



Memorandum Department of Planning and Public Works

To: Mike Herring, City Administrator
From: Michael O. Geisel, Director of Planning and Public Works
Date: December 22, 2009
Re: Public Rights of Way

As directed by City Council at their meeting on 12/7/2009, Staff has compiled relevant information to the illegal subdivision sign placements within the right of way on Green Trails South.

Chronology

City Staff became aware of an illegal sign installation on 7/30/2009 and immediately initiated an inspection and evaluation.

Site was initially evaluated by Compliance Staff on 8/4/2009, finding two signs installed in the right of way, each over six foot tall and without landscaping. Correspondence was developed and sent to subdivision trustees establishing an abatement schedule.

During Staff's evaluation, we found that the Subdivision Trustees had obtained a permit to install the signs ON PRIVATE PROPERTY. In fact, the trustees provided easements from two property owners. Had the signs been installed as permitted, they would have been compliant.

For the last five months, since the original notice of violation, Staff has communicated repeatedly and worked continuously with the trustees attempting to explain the cause for the violation and to develop a timetable for abatement.

Green Trails West subdivision trustees appeared before City Council at their meeting on 12/7/2009, at which time Council directed this item to be referred to the Planning and Public Works Committee.

Why is it a violation?

These signs violate multiple provisions of City Code, policy and references. Specifically, the signs are in violation of the Streets and Sidewalks chapter, the Sign Ordinance, The Traffic Code, The Manual on Uniform Traffic Control Devices and City Policy on signs within the right of way.

First and foremost, it should be recognized and accepted that these signs are placed on public property. The residential properties which individuals own fee title for, are separate and outside of the right of way. A property owner's lot actually begins where the right of way ends. When properties are surveyed, the

property boundaries will be marked at the common property\right of way line, which is generally (and in this case) one foot on the residence side of the sidewalk.

The City has an absolute obligation and responsibility to care for and maintain its rights of way free from hazards and obstructions.

Since these signs are located on public property, it is an off-site sign which is prohibited under the terms of our Sign Ordinance (Chapter 1003). In addition, per the requirements of this Chapter monument signs are limited to a maximum of 6 feet in height, and must be landscaped. Both are violations in this instance.

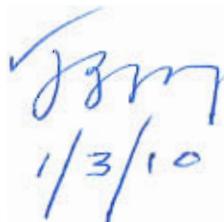
Any physical disturbance or placement within the right of way requires a special use permit be issued by the Department of Planning and Public Works. (Code Chapter 26)

More importantly, the only signage that is allowed to be placed within the right of way is limited to traffic control signage. The Manual of Uniform Traffic Control Devices (MUTCD), which is adopted by both City Code and by City policy prohibits the installation of any signage other than traffic control devices. See page 1A-3 excerpted from the MUTCD states "Any unauthorized traffic control device or other sign or message placed on the highway right of way by a private organization or individual constitutes a public nuisance and should be removed. All unofficial or nonessential traffic control devices, signs, or messages should be removed." (copy provided)

While well intentioned, the City cannot grant exceptions to allow subdivision signs within the right of way. Content based exceptions have been held to be unconstitutional. Accordingly, any authorization of signage within the right of way creates an untenable situation whereby the City would be unable to limit signage within the right of way. As evidenced by City Policy, PW #50, it is accepted and understood that redundant and unnecessary signs create clutter and safety concerns. Further, they are inconsistent with and prohibited by the Manual on Uniform Traffic Control Devices.

If you have any questions or require additional information, please advise.

attachments



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Chapter 26

STREETS AND SIDEWALKS*

Art. I.	In General, §§ 26-1—26-15
	Div. 1. Generally, §§ 26-1—26-5
	Div. 2. Opening and Excavation of Public Streets, §§ 26-6—26-15
Art. II.	Parades, §§ 26-16—26-50
Art. III.	Driveway Access Location and Design Standards, §§ 25-51—26-17

