

AN ORDINANCE REPEALING SECTION 1003.165 “OFF STREET PARKING AND LOADING REQUIREMENTS” OF THE CITY OF CHESTERFIELD ZONING ORDINANCE AND CREATING A NEW SECTION 1003.165 “OFF-STREET PARKING, STACKING, AND LOADING REQUIREMENTS” THAT REVISES THE PROCEDURES AND REQUIREMENTS FOR PARKING, LOADING, AND STACKING SPACES WITHIN THE CITY OF CHESTERFIELD (P.Z. 01-2010 CITY OF CHESTERFIELD {OFF-STREET PARKING, STACKING, AND LOADING SPACE REQUIREMENTS}).

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

WHEREAS, the City of Chesterfield has collected and reviewed local parking data in conjunction with published national data; and,

WHEREAS, the Ordinance Review Committee of the Planning Commission recommended these modifications to the Zoning Ordinance; and,

WHEREAS, a Public Hearing was held before the Planning Commission on February 22, 2010; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval of P.Z. 01-2010 City of Chesterfield (Off-Street Parking, Stacking, and Loading Space Requirements); and,

WHEREAS, the City Council of the City of Chesterfield having considered said request, voted to approve P.Z. 01-2010 City of Chesterfield (Off-Street Parking, Stacking, and Loading Space Requirements).

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

Section 1. It is the intent of these modifications to facilitate the continued use of previously approved commercial and industrial developments in locations appropriate under the approved site development plans and conditions. The modifications to the Zoning Ordinance embodied within this Ordinance shall not prohibit activity previously approved under a site development plan and conditions associated with the approval thereof.

Section 2. The City of Chesterfield hereby repeals Sections 1003.165 “Off Street Parking and Loading Requirements,” and creates new Section 1003.165 “Off-Street Parking, Stacking, and Loading Requirements” as set out in Attachment “A” which is attached hereto and made part thereof. All properties operating under an approved site development plan shall be permitted to continue operation under the approved site development plan and be governed by ordinances in effect prior to creation of the modified parking regulations. Any and all changes, after passage of this ordinance, shall be completed under the rules and regulations of these amended off-street parking, stacking and loading space requirements.

Section 3. If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as whole, or any part thereof.

Section 4. The provisions of the Ordinance may be amended in the future by the City Council of the City of Chesterfield, after notice and hearing as provided by law.

Section 5. Where this Ordinance differs or conflicts with other laws, rules and regulations, unless the right to do so is preempted or prohibited by the County, State, or Federal government, the more restrictive or protective of the City and the public shall apply.

Section 6. The City Council, pursuant to the petition filed by the City of Chesterfield in P.Z. 01-2010, requesting amendment embodied in this Ordinance and pursuant to the recommendations of the City of Chesterfield Planning Commission, Planning and Public Works Committee and City Council that said petition be granted and after public hearing, held by the Planning Commission on the 22nd day of February, 2009, 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 7. This Ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section 8. This ordinance shall be in full force and effect from and after its passage and approval.

Section 9. This Ordinance shall take effect immediately upon its publication, pursuant to applicable legal and procedural requirements.

Passed and approved this 21st day of April, 2010.


MAYOR

ATTEST:


