

BILL NO. 2211

ORDINANCE NO. 1987

**A REQUEST TO AMEND SECTION 1003.165 (OFF-STREET PARKING AND LOADING REQUIREMENTS—GENERAL) OF THE CITY OF CHESTERFIELD ZONING ORDINANCE TO ESTABLISH A CRITERIA FOR DEFERRAL OF PARKING CONSTRUCTION FOR THE PURPOSE OF PROVIDING THE APPEARANCE OF MORE GREEN SPACE.
(P.Z. 18-2003 CITY OF CHESTERFIELD/DEFERRED PARKING)**

WHEREAS, the City of Chesterfield Zoning Ordinance provides criteria for off-street parking and loading, and;

WHEREAS, the City has recognized that in several instances, the amount of parking required is not fully utilized, and;

WHEREAS, in order to provide the appearance of increased greenspace, the Planning Commission Ordinance Review Committee has recommended a means to defer construction of required parking, and;

WHEREAS, the Planning Commission concurred with the recommendation of the Ordinance Review Committee and voted to recommend said amendment by a vote of 9-0.

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

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

Section 2. The City Council, pursuant to the petition filed by the City of Chesterfield in P.Z. 18-2003, requesting the amendment embodied in this ordinance, and pursuant to the recommendations of the City of Chesterfield Planning Commission that said petition be granted and after public hearing, held by the Planning Commission on September 8, 2003, does hereby adopt this ordinance pursuant to the power granted to the City of Chesterfield under Chapter 89 of the Revised Statutes of the State of Missouri authorizing the City Council to exercise legislative power pertaining to planning and zoning.

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

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

Passed and approved this 17th day of NOVEMBER 2003


MAYOR

ATTEST:


CITY CLERK

Attachment A

1003.165 Off-street parking and loading requirements—General

6. *Deferral of parking construction.* An applicant may request to defer the construction of the number of required parking spaces during the site plan, site development concept plan, site development section plan or site development plan review process. A parking deferral means that some of the required parking spaces would not be provided until full buildout occurs, but that an ample area on the site would be reserved so that these spaces could be provided in the future demand request by the City. Said demand would be made if the spaces were needed to meet the parking needs of the project.

- (1) Criteria for Parking Deferral. The Planning Commission may defer the construction and provision of up to 50 percent of the off-street parking spaces required by Section 1003.165C, “Off-street parking and loading requirements—Industrial,” in an industrial district; thirty percent in a “PC” Planned Commercial District and forty percent in any other district if an applicant demonstrate that:
 - (a) Demonstrate by specific example a study that the number of cars owned by the occupants is characteristically different from the norm, or the proximity to employment, shopping, educational and transit developments is such that reduced auto usage may be anticipated.
 - (b) If, based on trip generation characteristics and time of day usage characteristics for similar uses, it can be shown for non-residential uses that the current requirements can be reduced without causing parking to overlap into other nearby developments or onto public streets.
 - (c) The immediate proximity to public transportation facilities serving a significant proportion of residents, employees, and/or customers.
 - (d) Operation of effective private or company car pool, van pool, bus or similar transportation programs with proof of continued with proof of continued financial viability.
 - (e) Evidence that a proportion of residents, employees, and/or customers utilize, have available or on a regular basis use bicycle or other transportation alternative commensurate with reduced parking requirements.
 - (f) Development will be in phases so that deferring the parking will have greenspace until further buildout. The Site must meet all parking requirements based upon square-footage actually built.

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- (2) Application. Applicants for deferral of parking construction must provide a written statement which addresses how the proposal meets the applicable criteria. In addition, the plan submitted in support of their project must demonstrate that the total required parking can be accommodated on-site and label the deferred parking area as reserved for future parking.
- (3) Landscaping. The land area delineated for future parking will be brought to finished grade and landscaped. Landscaping for the deferred parking area shall be as approved by the City of Chesterfield Planning Commission with the remainder of the site landscaped per City of Chesterfield Landscape Guidelines for the appropriate district. All landscaping shall be indicated on the plan submitted.
- (4) Site Plans must show for approval where all of the required parking would be placed if it is established that the basis for the parking deferral is not accurate.
- (5) Notice of Change of Condition. The owner of the property, or their designated party, shall notify the City of any change in the conditions set forth in this section. This shall include the change in any use that was the basis for the deferral.
- (6) Construction of Deferred Parking Areas. The City may require the construction of parking in areas previously reserved at any time upon sixty days written notice. The original developer and all subsequent owners of said property shall run with the land and be shown on all recorded plats. The developer/owner and all subsequent owners grant the City or its designated representative authority to enter onto its property in the future to construct the deferred parking in the areas shown on the approved site plan if owners fail to take action after notice as set out above. The cost of the City for creating the parking shall be repaid by the owners and shall be a special lien against the property. Development and construction by the City shall not be in lieu of a municipal zoning ordinance violation, but shall be in addition to any action taken for violation of provisions of this ordinance.