yard	Yes. Accessory structure eaves & gutters set back $\geq$ two feet (2'), 2 ft from lot line.
Fences as provided in Section 4.4 of this title	Yes	Yes	Yes
Off-street parking facilities as provided in 4.1 of this title	No	Yes	Yes
Balconies, open porches, terraces, and decks	Projecting $\leq$ 10 feet (10') into required yard	No	Yes
Refuse storage areas (dumpsters)	No	Yes <sub>1</sub>	Yes
Sills, belt cornices, and other similar architectural features	Extending $\leq$ 18' eighteen feet (18') into required yard		
Steps, fire escapes, ramps necessary for access	Yes	Yes	Yes
Swimming pools, tennis courts and other similar recreational facilities	No	No	Yes
Storage buildings permitted as accessory structures	No	No	Yes

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1. If in side yard, must be screened from view from public and/or private streets, as approved by the Public Works Director or his/her designee.

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#### 4.6 – Building Coverage Exceptions

Building coverage may be increased up to fifty (50) percent only upon approval of a variance by an affirmative vote of the members of the board of adjustment pursuant to the procedures and requirements of Section 9 of this ordinance.

##### Height Exceptions

Penthouses or roof structures, structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, individual domestic radio and television aerials and wireless masts, water tanks or similar structures may be erected above the height limits prescribed in the district regulations, subject to the limitations hereinafter provided. Subject to approval by the planning and zoning commission, penthouses, or any other structures herein referred to may be erected to any safe and otherwise lawful height above the height of the building, but shall not exceed sixteen (16) feet. All rooftop structures shall be screened in accordance with the requirements of Section 5.13-3 of this ordinance.

##### Setback Exceptions

###### General Setback Exceptions

Every part of a yard between the property lines and the required building setback line shall be unoccupied and unobstructed by any structure or portion of a structure from ground level of the graded lot upward, except for:

###### All yards:

Hedges, flagpoles and other customary yard accessories and ornaments are permitted in any yard subject to location and size limitations, height limitations and requirements limiting obstruction of visibility contained in this ordinance.

Steps, ramps, or wheelchair lifts, four (4) feet or less above grade, which are necessary for access to a permitted building or structure, or for access to a lot from a street or alley. Guardrails, not exceeding forty-two (42) inches above the walking surface, are permitted as well.

Awnings and canopies, projecting three (3) feet or less into the required yard setback.

Ordinary projections of chimneys or other vent pipes that are suitably concealed, projecting eighteen (18) inches or less into the required yard setback.

Fences, subject to the requirements of Section 5.14, "Fence Regulations."

Off-street parking areas and access drives (see Section 6 for limitations on the location for such areas);

Traffic control devices, pad-mounted transformers, service pedestals, splice boxes and similar appurtenances required for underground utility and cable systems.

Modular or timber retaining walls.

###### Front yards:

An open, unenclosed porch or paved terrace without a roof or canopy may project into a front yard for a distance not exceeding ten (10) feet, but excluding porches which may be enclosed by removable windows, or fixed canopies.

One-story bay windows projecting three (3) feet or less into the required front yard setback.

Overhanging eaves and gutters projecting four (4) feet or less into the required front yard setback.

Signs, subject to the regulations contained in Appendix D, City of Sunset Hills Code of Ordinances.

###### Rear yards:

An elevated deck, covered or uncovered, provided that such deck shall not be enclosed nor shall extend into the required rear yard setback by more than ten (10) feet.

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Accessory buildings, detached from the principal building, and located more than ten (10) feet from the principal building;

Antennae (receive only home or business television antennae) and satellite earth station antennae less than two (2) meters in diameter;

One-story bay windows projecting three (3) feet or less into the required rear yard setback;

Overhanging eaves and gutters projecting four (4) feet or less into the required rear yard setback;

Children's recreational equipment;

Laundry drying lines;

Air conditioning equipment;

Side yards:

Overhanging eaves and gutters projecting into the required side yard setback for a distance not to exceed twenty-four (24) inches;

Air conditioning equipment located not less than two (2) feet from the edge of the building and not less than two (2) feet from the side lot line;

Setbacks Established by Recorded Subdivision Plat

Where a recorded subdivision plat establishes a building setback line that is greater than that required by the applicable district regulations, the recorded subdivision setback requirement shall be the minimum setback;