***Cross references**—Department of Public Works, § 2-166 et seq.; Division of Streets and Engineering established, § 2-178; Office of Superintendent of Streets, § 2-179; Division of Engineering, § 2-180; advertising and signs, Ch. 2.5; sale or consumption of intoxicating liquor in vehicle upon any public street, sidewalk, etc., prohibited, § 4-10(a); consumption of any beverage containing alcohol on streets, public walkways, or public parking lots prohibited, § 4-10(b); buildings and building regulations, Ch. 7; numbering of buildings, § 7-91 et seq.; emergency management, Ch. 11; flood damage prevention, Ch. 14; health and sanitation, Ch. 15; persons licensed to engage in any business required to remove snow and ice from sidewalk in front of business location, § 17-9; sale of goods or services prohibited in public rights-of-way, § 17-35; motor vehicles and traffic, Ch. 18; use of closed roadways, alleyways, etc., prohibited, § 18-35; fire lanes, § 18-110; abandoned vehicles, § 18-141 et seq.; bicycle regulations, § 18-151 et seq.; subdivision street standards, App. B, § 1005.180; subdivision street names, App. B, § 1005.190; subdivision street improvements, App. B, § 1005.260; disclosure of responsibility for street maintenance in subdivisions, App. B, § 1005.265; sidewalks in subdivisions, App. B, § 1005.270.

State law references—Municipal control of streets, sidewalks, etc., RSMo. § 77.520; public works and special assessments therefor, RSMo. § 88.010 et seq.

ARTICLE I. IN GENERAL

DIVISION 1. GENERALLY

Sec. 26-1. Blocking vehicular traffic on public streets; prohibited.

(a) *Blocking of vehicular traffic.* No person or entity shall block vehicular traffic by placing an obstruction anywhere in a public roadway unless written permission has been granted by the City of Chesterfield. This includes, but is not limited to, construction materials, organic materials, traffic barricades and sports/recreation equipment.

(b) *Protest; civil disobedience.* No person or entity shall block vehicular traffic as a form of protest or civil disobedience.

(c) *Rights of the City.* Nothing in this section shall prevent the City of Chesterfield from implementing any traffic or roadway measures deemed necessary, or prevent the City of Chesterfield or other public service agency serving Chesterfield from blocking streets, erecting barricades, or using other means to protect life and/or property, or preserve the peace.

(d) *Continuing violation.* Each day that such obstruction shall be in place after notice shall be a separate violation punishable as established by subsection (e).

(e) *Penalties.* Any person who violates the provisions of this section shall be subject to a fine of not more than five hundred dollars (\$500.00), or to imprisonment for not more than ninety (90) days, or by both such fine and imprisonment. (Ord. No. 1844, §§ 1—5, 5-6-02)

Editor's note—Ord. No. 1844, §§ 1—5, adopted May 6, 2002, was not specifically amendatory of the Code and has been added as § 26-1 at the editor's discretion. Formerly, said section pertained to a county maintenance contract which expired in 1989 and has been removed at the request of the City. See the Ordinance Disposition Table.

Sec. 26-2. Regulation of portable storage units.

(a) As used in this section the following terms shall mean as follows:

Accessory building. A subordinate building customarily incidental to and located on the same lot

occupied by a main building, subordinate in area, extent, or purposes to the main building, limited to and contributing to the comfort, convenience or necessity of the occupants of the main building. For purposes of this section, an accessory building differs from a temporary storage device, portable on demand storage unit and storage shed in that it is constructed pursuant to a building permit, and is permanently affixed to realty.

Storage trailers. Includes trucks, trailers, and other vehicles or parts of vehicles designed to be hitched or attached to trucks, tractors or other vehicles for movement from place to place used as a temporary storage device.

Portable storage unit. A container designed, constructed and commonly used for non-permanent placement on property for the purpose of temporary storage of personal property.

Storage shed. A prefabricated structure designed, intended and installed on property primarily for the long term storage of yard, pool and garden equipment and similar personal property.

(b) It shall be unlawful for any person to park, place or suffer placement of a portable storage unit or similar device in or upon any street, highway, roadway, designated fire lane or sidewalk in the City.

(c) It shall be unlawful for any person to park, place or suffer placement of a portable storage unit or similar device upon any lot or property in the City other than on a concrete, asphalt or other improved surface.

(d) It shall be unlawful for any person to park, place or suffer placement of portable storage unit or similar device upon any lot or property in the City used for commercial purposes or containing three (3) or more dwelling units in such a way as to block or interfere with access to a garage or off-street parking areas.