CITY CLERK

FIRST READING HELD: _03/15/2010_

Attachment A

Section 1003.165 Off-Street Parking, Stacking and Loading Space Requirements

1. Purpose. The regulations contained in this Section shall govern the number, size, design and location of all off-street parking, stacking, and loading spaces in the City of Chesterfield.
2. Applicability.
 - A. All buildings or structures which are erected or have a change in square footage, and all uses of land established or changed after the adoption of this Section of the Zoning Ordinance shall comply with all the requirements herein.
 - B. The provisions of this Section of the Zoning Ordinance shall not apply to any existing building or structure except where there is a change of use or change to building square footage.
3. Minimum Design Criteria. Except as otherwise provided for in this Section, the requirements for off-street parking, stacking, and loading spaces shall meet the minimum dimensions and design criteria of the City of Chesterfield.
4. Off-street parking requirements.
 - A. Fractions: When determination of the number of off-street parking spaces required by this Section results in a fraction of a space, the resulting fraction may be disregarded.
 - B. Bench Length: When a minimum parking requirement is calculated using seats, twenty-four inches of bench length shall be equal to one seat.
 - C. Commercial Vehicles: In addition to the requirements of this Section, one off-street parking space shall be required for each commercial vehicle which is directly associated with uses, and which is parked on the premises during normal business hours. Required loading spaces may be credited as part of the total space needed for commercial vehicles.
 - D. Final Determination: Where no minimum requirement is specified, or when one or more of the parking requirements may be construed as applicable to the same use, lot or building, or where any other calculation clarification is required, the final determination of required parking shall be made by the Planning and Development Services Director.
 - E. Uses in all zoning districts shall comply with the minimum requirements listed by use category in tables of the following Sections:

Commercial uses	Section 1003.165 3.E.(1)
Institutional uses	Section 1003.165 3.E.(2)
Cultural, entertainment, and recreational uses	Section 1003.165 3.E.(3)
Industrial uses	Section 1003.165 3.E.(4)
Residential uses	Section 1003.165 3.E.(5)
Retail Centers	Section 1003.165 3.E.(6)

(1) Minimum Parking Requirements - Commercial Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Administrative office for educational or religious facility	3.5 / 1,000 Gross Floor Area (GFA)	4.5 / 1,000 Gross Floor Area (GFA)	Table B
Adult bookstore	4.0 / 1,000 GFA	120% of Minimum Parking Required	Table B
Adult entertainment business or establishment	5.0 / 1,000 GFA		Table B
Adult entertainment facility			Table B
Adult motion picture theater	1 space for every 3 seats	1 space for every 2 seats	Table B
Animal grooming service	4.0 / 1,000 GFA	120% of Minimum Parking Required	None
Automobile sales, new	3.0 / 1,000 GFA		Table A
Automobile sales, used			Table A
Automotive detailing shop	3.3 / 1,000 GFA		None
Automotive retail supply	3.0 / 1,000 GFA		Table B
Bakery	3.3 / 1,000 GFA		None
Bar	12.0 / 1,000 GFA		None
Barber or beauty shop	5.0 / 1,000 GFA		None
Bathhouse	4.0 / 1,000 GFA		None
Boat (and marine supply) storage, charter, repair, sale	1.0 / 1,000 GFA		None
Brewpub	12.0 / 1,000 GFA		None
Broadcasting studio	3.3 / 1,000 GFA		None
Car wash, full service	2 spaces for every 3 employees on the maximum shift		1.2 spaces for every employee on the maximum shift
Cemetery	1 space per 4 seats in the chapel or assembly area	1 space per 3 seats in the chapel or assembly area	None
Check cashing facility	4.0 / 1,000 GFA	120% of Minimum Parking Required	None
Church and other place of worship	1 space for every 4 seats in the largest assembly area	1 space per 3 seats in the chapel or assembly area	None

