

**INTRODUCED BY: Councilmember Aleta Klein**

**DATE: December 20, 2023**

**BILL NO.: 9532**

**ORDINANCE NO.: 7345**

**AN ORDINANCE AMENDING ZONING CODE SECTIONS 400.760.D, 400.780.E, 400.1190.B AND 400.2130 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING OR APPLICABLE TO PLANNED DEVELOPMENTS, BY ADDING PROVISIONS ON MINIMUM OFF-STREET PARKING AND LOADING SPACES IN ALL PLANNED DEVELOPMENT DISTRICTS ("PD"), AND PROVISIONS ON FLOOR AREA RATIOS, MINIMUM PERIMETER BUFFER AREAS AND SETBACKS AND SCREENING IN PLANNED DEVELOPMENT - MIXED USE DISTRICTS ("PD-M").**

WHEREAS, Chapter 400 (Zoning Code) of the University City Municipal Code divides the City of University City, Missouri (City) into several zoning districts and establishes standards therein to which land, buildings, structures and their uses must conform; and

WHEREAS, in a meeting held on December 6, 2023, the City Plan Commission examined Zoning Code text amendments to Sections 400.760.D, 400.780.E, 400.1190.B and 400.2130 that added provisions on minimum off-street parking and loading spaces in all Planned Development Districts ("PD"), and provisions on floor area ratios, minimum perimeter buffer areas and setbacks and screening in Planned Development - Mixed Use Districts ("PD -M"), and recommended to the City Council that the text amendments to Sections 400.760.D, 400.780.E, 400.1190.B be approved and the text amendment to Section 400.2130 not be approved; and

WHEREAS, due notice of a public hearing to be held by the City Council in the City Council Chambers at City Hall at 6:30 p.m. on January 8, 2024, was duly published on December 22, 2023 in the St. Louis Countian, a newspaper of general circulation within the City; and

WHEREAS, the public hearing was held at the time and place specified in said notice, and all suggestions or objections concerning the text amendments to the Zoning Code of the City were duly heard and considered by the City Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF UNIVERSITY CITY, MISSOURI, AS FOLLOWS:

Section 1. Zoning Code Sections 400.760.D, 400.780.E and 400.1190.B of the University City Municipal Code, relating or applicable to planned developments, are hereby amended by adding provisions therein, so that said Sections, as so amended, shall read as follows:

Section 400.760 Permitted Uses:

D. Planned Development — Mixed Use (PD-M).

1. Permitted land uses and developments shall be established in the conditions of the ordinance adopted by the City Council governing the particular planned development — mixed use district. Specific uses shall include those uses designated as permitted, accessory, or conditional uses in any of the residential districts, and/or in the "LC", "GC" and "CC" commercial districts.

2. In addition to those uses included in Subsection (D)(1) of this Section, the following uses may be designated as permitted uses and established as such in the ordinance governing the particular planned development — mixed use district:
  - a. Attached single-family dwellings;
  - b. Patio dwellings;
  - c. Zero lot line residential developments;
  - d. Dwellings, elevator-type, with a F.A.R. greater than three (3).
3. It is anticipated that the above uses will be combined in order to qualify as "PD-M" district.

Section 400.780 Density and Dimensional Regulations and Performance Standards:

- E. Planned Development — Mixed Use (PD-M). "PD-M" developments shall incorporate the regulations set forth in both Subsections dealing specifically with "PD-R" and "PD-C" developments, except that the minimum perimeter buffer area may be reduced or not required if the "PD-M" development is on Delmar Boulevard between Kingsland Avenue and the eastern municipal limits, the broadly described boundaries of the University City Loop special business district established in Section 120.900. If an unresolved conflict between those regulations occurs (such as between common open space versus site coverage), the applicant shall set forth the reasons for such discrepancy and the proposed resolution. Any discrepancies between the two (2) sets of regulations and the resolution thereof shall be set forth in the map amendment ordinance and/or the resolution approving the development. The resolution thereof shall be pursuant to staff recommendation or as set forth by the Plan Commission in the map amendment ordinance.

Section 400.1190 Screening Between Non-Residential and Residential Zoning Districts:

- B. In situations where a residential subdivision (more than three (3) lots) or other multiple dwelling unit development is constructed on a site that is abutting or adjacent to commercial or an "IC" zoned lot, the developer of the residential subdivision or development shall provide the following increase in setbacks and screening:
  1. The minimum setback for the principal residential buildings shall be increased by ten (10) feet along the common property line separating the residential and commercial or "IC" Zoning District. A permanent buffer strip of a minimum of ten (10) feet shall be established adjacent to and parallel to said common property line(s). This strip shall be indicated on the approved subdivision plat and/or development plan and annotated with the following statement: "This strip is reserved for landscape screening. The placement of buildings or other structures hereon is prohibited."
  2. Within this buffer strip, there shall be a landscaped area planted with one (1) evergreen tree for every twenty (20) lineal feet of common property line. In addition, combinations of canopy trees, ornamental trees and shrubs shall be provided as approved by the Zoning Administrator, provided that such landscaping will effectively screen the non-residential uses from the view of the abutting residential zoned properties.
  3. In addition, there shall be placed at the property line a neat, clean and maintained sight-proof fence or wall having a minimum height of six (6) feet, but not more than eight (8) feet.

The setbacks and screening in this Subsection may be reduced or not required under the planned development procedure in Article IV, Division 11 of this Chapter provided the development is on Delmar Boulevard between Kingsland Avenue and the eastern municipal limits, the broadly described boundaries of the University City Loop special business district established in Section 120.900.

Section 2. Zoning Code Section 400.2130 of the University City Municipal Code, relating or applicable to planned developments, is hereby amended by adding Subsection G therein, which shall read as follows:

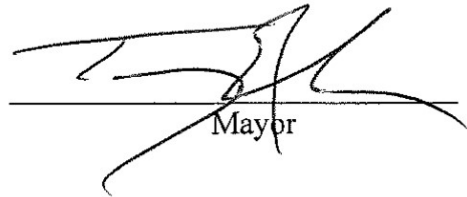
G. Planned Developments. Exceptions in this Section authorized under the conditional use procedure may be authorized for planned developments under the planned development procedure in Article IV, Division 11 of this Chapter, and the same exception standards and maximum reductions in parking and loading spaces shall apply under either procedure and may be adjusted by the City Council to the same extent allowed under Section 400.2700.D.2 for conditional uses.

Section 3. This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty incurred by the violation of Sections 400.760.D, 400.780.E, 400.1190.B or 400.2130 of the University City Municipal Code, nor bar the prosecution of any such violation.

Section 4. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be subject to the penalties provided in Section 400.2570 of the University City Municipal Code.

Section 5. This ordinance shall take effect and be in force from and after its passage as provided by law.

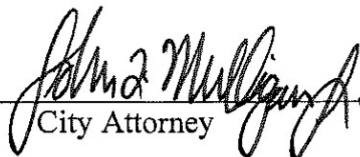
PASSED and ADOPTED this 8<sup>th</sup> day of January, 2024.

  
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Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

CERTIFIED TO BE CORRECT AS TO FORM:

  
\_\_\_\_\_  
City Attorney