(e) It shall be unlawful for any person to park, place or suffer placement of portable storage unit or similar device upon any lot or property in the City for more than ten (10) consecutive days or on more than three (3) occasions in any twelve-month period.

(f) It shall be unlawful for any person to park, place or suffer placement of portable storage unit or similar device upon any front yard, as defined in the zoning ordinance, for more than ten (10) consecutive days.

(g) This section shall not apply to the use or placement of construction trailers and equipment on property in association with ongoing construction activities carried out pursuant to a valid building permit, nor to the placement of accessory buildings or storage sheds.
(Ord. No. 2270, § 1, 5-15-06)

Secs. 26-3—26-5. Reserved.

DIVISION 2. OPENING AND EXCAVATION OF PUBLIC STREETS

Sec. 26-6. Work in streets; permit.

(a) *Required.* Except in case of municipal work authorized by the Director of Public Works, no person or entity shall make any opening or excavation or place any object in any public street, alley, sidewalk, parkway or other public place or thoroughfare, without a written special use permit from the Director of Public Works.

(b) *Work requiring permit authorization.* All work which results in a physical disturbance of the public right-of-way shall require permit authorization. This requirement shall include, but not be limited to, all excavations and installations relating to conduit, poles, pole lines, wires, mains, pipes, valves, conductors, sewers, drains, drive-ways, sidewalks or appurtenances thereof.

(c) *Other work.* Work which does not result in a physical disturbance of the public right-of-way and does not interrupt traffic shall not require permit authorization or telephone notification. Examples of this type of work shall include the following: the opening and/or inspection of man-holes, vaults, and other structures located outside the pavement surface, maintenance of lighting fixtures, maintenance and/or replacement of drive-ways and sidewalks, etc.

(d) *Record.* The Director of Public Works shall keep a full and complete account of all permits issued showing the date, the person to whom issued, and the location of proposed work.

(e) *Permit placard.* Any person having occasion to make any such excavation shall make written application for a permit therefore to the Director of Public Works, who is given authority to issue such permits. The application shall state the location and nature of the proposed work and when the work is to be commenced. No permit shall be issued for a period in excess of ninety (90) days.

(f) Emergency work, where the public safety and welfare are endangered, which results in a physical disturbance of the public right-of-way, shall require immediate notification of the proposed work to the Director of Public Works during regular work hours or by telephone to the City Police Department at all other times. Notification should be followed by permit application to the Director of Public Works as soon as possible.

(g) The Director of Public Works shall provide each permittee at the time a permit is issued here under a suitable placard plainly written or printed in English letters at least one inch high with the following notice: "City of Chesterfield, Permit No. _____ Expires _____" and in the first blank space there shall be inserted the number of said permit and after [the] word "expired" shall be stated the date when permit expires. It shall be the duty of any permittee hereunder to keep the placard posted in a conspicuous place at the site of the work. It shall be unlawful for any person to exhibit such placard at or about any site not covered by such permit, or to misrepresent the number of the permit or the date of expiration of the permit.
(Ord. No. 1337, § 1, 11-3-97)

Sec. 26-7. Deposits.

The applicant shall accompany the permit application with an escrow, bond, insurance, affidavit, etc., indicated herein as necessary for that type of permit.

(1) *Escrows.* Special use permits shall be issued upon the approval of the Department of Public Works and the developer