Coffee shop	5.0 / 1,000 GFA	120% of Minimum Parking Required	Table B	
Commercial service facility	4.5 / 1,000 GFA		Table B	
Cultivation and sale of plant crops, commercial vegetable and flower gardening as well as plant nurseries and greenhouses	4.0 / 1,000 GFA of sales area		None	
Drug store and pharmacy	4.0 / 1,000 GFA		Table B	
Dry cleaning establishment	3.3 / 1,000 GFA		Table A	
Filling station and convenience store with pump stations	4.5 / 1,000 GFA		None	
Film drop-off and pick-up station	5.0 / 1,000 GFA		None	
Financial institution	3.3 / 1,000 GFA		None	
Grocery- community	4.0 / 1,000 GFA		Table B	
Grocery- neighborhood	3.3 / 1,000 GFA		Table A	
Grocery- Supercenter	4.5 / 1,000 GFA		Table B	
Harbor, marina, and dock for waterborne vehicles	1 space for every berth		2 spaces for every berth	None
Hotel and motel	1.2 parking spaces for each unit. If there are other accessory uses provided therein, additional off-street parking shall be provided for those accessory uses at the rate of 40 percent of the requirements for such uses		120% of Minimum Parking Required	Table B
Hotel and motel, extended stay		Table B		
Kennel, boarding		2.5 / 1,000 GFA		None
Kennel, private				None
Laboratories-professional, scientific				Table B
Laundromat		4.0 / 1,000 GFA		None
Massage parlor				None
Modeling studio		5.0 / 1,000 GFA		None
Mortuary				None
Newspaper stand		4.0 / 1,000 GFA		Table B
Office, dental		5.0 / 1,000 GFA	Table B	
Office, general	3.5 / 1,000 GFA	4.5 / 1,000 GFA	Table B	
Office, medical	4.0 / 1,000 GFA	5.0 / 1,000 GFA	Table B	

Oil change facility	4.0 / 1,000 GFA	120% of Minimum Parking Required	None
Pawnshop	3.3 / 1,000 GFA		None
Professional and technical service facility	3.3 / 1,000 GFA		None
Reading room	3.0 / 1,000 GFA		None
Research facility			Table B
Restaurant, fast food	15.0 / 1,000 GFA		None
Restaurant, outdoor customer dining area	12.0 / 1,000 GFA		None
Restaurant, sit down	12.0 / 1,000 GFA		None
Restaurant, take out	5.0 / 1,000 GFA		None
Retail sales establishment, community	4.5 / 1,000 GFA		Table B
Retail sales establishment, neighborhood	4.0 / 1,000 GFA		Table B
Retail sales establishment, regional	5.0 / 1,000 GFA		Table B
Retail sales, outdoor	4.0 / 1,000 GFA		Table B
Riding stable	1 space for every 3 stalls and 1 space per 3,000 SF of riding arena	120% of Minimum Parking Required	None
Sales yard operated by a church, school, or other not-for-profit organization	3.3 / 1,000 GFA	120% of Minimum Parking Required	None
Self storage facility	1.0 / 1,000 GFA		None
Shooting range, indoor	1 space per range position		None
Shooting range, outdoor			None
Specified sexual activities	5.0 / 1,000 GFA		None
Tackle and bait shop	3.3 / 1,000 GFA		None
Tattoo parlor / body piercing studio	3.3 / 1,000 GFA		None
Vehicle repair and services facility	3 spaces per service bay	2 spaces per service bay	None
Veterinary clinic	3.3 / 1,000 GFA	120% of Minimum Parking Required	None

(2) Minimum Parking Requirements - Institutional Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Day care center, adult	2.0 / 1,000 Gross Floor Area (GFA)	2.5 / 1,000 GFA	None
Day care center, child	3.0 / 1,000 GFA	4.0 / 1,000 GFA	None
Education facility- specialized private schools	1.5 spaces per classroom, and 1 space per 4 students of driving age based on the maximum student capacity	None	None
Education facility- vocational school	1.5 spaces per classroom, and 1 space per 4 students of driving age based on the maximum student capacity	None	None
Education facility- vocational school, outdoor training			None
Educational facility- Primary/Secondary	1.5 spaces per classroom, and 1 space per 4 students of driving age based on the maximum student capacity	None	None
Educational facility- college/university	1 space per 4 students of driving age based on the maximum student capacity	None	None
Educational facility- kindergarten or nursery school	2 spaces per classroom	None	None
Hospice	1.0 / 1,000 GFA	1.5 / 1,000 GFA	None
Hospital	1 space per bed for the first 100 beds; 1 space per 2 beds for the next 100 beds; 1 space per 4 beds thereafter	None	Table B
Nursing home	1 space for every 3 beds	None	Table B
Police, fire, and postal stations	3.0 / 1,000 GFA	None	None
Public building facilities owned or leased by the City of Chesterfield	3.3 / 1,000 GFA	None	None
Public safety facility	3.0 / 1,000 GFA	None	None
Substance abuse facility- outpatient	5.0 / 1,000 GFA	None	None
Substance abuse facility- inpatient	1 space for every 3 beds	None	None

