

BILL NO. 2212

ORDINANCE NO. 1988

A REQUEST TO AMEND THE CITY OF CHESTERFIELD ZONING ORDINANCE TO ESTABLISH SECTION 1003.126 PROVIDING PERFORMANCE STANDARDS FOR NEW CONSTRUCTION IN ESTABLISHED RESIDENTIAL AREAS. (P.Z. 19-2003 CITY OF CHESTERFIELD/NEW CONSTRUCTION IN EXISTING RESIDENTIAL AREAS)

WHEREAS, there has been increased interest in tearing down existing single-family residences to construct new homes in existing residential areas; and,

WHEREAS, the City of Chesterfield Zoning Ordinance provides no criteria for such new construction; and,

WHEREAS, the Planning Commission Ordinance Review Committee has recommended performance standards governing setbacks, yard and height requirements, 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. 19-2003, 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.

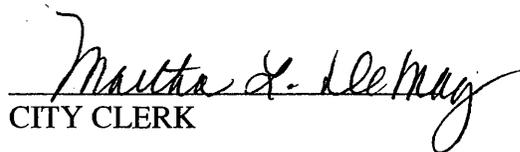
Section 3. This ordinance shall be codified within the Municipal Code of the City of Chesterfield.

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

Section 1003.126 Regulations for new constructions in established districts:

The following requirements shall apply for new construction of single-family detached dwellings in established districts:

1. **Minimum Yard Requirements:**

The minimum yard requirements shall be those established for the district in which the dwelling is located. Exceptions may be established by existing non-conforming properties by variance granted through the City of Chesterfield Board of Adjustment.

2. **Front Yard Setbacks**

The front yard setback shall be as established in the governing zoning district.

In non-conforming subdivisions that have no platted building line, the prevailing pattern of the front yard setbacks in the subdivision shall establish the front yard setback. Determination of said prevailing pattern shall be based on the ten (10) closest lots in the subdivision. If there are fewer than ten (10) lots or the subject site is not in a subdivision, the prevailing pattern of the lots on the block frontage shall be used.

3. **Side Yard and Rear Yard Setbacks**

The side and rear yard setbacks shall be as established in the governing zoning district.

4. **Height and Dimensional Regulations:**

No principal structure shall exceed the maximum height of the established district or 35 feet, whichever is less. However, if a structure exceeds the height of the principal structure of the abutting property by fifteen (15) feet or more, then the side yard setback is increased by 10 feet.