### Accessory Uses, Buildings, and Structures.

#### 4.6.1-Permitted Accessory Uses, Buildings, and Structures

A permitted accessory use is any use or structure which complies with the definition of "Accessory Use, Building, or Structure, Permanent" or "Accessory Use, Building, or Structure, Temporary" contained in Section 15, "Definitions," including but not limited to, the following typical uses:

TABLE 4.6-1: PERMITTED ACCESSORY USES, BUILDINGS, AND STRUCTURES			
Accessory Use, Building, or Structure	Permanent	Temporary	Reference
Antennae (receive only home or business television antennae) and satellite earth station antennae less than two (2) meters in diameter;	X		
Children's playhouses;	X		
Garages;	X		
Gardens;	X		
Outdoor swimming pools and hot tubs;	X		
Private recreation facilities, including tennis courts, provided that such facilities shall not be lighted if located in any residential district;	X		
Stables located within a residential district, if they are located on lots containing two (2) acres or more of open space per horse and where such open space is fenced and available to the horses.	X		
Statuary, arbors, trellises, barbecue stoves, and dog houses.	X		
Temporary portable outdoor storage units		X	5.10

Servant quarters;

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4.6.2- Location, Dimensional, and Other Requirements

1) Residential and Planned Developments with Residential Uses

- a) ~~All accessory structures shall be located a minimum of ten feet (10') from the principal building.~~
- b) Any accessory structures not located entirely in the required rear yard must comply with the side yard setback requirements of the primary structure and shall not be closer than five feet (5') from the rear property line.
- c) All accessory structures and uses located entirely in the required rear yard setback shall not be closer than five feet (5') from the property line.
- d) No accessory structure or portion thereof shall be located in the required side or front yards.
- e) When an existing principal structure has a standard side yard setback, then the side or rear setback for the accessory structure or use shall not be less than the side setback of the principal building.
- f) Where an accessory structure is structurally attached to the principal building, it shall comply with the setback requirements that apply to the principal building.
- g) The architectural style of garages shall complement the principal building and shall not exceed the height of the principal building or ~~twenty-four (24) feet (18')~~ ~~eighteen (18) feet (18')~~, whichever is less. ~~No garage shall be greater than one-thousand two hundred square feet (1,200 sq. ft.).~~
- h) A structure for storage or a greenhouse, that is accessory to a single-family residential building, shall not exceed ~~two hundred fifty (250) square feet (250 sq. ft.)~~ ~~two hundred and fifty (250) square feet (250 sq. ft.)~~ in gross floor area nor exceed ~~eighteen (18) feet (18')~~ ~~eighteen (18) feet (18')~~ in height.
- i) ~~No more than two (2) temporary storage structures per residential lot are permitted for lots ranging in size from four thousand three hundred fifty six (4,356) square feet (4,356 sq. ft.) to eighty seven thousand one hundred nineteen (87,119) square feet (87,119 sq. ft.) in R-1, R-2, R-3, R-4, R-5, R-6 or NU Districts any residential district. For lots of two (2) acres or more, two (2) additional temporary storage structures shall be permitted for each full increment of forty three thousand five hundred and sixty (43,560) square feet (43,560 sq. ft.) of land area.~~

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2) Non-Residential Districts

- a) All accessory structures and uses shall be located behind the front of the principal building.
- b) No accessory structure or use shall be located closer to the side or rear property line than the side yard setback dimension established for the particular zoning district.
- c) Parking structures, whether attached to or detached from the principal building, shall comply with the setback requirements for the principal building.
- d) No outdoor display of merchandise is permitted, except for a business in premises of at least ~~one hundred thousand (100,000) square feet (100,000 sq. ft.)~~ ~~one hundred thousand (100,000) square feet (100,000 sq. ft.)~~ located in a ~~shopping center in a PD District planned commercial development, thirty-five (35) acres~~ ~~thirty-five (35) acres~~ or more in area. Further, said display shall be limited to seasonal merchandise only. Outdoor sales and display for such a business may occur on the sidewalk area immediately in front of such business, limited to the free space, not including a six-foot (6') wide pedestrian walkway. Outdoor sales and displays for such a business may occur in a portion of the parking lot proximate to such business, subject to ~~conditional use permit~~ ~~Board~~ approval and provided that no more than ~~forty-four (44) percent (20%) of required~~ ~~twenty (20) percent (20%) of required~~ parking spaces be utilized for such outdoor sales and displays.