(3) Minimum Parking Requirements – Cultural, Entertainment, and Recreation Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Amusement park	1% of total land area	None	None
Arena and stadium	1 space for every 4 seats	None	Table A
Art gallery	2.0 / 1,000 Gross Floor Area (GFA)	None	Table B
Art studio	1 space for every 4 seats	None	None
Auditorium		1 space for every 3 seats	Table B
Botanical garden	2.0 / 1,000 GFA	None	None
Bowling center	4.0 spaces per alley	5.0 spaces per alley	None
Club	5.0 / 1,000 GFA	6.0 / 1,000 GFA	Table B
Community center	3.3 / 1,000 GFA	None	None
Fairground	1% of total land area	None	None
Farmers market	3.3 / 1,000 GFA	None	None
Golf course	4 spaces per hole	None	None
Gymnasium	1 space for every 4 seats	1 space for every 3 seats	None
Library	2.0 / 1,000 GFA	None	Table B
Lodge	5.0 / 1,000 GFA	6.0 / 1,000 GFA	Table B
Museum	2.0 / 1,000 GFA	None	Table B
Park	1% of total land area	None	None
Recreation facility	3.3 / 1,000 GFA	4.5 / 1,000 GFA	None
Theater, indoor	1 space for every 4 seats	1 space for every 2 seats	Table B
Theater, outdoor			None
Union halls and hiring halls			Table B
Zoological garden	1% of total land area	None	None

(4) Minimum Parking Requirements – Industrial Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Batching plant	2.5 / 1,000 Gross Floor Area (GFA)	3.0 / 1,000 GFA	Table A
Blacksmith shop	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	Table A

Brewery	0.75 / 1,000 GFA	1.25 / 1,000 GFA	Table A
Correctional institution	1 space for every 5 beds	None	None
Dry cleaning plant	2.0 / 1,000 GFA	2.5 / 1,000 GFA	Table A
Extraction/processing of raw materials	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	None
Film processing plant	2.0 / 1,000 GFA	2.5 / 1,000 GFA	Table A
Highway department garage			None
Incinerator			Table A
Industrial sales, service, and storage			Table A
Junk/salvage yard			None
Lumberyard			Table A
Mail order sale warehouse	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	Table A
Manufacturing, fabrication, assembly, processing, or packaging facility			Table A
Meat packing facility	1.0 / 1,000 GFA	1.5 / 1,000 GFA	Table A
Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility	3.3 / 1,000 GFA	4.0 / 1,000 GFA	Table A
Railroad switching yard	0.5 / 1,000 GFA	None	None
Sanitary landfill	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	None
Sheet metal shop	2.0 / 1,000 GFA	2.5 / 1,000 GFA	Table A
Solid waste, compost facility		None	None
Solid waste, facility		None	None
Solid waste, transfer facility		None	None
Steel mill, foundry, and smelter		2.5 / 1,000 GFA	Table A
Storage and repair garage for public mass transit vehicles		None	None
Sulphur, cement, or rubber reclamation plants		2.5 / 1,000 GFA	Table A
Tow yard		2.5 / 1,000 GFA	None
Transit storage yard		None	None
Trucks, trailers, construction equipment, agricultural equipment sales, rental, leasing,		2.0 / 1,000 GFA	2.5 / 1,000 GFA

outdoor storage			
Warehouse- general	2 spaces for every 3 employees on the maximum shift	1.2 spaces for every employee on the maximum shift	Table A
Warehouse- live animals, explosives, or flammable gases and liquids			Table A
Welding shop			Table A
Yard for storage of contractors' equipment, materials, and supplies			None

(5) Minimum Parking and Loading Requirements – Residential Uses.

