

AN ORDINANCE TO ESTABLISH A NEW SECTION 1003.110 "WH" WILD HORSE CREEK ROAD OVERLAY. SAID NEW SECTION PROVIDES GENERAL AND SPECIFIC DEVELOPMENT CRITERIA FOR ALL PROPERTIES IN THE AREA KNOWN AS THE "WILD HORSE CREEK ROAD SUB-AREA" IN THE CITY OF CHESTERFIELD COMPREHENSIVE PLAN. (P.Z. 6-2006 CITY OF CHESTERFIELD/"WH" WILD HORSE CREEK ROAD OVERLAY)

WHEREAS, there has been increased interest in development of the sub-area Wild Horse Creek Road commonly referred to as the "bowtie;" and,

WHEREAS, in 2005, the City of Chesterfield Planning Commission conducted a study of said area and amended the Comprehensive Plan Land Use Map and created specific policies for said area; and,

WHEREAS, the Planning Commission Ordinance Review Committee recommended the creation of a "WH" Wild Horse Creek Road Overlay.

WHEREAS, the Planning Commission concurred with the recommendation of the Ordinance Review Committee and voted to recommend said amendment by a vote of 6-0.

WHEREAS, the City Council upon review of said request, recommended approval with amendments made to the specific development requirements.

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. 6-2006, 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 March 27, 2006, 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. *BY CITY COUNCIL (M&H)*

Passed and approved *1* his 21ST day of AUGUST, 2006

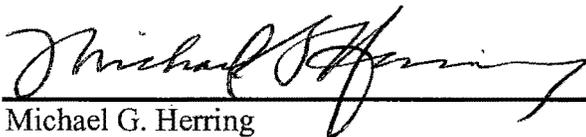
(SEE ATTACHED)
MAYOR

ATTEST:

Michelle D. DeMay
CITY CLERK

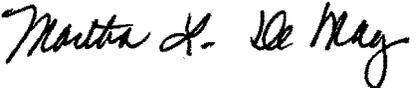
FIRST READING HELD: 7/21/2006

Bill No. 2460/Ordinance No. 2286 was passed/approved by City Council on Monday, August 21, 2006. This legislation was NOT SIGNED/VETOED by Mayor John Nations and, pursuant to RSMo 77.270, Bill No. 2460/Ordinance No. 2286 became law at the next regular City Council meeting, which took place on Wednesday, September 6, 2006.



Michael G. Herring
City Administrator

ATTEST:



Section 1003.110 "WH" Wild Horse Creek Road Overlay District

1. Purpose.

The purpose of the "WH" Wild Horse Creek Road Overlay District is to provide general and specific development criteria for all properties in the area known as the "Wild Horse Creek Road Sub Area" in the City of Chesterfield Comprehensive Plan.

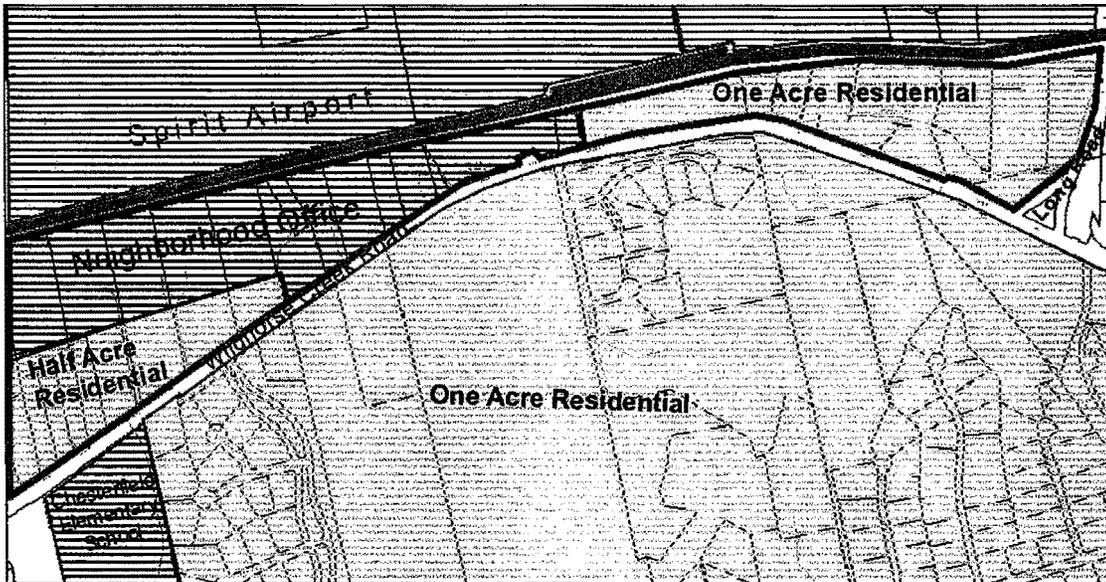
2. Intent.