3) Other Use Limitations

- a) No accessory structure shall be constructed and occupied on any lot prior to the time of the completion of the construction of the principal structure to which it is accessory.

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- b) Accessory uses customarily incidental to residential uses, such as the use of a lot or portion thereof of a lot for a vegetable or flower garden and the keeping of domesticated animals are permitted, but not on a commercial basis or that creates a nuisance to adjacent or nearby residents.  
—No garage, attached or detached, shall be used for, or converted to habitable space.

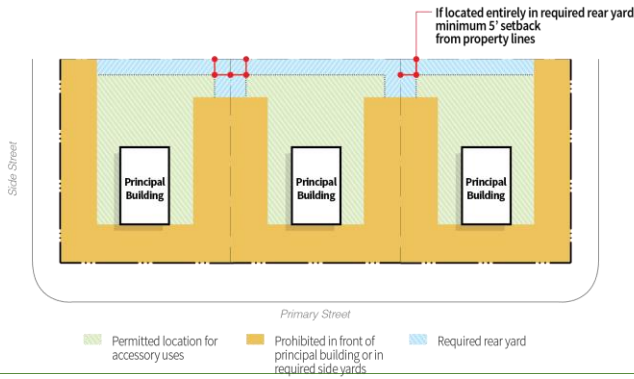
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### Residential Accessory Uses and Structures Permitted Location

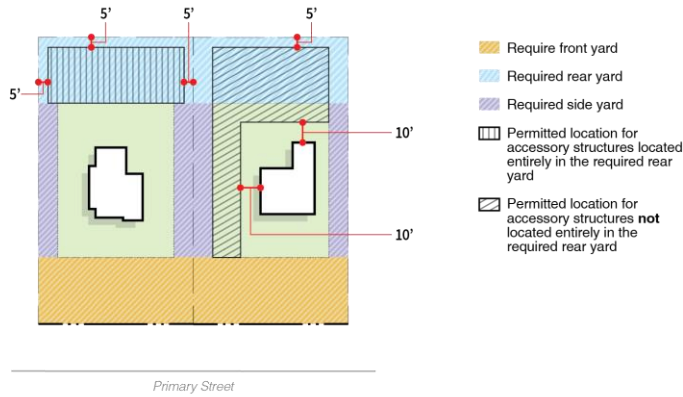
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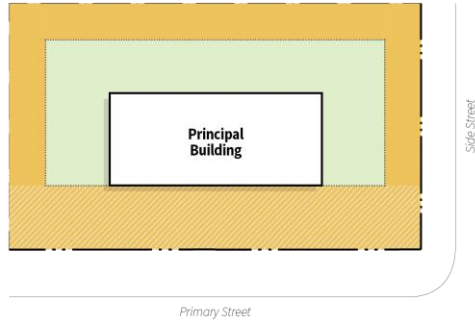
### Permitted Locations for Accessory Structures

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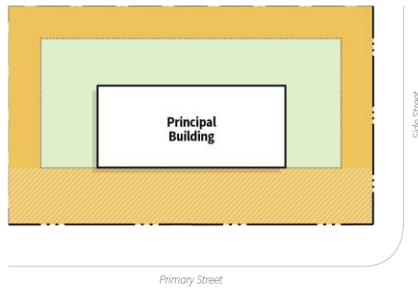
**Non-Residential Accessory Uses and Structures Permitted Location**  
4.6.2(2)



- Permitted location for accessory uses
- Not permitted in front of principal building
- Not permitted closer to side/rear property line than side yard setback

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**Non-Residential Accessory Uses and Structures Permitted Location**  
4.4.2(2)



- Permitted location for accessory uses
- Not permitted in front of principal building
- Not permitted closer to side/rear property line than side yard setback

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### Number of Principal Buildings on a Lot.

Except for detached one-family and two-family dwellings, more than one (±) principal building may be located on the same lot provided that density and dimensional requirements of this ordinance shall be met for each principal building as though they were on individual lots.

### 4.8 – Conformity with Dimensional and Off-Street Parking Regulations.

- 1) The maintenance of yards, other open space and minimum lot area required for a structure shall be a continuing obligation of the owner of such property on which it is located as long as the structure is in existence.
- 2) No required yards, other open space, or minimum lot area allocated to any structure, shall be used to satisfy required yards, other open spaces, or minimum lot area requirements for any other structure.
- 3) There shall be no obstructions permitted in required yards except as hereinafter set forth in this ordinance.
- 4) Except as provided for in Section 64.1, "Off-Street Parking and Loading Requirements," no required off-street parking area required for a use on a lot shall be used to satisfy the required off-street parking for a use of another lot.