Use	Minimum Parking Required	Maximum Parking Requirement	Minimum Loading Requirement (see 1003.165.4)
Display Homes	2 spaces for every display home unit and 1 space for every office unit	None	None
Dormitories or group living facilities	1 space for every 2 dormitory units	None	None
Dwelling, employee	1 space per unit	None	None
Dwellings, multiple-family, row houses, or other group house arrangement	1.75 spaces for every living unit	None	None
Dwellings, single-family (including single-family earth sheltered)	2 spaces for every dwelling	None	None
Dwellings, two-family	1.75 spaces for every living unit	None	None
Group homes for the developmentally disabled	1 space for each such use	None	None
Group homes for the elderly	1 space for each such use	None	None

(6) Retail Centers are defined as a mixed use development that is owned and managed as a unit where one or more non-restaurant uses exist.

1. Minimum parking for retail centers shall be calculated based on the following:

Center Size (Gross Floor Area in Square Feet)	Percentage Gross Floor Area in Restaurant Use		
	0 - 10%	11 – 20%	21 - 30%
Under 40,000	4.0 spaces per 1,000 GFA	4.25 spaces per 1,000 GFA	4.5 spaces per 1,000 GFA
40,000 – 100,000	4.25 spaces per 1,000 GFA	4.5 spaces per 1,000 GFA	4.75 spaces per 1,000 GFA
100,001 - 400,000	4.5 spaces per 1,000 GFA	4.75 spaces per 1,000 GFA	5.0 spaces per 1,000 GFA
Over 400,000	4.75 spaces per 1,000 GFA	5.0 spaces per 1,000 GFA	5.25 spaces per 1,000 GFA

- a. For retail centers that include a theater use with more than 250 seats, the minimum parking requirement for the theater portion of the development shall be parked as a stand alone use.
- b. For retail centers with more than 30% gross floor area devoted to restaurant use, separate parking shall be provided for the portion of restaurant use in excess of 30%.

2. *Maximum Parking Permitted:* Retail Centers shall not contain more than 120% of the minimum number of spaces required except as permitted under part 9 of this Section.

3. *Minimum Loading Requirements for Retail Centers.* Retail Centers shall provide loading spaces in accordance with Table A in part 5. *Minimum Loading Requirements.*

5. Minimum Loading Requirements. When required in conjunction with uses specified elsewhere in this Section, loading spaces shall be provided in accordance with the following tables:

Table A

Gross Floor Area (sq. ft.)	Number of Minimum 10' × 40' Loading Spaces*
5,000 – 25,000	1
25,001 – 50,000	2
50,001 – 100,000	3
100,001 – 150,000	4
150,001 – 200,000	5

For each additional 100,000	1 additional loading space
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* Each 10' × 40' loading space shall have a height clear of obstruction of not less than 14 ft.

Table B

Gross Floor Area (sq. ft.)	Number of Loading Spaces	
	10' × 25' min.	10' × 40' min.*
2,000 – 10,000	1	--
10,001 – 25,000	2	--
25,001 – 100,000	2	1
For each additional 100,000	--	1 additional

* Each 10' × 40' loading space shall have a height clear of obstruction of not less than 14 ft.