The intent of the "WH" Wild Horse Creek Road Overlay District is to protect and maintain the scenic character of the Wild Horse Creek Road Sub Area and the adjacent neighborhoods by ensuring compatibility through site design, site plan review, and the regulation of activity upon the designated sites so that the uses of the property will not adversely affect the character of the neighborhood or the general welfare of the City.

3. Procedure.

A. The "WH" District procedure is to be used as an overlay District. The three types of "WH" Districts are: Neighborhood Office Development, One-Half Acre Residential Development, and One Acre Residential Development.

- (1.) Neighborhood Office Development: Due to concern regarding airport noise, all development within this 1,920 foot setback shall be developed as Neighborhood Office. Petitions for rezoning seeking access to Neighborhood Office uses shall file a petition to rezone to "PC" Planned Commercial District or any Estate District as applicable. Neighborhood Office uses are set forth in Section 4 of this ordinance.
- (2.) One-Half Acre Residential Development: One-half acre or larger development should be encouraged between Wild Horse Creek Road and Neighborhood Office to the north. Petitions for rezoning seeking access to One-Half Acre Residential Development uses shall file a petition to rezone to Estate District. One-Half Acre Residential uses are set forth in Section 4 of this ordinance.
- (3.) One Acre Residential Development: One-acre and larger development should be encouraged for properties located west of Long Road, north of Wild Horse Creek Road, east of Neighborhood Office. Petitions for rezoning seeking access to One Acre Residential Development uses shall file a petition to rezone to Estate District. One Acre Residential uses are set forth in Section 4 of this ordinance.



- B. All properties shall be required to utilize a Planned District in order to develop. Therefore, the development criteria as set forth in this section will be part of the conditions of the governing ordinance.
- C. A Planned District is defined as a unified development consisting of a site specific governing ordinance and preliminary plan indicating the regulations for and locations of all uses and improvements to be included in the development.
- D. An Overlay Zoning District is a special district which addresses circumstances or environmental safeguards and is superimposed over the underlying existing zoning districts.

4. Available Uses.

- A. Designation of the "WH" District qualifies properties for certain uses depending where the property is located.
- B. Specific land uses shall be established in the conditions of the governing ordinance for the particular planned district and are subject to compliance with these "WH" District regulations.
- C. Available uses for the Neighborhood Office are as follows:
 - (1.) Professional, business, government or institutional office,
 - (2.) Medical and Dental Office, excluding surgical centers,
 - (3.) Churches and other places of worship,
 - (4.) Schools, public or private, including kindergarten, elementary, secondary and collegiate,
 - (5.) Parks, parkways, and playgrounds, public or private not-for-private,
 - (6.) Forest and wildlife reservations including conservation projects,