### 4.9 – Building Grades.

Any building requiring yard space shall be located at such an elevation that a sloping grade shall be maintained to cause the flow of surface water to run away from the walls of the building but in such a manner as not to cause runoff of surface water to cause damage to adjacent properties.

### 4.10 – Home Occupations.

Home occupations may be permitted as an accessory use to a residential use in any district subject to the requirements of this section.

#### 4.10.1 – Restrictions and Limitations

- 1) The use of the dwelling for a home occupation shall be incidental and subordinate to its use for residential purposes by its occupants.
- 2) ~~No alteration of the exterior of the principal residential building shall be which changes the character thereof as a residence, or presents other visible evidence of conduct of the home occupation. The exterior of the principal residential building shall not be altered in a manner which changes the character of the building as a residence or otherwise presents visible evidence of conduct of the home occupation.~~
- 3) Home occupations shall not be permitted to have signs of any type.
- 4) The outdoor storage, storage in garages or in unattached buildings, of materials or equipment used in home occupation is prohibited. No storage of toxic or flammable materials used in home occupations are allowed except such as is normally used for purely domestic or household purposes.
- 5) No equipment shall be utilized that creates a nuisance due to odor, vibration, or noise. No electrical interference of fluctuation in line voltage beyond the property line of the lot upon which the home occupation is conducted shall be permitted.
- 6) No person shall be engaged in a home occupation that creates a hazard to person, property, or the environment.
- 7) No person shall be engaged in such home occupation other than a person occupying such dwelling unit as his/her residence.

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- 8) No generation of parking, traffic, sewerage, or water use beyond that required for normal occupation of the residence shall be allowed. Any vehicle used in the home occupation, which has advertising ~~displayed on it~~~~hereon~~, cannot be parked on the street.

#### **4.10.2 – Permit Required**

No home occupation shall be conducted until a home occupation permit is issued by the Public Works Director or his/her designee. Such permit shall be issued upon determination by the director that the proposed use complies with all of the requirements of this section. The permit shall be issued only to the individual occupying a dwelling as his/her residence. As such, home occupation permits shall not be transferable and shall terminate upon sale or transfer of the property to a new owner.

#### **4.10.3 – Business License Required**

Upon issuance of a home occupation permit, the person or business named on such permit shall obtain a business license from the city clerk, in accordance with Chapter 15 of the Code of Ordinances of the city.

#### **4.10.4 – Prohibited Home Occupations**

In addition to the restrictions and limitations to home occupations detailed in 4.10.1 the following occupation types are prohibited.

- 1) Any home occupation that involves the congregation of two ~~(2)~~~~(2)~~ or more clients, subcontractors, or other persons engaging in business activity at the residences;
- 2) Animal hospitals;
- 3) Automotive repair;
- 4) Barber shops and beauty parlors;
- 5) Dance studios;
- 6) Mortuaries;
- 7) Nursery schools;
- 8) Private clubs;
- 9) Restaurants;
- 10) Stables; and
- 11) Lodging, including bed and breakfasts.

#### **4.11 – Visibility at Intersections.**

On any corner lot nothing shall be erected, placed, planted or allowed to grow in such a manner as to materially obstruct or impede vision between a height of ~~two and one-half (2½)~~~~two and one-half (2.5)~~~~2.5~~ and ~~ten (10)~~~~ten (10)~~ feet ~~(10')~~ above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines ~~twelve (12)~~~~twelve (12)~~ feet ~~(12')~~ from the point of intersection.

#### **4.12 – Performance Standards.**

No building or structure shall be used, erected, structurally altered, ~~enlarged~~~~enlarged~~, or maintained, unless it shall be in conformity with the St. Louis County Performance Standard Regulations as those ordinances are ~~hereafter~~~~amended~~ ~~from time to time~~.