- A. The Planning and Development Service Director shall determine the off-street loading space requirements for a use not specified, based upon the most similar use listed in part 4. Minimum off-street parking requirements or using certified service/goods handling data for the specific use.
 - B. In calculating the required number of loading spaces, fractional spaces are rounded to the nearest whole number, with one-half counted as an additional space.
6. Schedule of Off-Street Drive-Thru Stacking Requirements. Off-street drive-thru stacking spaces shall be provided, at a minimum, in accordance with the following schedule and shall not interfere with vehicular or pedestrian circulation, or parking on the site. Where stacking space is provided in a single stacking lane, the stacking requirement shall be calculated as the sum of requirement for each feature that requires stacking.
- A. Car wash:
 - (1) Full service: One space at each vacuum or wash station, plus four additional stacking spaces for each wash bay lane.
 - (2) Self-service (Drive-Thru/Automated): One space in the wash bay, plus three additional stacking spaces for each wash bay lane.
 - (3) Self-service (Open Bay): One space per vacuum or wash bay, plus two additional stacking spaces for each wash bay lane.
 - (4) Vehicle drying area:
 - a. Full service: Two spaces per wash bay, located at the exit of the wash bay.
 - (5) Self-service: One space per wash bay.
 - B. Financial institution:
 - (1) One space at each drive-up service lane, plus five additional stacking spaces for each service lane where there are two or less service lanes.
 - (2) One space at each drive-up service lane, plus four additional stacking spaces for each service lane when there are three or more service lanes.

- (3) Drive-up Automated Teller Machine (ATM): One space at each automated drive-up teller machine (ATM), plus two additional stacking spaces for each ATM.
- C. *Oil change facility* – one space in the service bay, plus two additional stacking spaces for each service bay.
- D. *Retail Uses with drive-up facilities* – one space for each drive-up service lane, plus two additional stacking spaces for each service lane.
- E. *Restaurant with drive-up facilities* – one space for each drive-up service lane, plus seven additional stacking spaces for each service lane.
7. *Joint Parking*. All parking spaces required by this ordinance shall be located on the same parcel of land as the use to be served except as follows:
- A. Parking for one or more uses in a commercial or industrial district may be provided on a separate lot when said separate lot is within a similar zoning district type and within 400 feet of the use or uses to be served, as measured along a pedestrian walkway designed to allow pedestrians to safely access the use.
- B. When two (2) or more owners agree to provide their required parking spaces jointly, the number of joint parking spaces shall be equal to the number of parking spaces required if each were to provide parking separately, unless otherwise stated in this Section.
- (1) The applicants for joint parking shall submit a joint parking plan and an appropriate legal instrument of agreement among the involved property owners for review by the Planning and Development Services Director.
- (2) Such joint parking plan and agreement shall include language binding the owners of the properties and their successors and assigns to the agreement and limiting and controlling use of land to those uses and conditions accepted by the Planning and Development Services Director and agreed to by the owners of the properties involved.
- (3) If the joint parking plan and agreement are found to conform to the requirements of applicable codes, laws, and ordinances, they shall be stamped accepted by the City of Chesterfield and returned to the applicant. The applicant shall record these accepted documents with the County Recorder of Deeds. Recorded copies of the accepted documents shall be provided to the City of Chesterfield prior to release of Municipal Zoning Approvals associated with the joint parking plan and agreement.
8. *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 build-out occurs, but that an area on the site would be reserved so that these spaces could be provided in the future upon demand or request by the City. Said demand would be made if the spaces were needed to meet the parking needs of the project.
- A. *Criteria for Parking Deferral*. The Planning and Development Services Director may grant a deferral for construction of up to 50% of the off-street parking spaces required by

this Section in an industrial district; 30% in a commercial district and any other district if an applicant demonstrates:

- (1) Trip generation characteristics and time of day usage characteristics for similar uses show that the parking spaces can be reduced without causing parking to overlap into other nearby developments or onto public streets.
 - (2) Vehicles owned by the occupants are characteristically different from the norm or the proximity to employment, shopping, educational and transit developments is such that reduced auto usage would be anticipated.
 - (3) The immediate proximity to public transportation facilities serves a significant proportion of residents, employees, and/or customers.
 - (4) Operation of effective private or company car pool, van pool, bus or similar transportation programs with proof of continued financial viability.
 - (5) 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.
 - (6) Development will be in phases so that deferring the parking will have green space until further build-out. The site must meet all parking requirements based upon square-footage actually built.
- B. *Application.* Applicants for deferral of parking shall provide a written statement which addresses how the proposal meets the applicable criteria. The application shall include a site plan depicting the total required parking on-site and the deferred parking area shall be labeled as reserved for future parking.
- C. *Landscaping.* The land area delineated for deferred parking shall be shown on the plan with proposed finish grades and landscaping. Landscaping for the deferred parking area shall be as approved by the Planning and Development Services Director 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.
- D. *Notice of Change of Condition.* The owner of the property, or their designated party, shall notify the City of any change in the conditions that was the basis for a deferral.
- E. *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. A parking deferral shall apply to the developer and all subsequent owners of said property and shall run with the land and be shown on all recorded plats. The plat shall state that 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 60 days after receiving written notice by the City. The costs incurred by the City shall be repaid by the owners or shall be placed as 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.

9. *Modification of Standards.* An applicant may request a modification of the requirements of this Section of the City Code by providing a Parking Demand Study, as defined below, that supports the request and demonstrates by clear and convincing evidence that the requested modifications are appropriate for the site and do not cause detriment to adjacent properties.

A. *Applicability.* A Parking Demand Study is required when an applicant:

- (1) Requests a reduction in the minimum parking requirements;
- (2) Requests to exceed the maximum parking requirements;
- (3) Requests any other modification to the standards of this Section.

B. *Elements of a Parking Demand Study.* The Parking Demand Study shall contain the following information as determined by the City of Chesterfield:

- (1) The study shall be signed by a licensed professional engineer or certified planner.
- (2) A plan which graphically depicts where the parking spaces, loading spaces, stacking area, and parking structures are to be located, as well as the onsite circulation for automobile, pedestrian, and bicycle movement.
- (3) A report which demonstrates how any variations from this Section were calculated and upon what assumptions such calculations were based; and how everything shown on the plan complies with, or varies from, applicable standards and procedures of the City.
- (4) The plan shall show all entrances and exits for any structured parking and the relationship between parking lots or structures and the circulation.
- (5) The plan, supported by the report, shall show the use, number, location, and typical dimensions of parking for various vehicle types including passenger vehicles, trucks, vehicles for mobility-impaired persons, motorcycles, buses, other transit vehicles and bicycles.
- (6) The plan, supported by the report, shall include phasing plans for the construction of parking facilities and any interim facilities planned.
- (7) Whenever the applicant requests (1) to reduce the number of required parking spaces, or (2) to exceed the maximum parking provided for in this Section, the required report shall document how the proposed parking was calculated and upon what assumptions such calculations were based.
- (8) Such other information as determined by the Department of Planning and Public Works to be necessary to process the Parking Demand Study.

C. *Design Features and Review Criteria.* Design features and review criteria including, but not limited to those listed below, will be reviewed when in conjunction with requests for modification to any of the requirements of this Section.

- (1) The Parking Demand Study provides sufficient number and types of spaces to serve the uses identified on the site.

- (2) Adequate provisions are made for the safety of all parking facility users, including motorists, bicyclists and pedestrians.
- (3) Sites are designed to minimize or alleviate traffic problems.
- (4) Parking spaces are located near the uses they are intended to serve and shall provide safe and convenient access for pedestrian access to the facility.
- (5) Adequate on-site parking is provided during each phase of development of the district.
- (6) The development provides opportunities for shared parking or for other reductions in trip generation through the adoption of transportation demand management (TDM) techniques to reduce trip generation, such as car pools, van pools, bicycles, employer transit subsidies, compressed work hours, and high occupancy vehicle (HOV) parking preference.
- (7) Reductions in the number of parking spaces should be related to significant factors such as, but not limited to:
 - a. Shared parking opportunities;
 - b. Hours of operation;
 - c. The availability and incorporation of transit services and facilities;
 - d. Opportunities for reduced trip generation through pedestrian circulation between mixed-uses;
 - e. Off-site traffic mitigation measures;
 - f. Recognized variations in standards due to the scale of the facilities;
 - g. Parking demand for a specified use; and
 - h. The provisions of accessible parking spaces beyond those required per the City Code.