- (7.) Local public utility facilities, provided that any installation other than poles and equipment attached to the poles, shall be:
 - i. Adequately screened with landscaping, fencing or walls or any combination thereof; or
 - ii. Placed underground;
 - iii. Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.
- (8.) Police and fire stations,
- (9.) The following uses may be permitted with a Conditional Use Permit in the Estate District within the Neighborhood Office District:
 - ii. Mortuaries, cemeteries, urn gardens, columbaria, and mausoleums, including mortuaries operated in conjunction with the cemetery or mausoleum.
 - iii. Child care centers, child nursery schools, child day nurseries, and child or adult day care homes (daycare centers required conditional use permits)
 - iv. Private, not-for-profit clubs, private, not-for-profit recreational land uses, and community centers.
 - v. Local public utility facilities over 60 ft in height and public utilities facilities.
 - vi. Radio, television, and communication transmitting, receiving, or relay towers and facilities.
 - vii. Riding stables and kennels.
 - viii. Satellite dishes (additional provisions in Section 1003.167.17)
 - ix. Sewage facilities, other than facilities permitted as an accessory use.
 - x. Specialized private schools.
 - xi. Libraries, public or not-for-profit.

D. Available uses for the One-Half Acre Residential and One Acre Residential are as follows:

- (1.) Single family attached (in One-Half Acre only),
- (2.) Single family detached,
- (3.) Churches and other places of worship,
- (4.) Schools, public or private, including kindergarten, elementary, secondary and collegiate,
- (5.) Parks, parkways, and playgrounds, public or private not-for-private,
- (6.) Forest and wildlife reservations including conservation projects,
- (7.) Home Occupations,
- (8.) Local public utility facilities, provided that any installation other than poles and equipment attached to the poles, shall be:
 - i. Adequately screened with landscaping, fencing or walls or any combination thereof; or
 - ii. Placed underground;
 - iii. Enclosed in a structure in such a manner so as to blend with and complement the character of the surrounding area.
- (9.) Police and fire stations,

- (10.) The following uses may be permitted with a Conditional Use Permit in the Estate Districts.
- i. Administrative offices for educational facilities and administrative offices for religious purposes.
 - ii. Mortuaries, cemeteries, urn gardens, columbaria, and mausoleums, including mortuaries operated in conjunction with the cemetery or mausoleum.
 - iii. Child care centers, child nursery schools, child day nurseries, and child or adult day care homes (daycare centers required conditional use permits)
 - iv. Private, not-for-profit clubs, private, not-for-profit recreational land uses, and community centers.
 - v. Foster homes.
 - vi. Group Homes for the mentally or physically handicapped occupied by no more than 9 individuals (excluding supervisory personnel) not related by blood or marriage to the operator or operators of the facility.
 - vii. Nursing and group homes for the elderly.
 - viii. Hospitals and hospices.
 - ix. Local public utility facilities over 60 ft in height and public utilities facilities.
 - x. Dormitory for group living facilities related to religious, educational, or charitable purposes.
 - xi. Radio, television, and communication transmitting, receiving, or relay towers and facilities.
 - xii. Retreats owned and operated by religious, educational, or other not-for-profit establishments.
 - xiii. Riding stables and kennels.
 - xiv. Satellite dishes (additional provisions in Section 1003.167.17)
 - xv. Sewage facilities, other than facilities permitted as an accessory use.
 - xvi. Specialized private schools.
 - xvii. Libraries, public or not-for-profit.

6. Specific Criteria.

- A. Specific design requirements for the Neighborhood Office Area are set forth in Table 1 below:

Table 1: Neighborhood Overlay Specific Design Requirements	
Avigation Easement	Provide verification that the avigation easement requirements of the Spirit of St. Louis Airport have been satisfied in the development.
Building Design	Harmony and continuity of design with the exterior building design. Features on all elevations shall be coordinated with regard to color, material type, amount of materials, architectural form and detailing to achieve architectural consistency. Elevations need not look alike; however a sense of overall continuity shall occur. Use of one or more unrelated materials, including but not limited to, false or decorative façade treatments is discouraged.
Building Height	35 feet maximum. Height is measured from the average finished ground elevation at the perimeter of the structure.
Hours of Operation	Shall be as approved by the Planning Commission.
Internal Roadway System	As development occurs in the area, an internal roadway system, complete with buffers, landscaping, pedestrian circulation, and cross access shall be required as directed.
Landscape Buffering	Arterial and collector buffers shall be 30 feet or greater unless addressed in the site specific ordinance. All other buffer requirements shall follow requirements of the City of Chesterfield Tree Manual.
Maintenance of Wild Horse Creek Road Character	In an effort to maintain the scenic character of Wild Horse Creek Road, all development must be setback from the road and screened from view.
Open Space Areas	Retain 50% open space. This includes shared public plazas, courtyards, landscaping, public art and similar amenities that are visible from the street. All development shall address trails and sidewalks. Open space shall be balanced throughout the development.
Parking	Parking shall be screened and buffered from Wild Horse Creek Road and all adjacent residential development. Maximum of 9 parking spaces, including any space in a garage or covered structure. Required parking shall be determined by the City of Chesterfield City Code. If the maximum number of parking spaces permitted in this "WH" District does not meet the minimum parking space requirements of the City Code for that proposed use, then the proposed use will be deemed to exceed the design requirement and will not be eligible.
Preservation of Natural Features and Slopes	The importance of natural features must be recognized in the Wild Horse Creek Road Sub area. Future development shall minimize any impact to the bluff, existing tree coverage, and waterways. Development on slopes in excess of 20% shall be discouraged.
Protection of Historic Features	The protection and preservation of significant historic and heritage sites, building, and archeological sites shall be of utmost importance.
Signage	A sign package will be required for all developments. Permitted signs shall be 1 ground mounted sign at shared access points between parcels. Sign not to exceed 3 ft. by 6. ft. Also permitted 1 attached building sign 18 inches by 24 inches. Sign illumination not permitted.

Site Design	Emphasize pedestrian circulation, landscaping open space, innovative parking solutions, common amenities, and significant landscape buffering between adjacent residential uses.
Structure Setback	30 feet front yard setback in addition to that established by the underlying zoning district.

B. Modification of Specific Design Requirements.

The requirements in Table 3 above may be modified where good cause may be demonstrated to the Planning Commission. Said modification will be granted for good architecture and urban planning. Said modifications will require two-thirds vote of the Planning Commission. All votes for modification shall be separate and shall be prior to the Planning Commission vote of recommendation to the City Council on the said project.

C. Specific criteria for the One-Half Acre and One Acre Residential Districts are set forth in Table 2 below:

Table 2: One-Half Acre and One Acre Residential District Specific Design Requirements	
Building Design	Rear and side facades shall be designed with similar detailing and be compatible with the principal facades of the building.
Building Height	As required by the underlying zoning district. Height is measured from the average finished ground elevation at the perimeter of the structure.
Internal Roadway System	As development occurs in the area, an internal roadway system, complete with buffers, landscaping, pedestrian circulation, and cross access shall be required as directed.
Landscape buffering	As required by the underlying zoning district.
Maintenance of Wild Horse Creek Road Character	In an effort to maintain the scenic character of Wild Horse Creek Road, all development must be setback from the road and screened from view.
Open Space Areas	Retain 40% open space. This includes shared public plazas, courtyards, landscaping, public art and similar amenities that are visible from the street.
Pavement and Right-of-Way Widths	Correspond to Street Matrix or as directed by the Department of Public Works.
Pedestrian Circulation	To achieve pedestrian circulation, all development shall address trails and sidewalks.
Preservation of Natural Features	The importance of natural features must be recognized in the Wild Horse Creek Road Sub area. Future development shall minimize any impact to the bluff, existing tree coverage, and waterways.
Preservation of Slopes	Development on slopes in excess of 20% shall be discouraged.
Protection of Historic Features	The protection and preservation of significant historic and heritage sites, building, and archeological sites shall be of utmost importance.
Structure Setback	As required by the underlying zoning district.

7. Review Process.

- A. As set forth in the purpose and intent of this section all properties in the Wild Horse Creek Road Sub Area Study shall be required to utilize planned districts to develop under this District.
- B. The governing ordinance for each developed property shall contain a specific section addressing adherence to the specific criteria set forth in this ordinance.
- C. Separate vote will be required for adherence to this ordinance and underlying zoning district requirements.