- depositing with the City a sum equal to that which would be required to assure the completion of said project. Said escrow funds are meant to guarantee the restoration, maintenance and/or rehabilitation of said site if the project does not proceed in accordance with the plans as approved by the Department of Public Works of the City. Said escrow can be approved by the Department of Public Works and the City Attorney without approval of the City Council. Any portion of the deposit not expended or retained by the City hereunder shall be refunded without interest, not less than one year after the excavation or building is completed and approved by the City.
- (2) *Surety.* in lieu of a cash escrow, a surety of bond or indemnity agreement for not less than one thousand dollars (\$1,000.00) for each permitted site, subject to all the terms and conditions of this article, may be provided, subject to the approval of the City Attorney. In the case of owners, contractors or builders, who have previously violated the subject and provisions of this section, the amount of the bond, escrow or indemnity shall be increased in each case based on such previous experience.
- (3) *Refund.* If the applicant has restored the pavement in satisfactory form, such deposit shall be refunded to him; otherwise, the City shall use the deposit for the purpose of employing others to restore the pavement and surface and the applicant shall be liable to the City for any cost in excess of the amount of the deposit actually expended by the City to restore the same. If the deposit is more than needed to restore the surface, the City shall retain out of the excess the City's fee for arranging and supervising the restoration and refund the balance, if any, to the applicant. If the deposit is not sufficient to pay the cost of restoration and the fee therefore and liquidated damages hereinafter provided, the applicant shall be liable for the difference.
- (4) *Condition.* As a prerequisite to the issuance of a special use permit, the applicant shall agree in writing to be bound by the terms of this Article and to such conditions as may be prescribed by the Director of Public Works as to lights and barricades, the time within which the opening is to be filled and the surface restored and for notice thereof, and to repair as required during the one year period allowed herein. If the opening is not closed within the time established, the applicant shall pay the sum of one hundred dollars (\$100.00) per day as liquidated damages and not as a penalty, to be deducted from his deposit, if sufficient.
- (5) *Insurance.* The contractor and his subcontractors shall procure and maintain during the life of the special use permit, insurance of the types and minimum amounts as follows:
- (a) Workers' Compensation in full compliance with statutory requirements of Federal and State of Missouri law and Employers' Liability coverage in

300.125. Public inspection of reports relating to accidents.

1. All written reports made by persons involved in accidents or by garages shall be without prejudice to the individual so reporting and shall be for the confidential use of the Police Department or other governmental agencies having use for the records for accident prevention purposes, except that the Police Department or other governmental agency may disclose the identity of a person involved in an accident when such identity is not otherwise known or when such person denies his presence at such accident.

2. No written reports forwarded under the provisions of this section shall be used as evidence in any trial, civil or criminal, arising out of an accident except that the Police Department shall furnish upon demand of any party to such trial, or upon demand of any court, a certificate showing that a specified accident report has or has not been made to the department in compliance with law, and, if such report has been made, the date, time and location of the accident, the names and addresses of the drivers, the owners of the vehicles involved, and the investigating officers.

TRAFFIC CONTROL DEVICES

300.130. Authority to install traffic control devices.

The City Traffic Engineer shall place and maintain traffic control signs, signals, and devices when and as required under the traffic ordinances of the City to make effective the provisions of said ordinances, any may place and maintain such additional traffic control devices as he may deem necessary to regulate traffic under the traffic ordinances of the City or under State law or to guide or warn traffic.

300.135. Manual and specifications for traffic control devices.

All traffic control signs, signals and devices shall conform to the manual and specifications approved by the State Highway Commission or resolution adopted by the legislative body of the City. All signs or signals required hereunder for a

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particular purpose shall go so far as practicable be uniform as to type and location throughout the City. All traffic control devices so erected and not inconsistent with the provisions of this ordinance shall be official traffic control devices.

300.140. Obedience to traffic control devices.

The driver of any vehicle shall obey the instructions of any official traffic control device applicable thereto placed in accordance with the provisions of this ordinance, unless otherwise directed by a Traffic or Police Officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this ordinance.

300.145. When official traffic control devices required for enforcement purposes.

No provision of this ordinance for which official traffic control devices are required shall be enforced against an alleged violator if at the time and place of the alleged violation an official device is not in proper position and sufficiently legible to be seen by an ordinarily observant person. Whenever a particular section does not state that official traffic control devices are required, such section shall be effective even though no devices are erected or in place.

300.150. Official traffic control devices—Presumption of legality.

1. Whenever official traffic control devices are placed in position approximately conforming to the requirements of this ordinance, such devices shall be presumed to have been so placed by the official act or direction of lawful authority, unless the contrary shall be established by competent evidence.

2. Any official traffic control device placed pursuant to the provisions of this ordinance and purporting to conform to the lawful requirements pertaining to such devices shall be presumed to comply with the requirements pertaining to such devices shall be presumed to comply with the requirements of this ordinance, unless the contrary shall be established by competent evidence.

