BILL NO. 3012 **ORDINANCE NO. 2830**

AN ORDINANCE AMENDING ARTICLE 3 SECTION 03-04.H OF THE UNIFIED DEVELOPMENT CODE TO AMEND DEVELOPMENT CRITERIA AND STANDARDS TO ENCOURAGE PEDESTRIAN CONNECTIVITY AND ACCESS WITHIN THE URBAN CORE DISTRICT (P.Z. 16-2014 CITY OF CHESTERFIELD {URBAN CORE DISTRICT UPDATES}).

WHEREAS, the City of Chesterfield Unified Development Code contains regulations and requirements pertaining to the development and construction of land within the City; and,

WHEREAS, the Unified Development Code serves to promote the public health, safety, and general welfare of the citizens of the City of Chesterfield; and,

WHEREAS, the City of Chesterfield seeks to update development criteria and standards pertaining to the Urban Core District; and,

WHEREAS, a Public Hearing was held before the Planning Commission on November 24, 2014; and,

WHEREAS, the Planning Commission, having considered said request, recommended approval; and,

WHEREAS, the Planning and Public Works Committee, having considered said request, recommended approval with an amendment pertaining to the open space requirement; and,

WHEREAS, the City Council, having considered said request, voted to approve the updates to Article 3 of the Unified Development Code pertaining to the Urban Core District with an amendment pertaining to the open space requirement.

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 hereby repeals Article 3 Section 04.H of the Unified Development Code and replaces it with a new Section as set out in Attachment "A" which is attached hereto and made part thereof.

Section 2. 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 3. 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 4. 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 5. The City Council, pursuant to the petition filed by the City of Chesterfield in P.Z. 16-2014, 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 24th day of November, 2014, 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 6. This Ordinance shall be codified within the Municipal Code of the City of Chesterfield.

Section 7. This Ordinance shall take effect immediately upon its publication, pursuant to applicable legal and procedural requirements.

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

Passed and approved this 21st day of January, 2015.

Bob Nation

MAYOR

ATTEST:

Vicki Hass

CITY CLERK

First Reading Held: 01/05/2015

ATTACHMENT A

UNIFIED DEVELOPMENT CODE AMENDMENTS

H. "UC" Urban Core District.

1. Purpose. The "UC" Urban Core District is intended to provide a method for commercial or mixed commercial and residential development within the area known as the Urban Core. The regulations for the "UC" District offer a method that allows flexibility in applying certain zoning standards. Such flexibility requires a review process and development plan to safeguard health, safety, and welfare concerns. In exchange for flexibility, "UC" Districts are required to provide exceptional design and amenities not otherwise required through traditional zoning techniques. These requirements are designed to offset the impact of changes in development standards allowed through these provisions. The "UC" District allows innovative designs, solves problems on difficult sites, meets market niches, encourages pedestrian access and connectivity between developments, and promotes well designed developments. The "UC" District regulations should have the following outcomes:

   a.) Implement the vision of the area of the City identified as the Urban Core in the Comprehensive Plan;

   b.) Promote pedestrian access, connectivity and facilities between sites, between developments and to public facilities through inclusion of a variety of site and building design features such as continuous pedestrian walkways between buildings and from parking areas, trails, bicycle paths, covered walkways between buildings, widened sidewalks at the entrance to commercial and office structures, bicycle parking and continuous walkways through parking areas to buildings within the development.

   c.) Allow flexibility that is not available through standards and restrictions contained elsewhere in the Zoning Ordinance;

   d.) Promote more efficient use of land;

   e.) Incorporate site features such as topography, views, vegetation, water features, and other factors into the design so they become assets to the development;

   f.) Promote building styles and architectural styles that complement one another;

g.) Allow a mix of uses that are designed to negate potential conflicts that normally occur between incompatible land uses;

h.) Promote the most efficient arrangement of circulation systems, land use, and buildings;

i.) Promote environmentally sensitive developments; and

j.) Allow development, under a specifically approved design concept and site plan, which otherwise may not be permitted by the Zoning Ordinance.

2. Scope of Provisions. This Section contains the regulations of the "UC" District. These regulations are supplemented and qualified by additional general regulations appearing elsewhere in the UDC. Additional conditions may be established in the planned district ordinance authorizing the establishment of a "UC" District.

3. Where the City Council determines that any particular tracts or areas should be developed for commercial use, a "UC" District may be established on a tract of land in single ownership or single management control provided that:

a.) The preliminary development plan and the application for change of zoning are approved by the City Council; and

b.) A site development plan is approved by the Planning Commission and recorded in compliance with requirements of this Section.

4. Minimum Standards of Design. In addition to the development standards and district requirements in Article 04 of this UDC, the following performance standards are applicable to the "UC" District:

a.) Uses. Permitted land uses shall be established in the conditions of the ordinance governing the particular "UC" District. Uses may include those uses designated as permitted or conditional uses in any commercial or residential district listed in Table A-1 of Section 03-02 of this Article.

(1) Uses requiring an Adult Entertainment Area Permit are not permitted.

(2) Light industrial type uses which are permitted in limited areas within a "PC" District are not permitted in the "UC" District.

b.) In order to promote reasonable and orderly development within the City of Chesterfield, the following standards shall be

considered by the Planning Commission and City Council in consideration for a change in zoning to the "UC" District. These standards are minimum requirements and may be made more restrictive in the conditions of the planned district ordinance governing the particular "UC" District.

(1) Lot Area. The minimum lot area for this district is three (3) acres.

(2) Density. A maximum Floor Area Ratio (F.A.R.) of 0.55 is allowed.

(3) Height. The total height of any structure shall not exceed eight (8) stories in height, excluding mechanical devises.

(4) Open Space. A minimum of 30% open space is required. Open space should be integrated into the development to provide aesthetic, recreational, or other public benefit. Covered pedestrian walkways and bridges may be counted towards the 30% open space requirement.

(5) Setbacks.

(a) The minimum yard setback for any structure from the boundary of a "UC" District shall be 35 feet.

(b) The minimum yard setback for any parking area, parking structure, internal drive or loading space shall be 30 feet.

5. Site Design Features and Flexibility. Any design features approved under this Section shall be assured and implemented through inclusion in the planned district ordinance. This ordinance shall be approved concurrently with the change in zoning to the "UC" District.

a.) While these features are not mandatory for approval, they are desirable to the City of Chesterfield and may increase the flexibility of design and the ability of the developer to negotiate the mitigation of other requirements.

(1) Incorporation of parking areas into the design of the development to minimize visual expanses of parking lots;

(2) Placement of structures on most suitable sites with consideration of topography, soils, vegetation, slope, etc.;

(3) Preservation of natural and cultural areas, as well as the creation of open space through active and passive

recreation areas to include greenways, walking and cycling trails that serve to connect significant areas and various land uses;

(4) Enhanced landscaping, deeper and opaque buffers, and increased planting along residential properties, public rights-of-way, open space/recreational areas, and the overall perimeter of the project;

(5) Utilization of mixed use buildings;

(6) Segregation of vehicular traffic from pedestrian/bicycle circulation networks, and other traffic mitigation measures;

(7) Promotion of pedestrian access and connectivity throughout the development as well as between sites and developments and to public and community facilities;

(8) Incorporation of Transit Oriented Development or direct access to public transportation;

(9) Utilization of Leadership in Energy and Environmental Design (LEED) construction and development standards and the proposed LEED certification of buildings;

(10) Public benefits and community facilities and the access thereto; and

(11) Sensitive treatment of perimeters to mitigate impact upon adjoining property.

6. The procedure for zoning to the "UC" District and site development plan approval is established in Article 02 of this UDC.