#### **4.13 – Storage, Dumping of Waste, Junk, Garbage, Etc.**

The use of land for the storage or collection or accumulation of used lumber and other used materials, or for the dumping or disposal of scrap iron, junk, garbage, derelict automobiles, ~~rubbish~~~~rubbish~~, or other refuse or of

ashes, slag or other industrial wastes or by-products is prohibited. The dumping of dirt, sand or rock material excavated from the earth is permitted in any district ~~for the purpose of~~ fill, provided the surface of such material is graded within a reasonable time as determined by the Public Works Director or his/her designee in a manner preventing the collection of stagnant water, and which leaves the ground surface in a condition suitable for the growing of turf or for other land uses permitted in a district. A temporary certificate from the Public Works Director or his/her designee shall first be obtained, specifying the area and amount of fill, quality of the material to be used for the fill and ~~manner in which~~ way fill is to be completed.

#### 4.14 – Removal of Soil, Sand, or Other Material.

The use of land for removal of topsoil, sand, ~~gravel~~ gravel, or other material from the land is permitted in any district, solely under a temporary certificate from the Public Works Director or his/her designee, and on condition that such removal of soil will not be below the normal building grade as established from the nearest existing or proposed street, when such building grade has been established and approved by the Public Works Director or his/her designee. A temporary certificate may be issued in appropriate cases upon filing of an application accompanied by a suitable agreement or bond that such removal will not cause stagnant water to ~~collect, or collect or~~ leave the surface of the land at the expiration of such permit in an unstable condition or unfit for the growing of turf or for other land uses permitted in the district in which such removal occurs. This regulation shall not prohibit the normal removal of soil for the construction of an approved building or structure when such plans have been approved by the appropriate city officer and a building permit has been issued and a contract let for said building development.

#### 4.15 – Excavation of Holes.

The construction, maintenance, or existence of any unprotected, unbarricaded open or dangerous excavations, holes, pits, or wells, or of any excavations, holes, or pits which constitute or are reasonably likely to constitute a danger or menace to the public health, safety, or welfare are ~~hereby~~ prohibited; provided, however, this section shall not prevent any excavation under a permit issued under this ordinance or the building code of the City of Sunset Hills, where such excavations are properly protected and warning signs posted in such manner as may be approved by the Public Works Director or his/her designee.

#### 4.16 Wireless Communications Facilities and Support Structures

##### 4.16.1 – Purpose.

The general purpose of this section is to regulate the placement and construction of wireless communications facilities and support structures ~~in order to~~ protect the health, safety, and welfare of the public, while at the same time not unreasonably interfering with the development of the competitive wireless telecommunications marketplace in the City of Sunset Hills. Specifically, this section is intended to:

- 1) Provide for the appropriate location and deployment of wireless communications infrastructure to serve citizens and businesses in the City of Sunset Hills and the metropolitan St. Louis area;
- 2) Minimize adverse visual impacts of wireless facilities and support structures through the careful design, siting, landscape screening, and innovative camouflaging techniques;
- 3) Ensure that any new support structure is located in an area compatible with the neighborhood or surrounding community to the extent possible;
- 4) Comply with applicable law including the Federal Telecommunications Act of 1996, 47 USC 332, and the Missouri Uniform Wireless Communications Infrastructure Deployment Act, 67.5090 et seq. RSMo.

**4.16.2 – Time Limits and Fees**

- 1) **Time limits:** All applications regarding wireless facilities and support structures shall be processed in accordance with the time limits established by sections 67.5090 to 67.5103 RSMo.
- 2) **Fees:** Fees for applications regarding wireless facilities and support structures shall not exceed the limits established by sections 67.5090 to 67.5103 RSMo.

**4.16.3 – General Requirements.**

The requirements set forth in this section shall be applicable to all wireless facilities and support structures installed, built or modified after the effective date of this ordinance to the full extent permitted by law.

**1) Principal or Incidental Use**

Wireless facilities and support structures may be either a principal use in all zoning districts or an incidental use to existing institutional or nonresidential uses, subject to any applicable district requirement relating to yard or setback.

**2) Building Codes and Safety Standards**

All wireless facilities and support structures shall be constructed and maintained in compliance with all standards contained in applicable state and local building codes, National Electric Safety Codes, and recognized industry standards for structural safety, capacity, reliability, and engineering. In addition to any other approvals required by this section, no wireless facility or support structure shall be erected prior to the issuance of a building permit.