300.155. Traffic control signal legend.

Whenever traffic is controlled by traffic control signals exhibiting different colored lights, or colored lighted arrows, successively one at a time or in combination, only the colors green, red and yellow shall be used, except for special pedestrian signals carrying a word legend, and said lights shall indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication:

- (a) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left unless a sign at such place prohibits either such turn. But vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent crosswalk at the time such signal is exhibited.
- (b) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by such arrow, or such other movement as is permitted by other indications, when at the same time. Such vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent cross walk and to other traffic lawfully using the intersection;
- (c) Unless otherwise directed by a pedestrian control signal as provided in Section 300.160, pedestrians facing any green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within any marked or unmarked cross walk.

(2) Steady yellow indication:

- (a) Vehicular traffic facing a steady yellow signal is thereby warned that the related green movement is being terminated or that a red indication will be exhibited immediately thereafter when vehicular traffic shall not enter the intersection;

- (b) Pedestrians facing a steady yellow signal, unless otherwise directed by a pedestrian control signal as provided in Section 300.160 are thereby advised that there is insufficient time to cross the roadway before a red indication is shown and no pedestrian shall then start to cross the roadway.

(3) Steady red indication:

- (a) Vehicular traffic facing a steady red signal alone shall stop before entering the cross walk on the near side of the intersection or, if none, then before entering the intersection and shall remain standing until a green indication is shown.
 - (b) Unless otherwise directed by a pedestrian control signal as provided in Section 300.160, pedestrians facing a steady red signal alone shall not enter the roadway.
- (4) In the event an official traffic control signal is erected and maintained at a place other than an intersection, the provisions of this section shall be applicable except as to those provisions which by their nature can have no application. Any stop required shall be made at a sign or marking on the pavement indicating where the stop shall be made, but in the absence of any such sign or marking the stop shall be made at the signal.

300.160. Pedestrian control signals.

Whenever special pedestrian control signals exhibiting the words "walk" or "don't walk" are in place such signals shall indicate as follows:

- (1) "Walk," pedestrians facing such signal may proceed across the roadway in the direction of the signal and shall be given the right-of-way by drivers of all vehicles.
- (2) "Wait" or "don't walk," no pedestrian shall start to cross the roadway in the direction of such signal, but any pedestrian who has partially completed his crossing on the walk signal shall proceed to a sidewalk or safety zone while the wait signal is showing.

300.165. Flashing signals.

1. Whenever an illuminated flashing red or yellow signal is used in a traffic sign or signal it shall require obedience by vehicular traffic as follows:

- (1) Flashing red (stop signal), when a red lens is illuminated with rapid intermittent flashes, drivers of vehicles shall stop before entering the nearest cross walk at an intersection or at a limit line when marked, or if none, then before entering the intersection, and the right to proceed shall be subject to the rules applicable after making a stop at a stop sign.
- (2) Flashing yellow (caution signal), when a yellow lens is illuminated with rapid intermittent flashes, drivers of vehicles may proceed through the intersection or past such signal only with caution.

2. This section shall not apply at railroad grade crossings. Conduct of drivers of vehicles approaching railroad grade crossings shall be governed by the rules as set forth in Section 300.295 of this ordinance.

300.170. Lane direction control signals.

When lane direction control signals are placed over the individual lanes of a street or highway, vehicular traffic may travel in any lane over which a green signal is shown, but shall not enter or travel in any lane over which a red signal is shown.

300.175. Display of unauthorized signs, signals or markings.

No person shall place, maintain or display upon or in view of any highway an unauthorized sign, signal, marking or device which purports to be or is an imitation of or resembles an official traffic control device or railroad sign or signal, or which attempts to direct the movement of traffic, or which hides from view or interferes with the effectiveness of any official traffic control device or any railroad sign or signal.

300.180. Interference with official traffic control devices or railroad signs or signals.

No person shall, without lawful authority, attempt to or in fact alter, injure, knock down or remove any official traffic control device or any railroad sign or signal or any inscription, shield or insignia thereon, or any other part thereof.

300.185. Authority to establish play streets.

The City Traffic Engineer shall have authority to declare any street or part thereof a play street and to place appropriate signs or devices in the roadway indicating and helping to protect the same.

300.190. Play streets.

Whenever authorized signs are erected indicating any street or part thereof as a play street, no person shall drive a vehicle upon any such street or portion thereof except drivers of vehicles having business or whose residences are within such closed area, and then any said driver shall exercise the greatest care in driving upon any such street or portion thereof.