D. *Approval.* Requests for modifications will be considered by the Planning & Development Services Director and may be approved if the requested modifications are appropriate to the site and do not cause detriment to the adjacent properties. If said request for modifications is approved, the property owner(s) involved in the Parking Demand Study shall submit a written agreement to the City of Chesterfield requiring that the parking facility and any associated transportation demand management (TDM) techniques shall be maintained without alteration unless such alteration is authorized by the Planning and Development Services Director. Such written agreement shall be approved by the City of Chesterfield and recorded by the property owner with the St. Louis County Recorder's Office prior to the issuance of a building permit, and a copy filed in the project review file.

(1) Review Procedure.

- a. Requests for a reduction in the minimum parking requirement:
 - i) The Planning and Development Services Director shall review, and may approve, requests for reduction for up to twenty percent (20%) of the minimum parking requirement.

- ii) Requests that exceed twenty percent (20%) shall be subject to the review and approval of the Planning Commission.
- b. Requests to provide parking in excess of the maximum parking requirement:
 - i) Requests to exceed the maximum parking requirement by twenty percent (20%) shall be subject to the review and approval of the Planning and Development Services Director.
 - ii) Requests to exceed the maximum parking requirement by more than twenty percent (20%) shall be subject to the review and approval of the Planning Commission. Where Planning Commission approval is required for the proposed parking, the applicant shall submit a statement that identifies measures to mitigate for the increase in parking area. Mitigation measures shall be subject to the review and approval of the Planning Commission and may include, but not be limited to, the following:
 - (a) Increased open space;
 - (b) Pervious pavements;
 - (c) Green roofs;
 - (d) Cool pavement materials;
 - (e) Structured parking; or
 - (f) Native vegetation.
- c. Review of other modifications. Requests for modifications to the requirements of this Section, other than those listed above, shall be submitted to the Department of Planning and Public Works for review and approval.

10. Previously Approved Reductions. Developments with parking reductions approved by the City of Chesterfield prior to the enactment of this Section of the Zoning Ordinance shall be required to provide parking in accordance with the minimum parking requirements at the time the reduction was granted. Any property owner with a previously approved parking reduction wishing to apply Paragraph 4 Section (6) "Minimum parking for Retail Centers" may do so in lieu of utilizing the previously approved parking reduction. No property shall be permitted to utilize a parking reduction and the parking for retail centers option in Paragraph 4 Section (6) concurrently.

11. Supplementary Off-Street Parking and Loading Requirements. In addition to the above parking and loading requirements, the following standards shall apply:

- A. In all zoning districts, all parking and loading areas, including driveways, shall be asphalt, concrete paved, or other dustproof surface as approved by the City of Chesterfield.
- B. For all non-residential uses, off-street parking and loading shall be so designed such that a single unit vehicle shall not be required to back into a vacant parking space or into a street or roadway in order to turn around or exit.
- C. Off-street parking areas shall provide ingress and egress to any public right-of-way only at such locations as approved by the City of Chesterfield.

- D. Required off-street parking, stacking and loading spaces shall not include spaces located in the floodplain or floodway, as determined by the City of Chesterfield, except when accessory to a permitted or conditional use in the “FP” Floodplain District.
- E. No off-street parking space required under this ordinance shall be used for any other purpose. Where a change in use creates greater parking requirements than the amount being provided, a Municipal Zoning Approval shall not be issued unless provision is made for the increased amount of required off-street parking.