**3) Regulatory Compliance**

All wireless facilities and support structures shall meet or exceed current standards and regulations of the FAA, FCC and any other state or federal agency with the authority to regulate such facilities and support structures. Should such standards or regulations be amended, then the owner shall bring such facilities and support structures into compliance with the revised standards or regulations within the time period mandated by the controlling agency.

**4) Lighting**

Wireless facilities and support structures shall not be illuminated at night unless required by the FAA or other state or federal agency, in which case a description of the required lighting scheme will be a part of the application. Accessory equipment may have lighting only as approved by the director on the approved site development plan or by the Board of Aldermen in the case of a conditional use permit.

**5) Advertising**

~~Other than a disguised support structure in the form of an otherwise lawfully permitted pylon sign,~~ The placement of advertising on wireless support structures is prohibited.

**6) Design**

- a) Wireless support structures shall maintain a galvanized steel finish or, subject to the requirements of the FAA or any other applicable state or federal agency, be painted a neutral color consistent with the natural or built environment of the site.
- b) Wireless facilities other than antennae shall have an exterior finish compatible with the natural or built environment of the site and shall also comply with any design guidelines as may be applicable to the particular zoning district in which the facilities are located.
- c) Wireless support structures shall not exceed a height of ~~one hundred (100)~~ ~~one hundred~~ ~~100~~ feet (100') ~~AGL-above ground level~~ and further shall not exceed the height limitation of any airport overlay zone as may be adopted by the city.

- d) Antennae attached to a building or disguised support structure shall be of a color identical to or closely compatible with the surface to which they are mounted.
- e) Wireless facilities shall be screened by appropriate landscaping and/or fencing. All wireless support structures shall be surrounded by a minimum six-foot (6') high decorative wall constructed of brick, stone or comparable masonry materials and a landscape strip of not less than ten (10) feet in width and planted with materials which will provide a visual barrier to a minimum height of six (6) feet (6'). The landscape strip shall be exterior to any security wall. In lieu of the required wall and landscape strip, an alternative means of screening may be approved by the director in the case of a permitted use or use permitted by administrative permit, or by the ~~board~~ Board of ~~aldermen~~ Aldermen in the case of a conditional use permit, upon demonstration by the applicant that an equivalent degree of visual screening will be achieved. In the event the support structure is being located on property within ~~any residential, PD-R, PD-RC or the residential portion of a PD-MXD or PD-LS or mixed-use~~ zoning district, the consent of the property owner shall be achieved as to the type and degree of screening. If an agreement with the property owner cannot be achieved as to the type and degree of screening, relief may be sought through the ~~board~~ Board of ~~aldermen~~ Aldermen to decide the type and degree of screening. Evidence shall be presented that negotiations with the property owner have taken place in good faith with no agreement being able to be achieved.
- f) All wireless support structures shall be separated from any off-site single-or two-family residential structure a distance at least equal to the height of the support structure plus ten feet (10'). Support structures on parcels adjacent to residentially zoned property shall meet the setbacks of the applicable zoning district as are required for a principal structure along the adjoining property line(s). Where adjacent to nonresidential zoned property, support structures shall meet setbacks as are required for accessory structures.
- g) Ground anchors of all guyed support structures, if permitted, shall be located on the same parcel as the support structure and meet the setbacks of the applicable zoning district.
- h) Vehicle or outdoor storage on the site of wireless facilities or support structures is prohibited.
- i) On-site parking for periodic maintenance and service shall be provided at all locations of wireless facilities and support structures as deemed necessary by the director or by the board of aldermen in the case of a conditional use permit.
- j) All wiring to or from wireless facilities located more than five (5) feet (5') from the nearest building wall shall be underground.

#### 7) Permitted Use

The placement of the following types of wireless facilities and support structures is permitted in all non-residential zoning districts by issuance of a building permit:

- a) Collocation and replacement applications, provided that no permit may be issued for collocation to a certified historic structure as defined in section 253.545 RSMo until at least one (1) public hearing has been held by the Director within ~~thirty (30)~~ 30 days prior to issuance. The ~~d~~Director shall provide public notice of such public hearing in the same manner as required for proposed zoning code changes. Such applications are subject to General Condition ~~5.21-4(B)4.16.3~~ 4.16.3 of this section, but no other zoning or land use requirements, including design or placement requirements, or public hearing review.
- b) The mounting of wireless facilities on any existing building or structure other than a single-family residence or a building constructed primarily for the support of antenna, provided that the presence of the facilities is concealed by architectural elements or satisfactorily camouflaged by painting a color identical to the surface to which they are attached.