300.195. City Traffic Engineer to designate cross walks and establish safety zones.

The City Engineer is hereby authorized:

- (1) To designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, cross walks at intersections where in his opinion there is particular danger to pedestrians crossing the roadway, and at such other places as he may deem necessary;
- (2) To establish safety zones of such kind and character and at such places as he may deem necessary for the protection of pedestrians.

300.200. Traffic lanes.

1. The City Traffic Engineer is hereby authorized to mark traffic lanes upon the roadway of any street or highway where a regular alignment of traffic is necessary.

manual or supplement is required, that manual or supplement shall be in substantial conformance with the national Manual on Uniform Traffic Control Devices.

23 CFR 655.603 also states that traffic control devices on all streets and highways open to public travel in each State shall be in substantial conformance with standards issued or endorsed by the Federal Highway Administrator.

Support:

The "Uniform Vehicle Code" (see Section 1A.11) has the following provision in Section 15-104 for the adoption of a uniform Manual:

"(a)The [State Highway Agency] shall adopt a manual and specification for a uniform system of traffic control devices consistent with the provisions of this code for use upon highways within this State. Such uniform system shall correlate with and so far as possible conform to the system set forth in the most recent edition of the Manual on Uniform Traffic Control Devices for Streets and Highways, and other standards issued or endorsed by the Federal Highway Administrator."

"(b) The Manual adopted pursuant to subsection (a) shall have the force and effect of law."

Additionally, States are encouraged to adopt Section 15-116 of the "Uniform Vehicle Code," which states that, "No person shall install or maintain in any area of private property used by the public any sign, signal, marking or other device intended to regulate, warn, or guide traffic unless it conforms with the State manual and specifications adopted under Section 15-104."

Section 1A.08 Authority for Placement of Traffic Control Devices

Standard:

Traffic control devices, advertisements, announcements, and other signs or messages within the highway right-of-way shall be placed only as authorized by a public authority or the official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

When the public agency or the official having jurisdiction over a street or highway has granted proper authority, others such as contractors and public utility companies shall be permitted to install temporary traffic control devices in temporary traffic control zones. Such traffic control devices shall conform with the Standards of this Manual.

Guidance:

Any unauthorized traffic control device or other sign or message placed on the highway right-of-way by a private organization or individual constitutes a public nuisance and should be removed. All unofficial or nonessential traffic control devices, signs, or messages should be removed.

Standard:

All regulatory traffic control devices shall be supported by laws, ordinances, or regulations.

Support:

Provisions of this Manual are based upon the concept that effective traffic control depends upon both appropriate application of the devices and reasonable enforcement of the regulations.

Section 1A.09 Engineering Study and Engineering Judgment

Standard:

This Manual describes the application of traffic control devices, but shall not be a legal requirement for their installation.

Guidance:

The decision to use a particular device at a particular location should be made on the basis of either an engineering study or the application of engineering judgment. Thus, while this Manual provides Standards, Guidance, and Options for design and application of traffic control devices, this Manual should not be considered a substitute for engineering judgment.

Engineering judgment should be exercised in the selection and application of traffic control devices, as well as in the location and design of the roads and streets that the devices complement. Jurisdictions with responsibility for traffic control that do not have engineers on their staffs should seek engineering assistance from others, such as the State transportation agency, their County, a nearby large City, or a traffic engineering consultant.

similar device upon any lot or property in the City other than on a concrete, asphalt or other improved surface.

(d) It shall be unlawful for any person to park, place or suffer placement of portable storage unit or similar device upon any lot or property in the City used for commercial purposes or containing three (3) or more dwelling units in such a way as to block or interfere with access to a garage or off-street parking areas.

(e) It shall be unlawful for any person to park, place or suffer placement of portable storage unit or similar device upon any lot or property in the City for more than ten (10) consecutive days or on more than three (3) occasions in any twelve-month period.

(f) It shall be unlawful for any person to park, place or suffer placement of portable storage unit or similar device upon any front yard, as defined in the zoning ordinance, for more than ten (10) consecutive days.

(g) This section shall not apply to the use or placement of construction trailers and equipment on property in association with ongoing construction activities carried out pursuant to a valid building permit, nor to the placement of accessory buildings or storage sheds.

(Ord. No. 2270, § 1, 5-15-06)

Secs. 26-3--26-5. Reserved.

DIVISION 2. OPENING AND EXCAVATION OF PUBLIC STREETS

Sec. 26-6. Work in streets; permit.

(a) *Required.* Except in case of municipal work authorized by the Director of Public Works, no person or entity shall make any opening or excavation or place any object in any public street, alley, sidewalk, parkway or other public place or thoroughfare, without a written special use permit from the Director of Public Works.

(b) *Work requiring permit authorization.* All work which results in a physical disturbance of the public right-of-way shall require permit authorization. This requirement shall include, but not be limited to, all excavations and installations relating to conduit, poles, pole lines, wires, mains, pipes, valves, conductors, sewers, drains, driveways, sidewalks or appurtenances thereof.

(c) *Other work.* Work which does not result in a physical disturbance of the public right-of-way and does not interrupt traffic shall not require permit authorization or telephone notification. Examples of this type of work shall include the following: the opening and/or inspection of manholes, vaults, and other structures located outside the pavement surface, maintenance of lighting fixtures, maintenance and/or replacement of driveways and sidewalks, etc.

(d) *Record.* The Director of Public Works shall keep a full and complete account of all permits issued showing the date, the person to whom issued, and the location of proposed work.

(e) *Permit placard.* Any person having occasion to make any such excavation shall make written application for a permit therefore to the Director of Public Works, who is given authority to issue such permits. The application shall state the location and nature of the proposed work and when the work is to be commenced. No permit shall be issued for a period in excess of ninety (90) days.

(f) Emergency work, where the public safety and welfare are endangered, which results in a physical disturbance of the public right-of-way, shall require immediate notification of the proposed work to the Director of Public Works during regular work hours or by telephone to the City Police Department at all other times. Notification should be followed by permit application to the Director of Public Works as soon as possible.

(g) The Director of Public Works shall provide each permittee at the time a permit is issued here under a suitable placard plainly written or printed in English letters at least one inch high with the following

ing business sign facing each roadway on which its lot or lots has frontage. For the purpose of these regulations, an aggregation of two (2) or more structures connected by a wall, firewall, facade or other structural element, except for a sidewalk shall constitute a single building.

The height of all business and identification signs shall not exceed six (6) feet when located within the minimum front yard setback of a particular zoning district.

(2) *Specific regulations and exceptions.*

- (a) A freestanding business sign shall not exceed six (6) feet in height above the average existing finished grade at the base of the sign, or the elevation of the adjacent street, whichever is higher. The total outline area per face shall not exceed fifty (50) square feet or twenty-five one hundredths (0.25) square feet of signage per linear foot of street frontage up to one hundred (100) feet of street frontage and one-tenth (0.1) square foot of signage per linear foot of street frontage thereafter, whichever is less. (See exceptions below.)

Said sign face shall be attached to a proportionate enclosed base, integrated planter or structural frame, the width of which shall be a minimum of one-half ($\frac{1}{2}$) the width of the widest part of the sign face. The bottom of the sign face shall not exceed a height of three (3) feet above the average existing finished grade at the base of the sign, or elevation of the adjacent street, whichever is higher. An enclosed sign base or integrated planter shall not be required if the sign face is within one (1) foot of the average finish grade at the base of the sign.

Exceptions:

For each additional four (4) foot setback from the minimum yard requirement, one (1) additional foot may be

added to the sign height to a maximum of ten (10) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. However, at no time shall the bottom of the sign face exceed a height of three (3) feet above the average existing finished grade at the base of the sign or the elevation of the adjacent street, whichever is higher, or;

The maximum outline area and/or height of any freestanding business sign may be increased to a maximum of one hundred (100) square feet in outline area and/or twenty (20) feet in height above the average existing finished grade elevation at the base of the sign or elevation of the adjacent street, whichever is higher, with no height restriction for the bottom of the sign face subject to Planning Commission approval as outlined in Section 1003.168.3(2) Sign Regulations-General.