- c) The mounting of antennae on an electrical transmission tower, but not exceeding the height of such tower by more than ~~ten (10)~~ ten (10) feet (10').

**8) Authorization by Administrative Permit**

The placement of the following types of wireless facilities and support structures is permitted in all zoning districts by administrative permit approved by the director and issuance of building permits:

- a) The construction of a disguised support structure and related wireless facilities provided that all related equipment shall be placed underground or concealed within the structure when the structure is located in any residential ~~district, PD-R, PD-RC or the residential portion of a PD-MXD or PD-LS zoning district.~~
- b) Wireless support structures erected and maintained for a period not to exceed ~~thirty (30)~~ thirty (30) calendar days for the purpose of replacement of an existing support structure, testing an existing or proposed network, or special events requiring such temporary facilities.
- c) *Application procedures:* Applications for administrative permits shall be made on the appropriate forms to the director and accompanied by payment of the established fee.
  - i. A detailed site plan, based on a closed boundary survey of the host parcel, shall be submitted indicating all existing and proposed improvements including buildings, drives, walkway, parking area and other structures, public rights-of-way, the zoning categories of the subject and adjoining properties, the location of and distance to off-site residential structures, required setbacks, required buffer and landscape areas, hydrologic features, and the coordinates and height AGL of the existing or proposed support structure.
  - ii. The application shall be reviewed by the department of public works to determine compliance with the applicable standards, which department shall transmit the application for review and comment by other departments and public agencies as may be affected by the proposed facilities and/or support structures.
  - iii. The director shall issue a decision on the permit within applicable time limits. The director may deny the application or approve the application as submitted or with such modifications as are, in his/her judgment, reasonably necessary to protect the safety or general welfare of the citizens consistent with the purposes of this section and applicable law. The director may consider the purposes of this section and the factors established herein for granting a conditional use permit as well as any other considerations consistent with this ordinance and applicable law. A decision to deny an application shall be made in ~~writing, and~~ writing and state the specific reasons for the denial.
- d) *Appeals:* Appeals from the decision of the director shall be made in the same manner as otherwise provided for the appeal of administrative decisions.

**9) Conditional Use Permit Required**

All applications for wireless facilities and support structures not permitted by Section ~~5-21-5 or 5-21-6~~ 4.16.3, above, shall require the approval of a conditional use permit pursuant to the procedures and requirements of Section 9 of the City Zoning Code and issuance of building permits.

Applications for conditional use permits shall be filed and processed subject to and in the manner established in Section 9 of the City Zoning Code. A decision by the ~~board~~ Board of ~~aldermen~~ Aldermen shall be accompanied by substantial evidence supporting the decision, which shall be made a part of the written record of the meeting at which a final decision on the application is rendered. Evidence shall be under oath and may be submitted with the application or thereafter or presented during the public hearing by the applicant or others.

The applicant shall provide an analysis to demonstrate that no existing towers, ~~structures~~, or buildings within the necessary geographic area for the Applicant's tower meet the Applicant's necessary engineering requirements considering:

- a) Height;
- b) Structural strength;
- c) Resulting signal interference;
- d) Feasibility of retrofitting;
- e) Feasibility of redesigning the Applicant's tower network; or
- f) Other limiting conditions that render existing towers, ~~structures~~, or buildings within the Applicant's required geographic area unsuitable.

**10) No Longer in Use**

Any wireless facility or support structure no longer used for its original communications purpose shall be removed at the owner's expense. The owner and applicable co-users shall provide the city with a copy of any notice to the FCC of intent to cease operations and shall have ~~ninety~~ ~~(ninety (90)90)~~ days from the date of ceasing operations to remove the facility and/or support structure. In the case of co-use, this provision shall not become effective until all users cease operations. Any wireless support structure not in use for a period of one ~~(1)~~ year shall be deemed a public nuisance and may be removed by the city at the owner's expense. Removal of facilities shall not be a condition of approval of any application.

**11) Commercial Operation of Unlawful Wireless Facilities or Support Structures**

Notwithstanding any right that may exist for a governmental entity to operate or construct a wireless facility or support structure, it shall be unlawful for any person to erect or operate for any private commercial purpose any new wireless facility or support structure in violation of any provision of this ordinance, regardless of whether such facility or support structure is located on land owned by a governmental entity.