- (b) An individual lot having a minimum of eight hundred fifty (850) feet of frontage on any roadway and a minimum size lot of twenty (20) acres or more, shall be allowed two (2) freestanding business signs on each roadway frontage exceeding seven hundred fifty (750) feet of frontage. However, a minimum of four hundred (400) feet shall separate the two (2) permitted signs.

In lieu of the two (2) permitted freestanding signs, one (1) freestanding business sign may be permitted, the maximum outline area of which may be increased to one hundred fifty (150) square feet, subject to Planning Commission approval as outlined in Section 1003.168.3(2) Sign Regulations-General.

- (c) A single commercial or industrial development or subdivision which is in excess of twenty (20) acres in size

shall be permitted a project identification sign at each main entrance to the subdivision or development identifying the name of the project and/or containing a directory of tenants. The sign may include the name and/or logo of the development or subdivision. Such sign may be located on any platted lot or common ground of a development or subdivision or any unplatted portion of the development or subdivision identified as part of a particular development on an approved preliminary plat, site development concept plan, site development section plan, or site development plan.

A project identification sign shall not exceed six (6) feet in height average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher, with the total outline area per face not to exceed fifty (50) square feet or twenty five one hundredths (0.25) square feet of signage per linear foot of street frontage up to one hundred (100) feet of street frontage and one tenth (0.1) square foot of signage per linear foot of street frontage thereafter, whichever is less.

Exceptions:

For each additional four (4) foot setback from the minimum yard requirement, one (1) additional foot may be added to the sign height of a project identification sign to a maximum of ten (10) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. However, at no time shall the bottom of the sign face exceed a height of three (3) feet above the average existing finished grade at the base of the sign or the elevation of the adjacent street, whichever is higher; or,

The minimum outline area and/or height of any project identification

sign may be increased to a maximum of one hundred (100) square feet in outline area and/or twenty (20) feet in height above the average existing finished grade elevation at the base of the sign or elevation of the adjacent street, whichever is higher, with no height restriction for the bottom of the sign face subject to Planning Commission approval as outlined in Section 1003.168.3(2) Sign Regulations General.

- (d) Commercial, industrial or mixed-use subdivisions of ten (10) lots/units or more that are less than twenty acres shall be permitted a subdivision identification sign at each main entrance to the subdivision and may include the name, logo and/or the directory of tenants of the subdivisions. Such sign shall not exceed fifty (50) square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. Commercial, industrial or mixed-use subdivision identification signs shall be located within an easement on any platted lot or on common ground of subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat, site development concept plan, site development section plan, or site development plan. No subdivision identification sign shall be permitted for a development permitted a project identification sign.
- (e) Developments over 20 acres located adjacent to Primary Arterials may increase the height and the size of the project identification sign by decreasing the number of permitted project identification signs with approval of the Planning Commission. The maximum size of one (1) sign

utilizing this section shall be thirty (30) feet in height and one hundred and fifty (150) square feet of outline area per face. Total square footage is not to exceed the original allowed by the Planning Commission.

- (f) **Landscaping.** All permanent freestanding business and identification signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports. If the outline area and/or a height increase for any permanent freestanding sign is requested the required landscaping for such a sign will be subject to Planning Commission approval.
- (3) A service station shall be permitted one (1) separate price sign attached to the same structure of any one (1) permitted freestanding business sign on the lot or lots on which the use may be located. The outline area of a separate price sign shall not exceed twenty (20) square feet per face.
- (4) A movie theater shall be permitted one (1) additional freestanding business sign, with manual changeable copy only, facing each roadway on which the lot containing the movie theater has frontage.
3. *Business signs - Attached to wall.*
- (1) *General provisions.*
- (a) Subject to the specific regulations set out below, each business occupying a tenant space or being the sole occupant of a freestanding building shall have no more than one (1) attached business sign on any two (2) walls of a building that are exterior walls of the particular building or tenant space. In addition to identifying a particular business, such signs may be used for the name and logo of the building or development project.
- (b) The outline area of each sign shall not exceed five (5) percent of the wall area of the business on which said sign is attached. No business sign shall exceed three hundred (300) square feet in outline area.
- (c) Countable wall area shall include the entire surface of a wall, such as gable and similar areas, and the vertical face of a mansard roof whether real or artificial, which extends above the wall of the business on which the sign is attached. However, the countable area of mansard roofs shall be limited to the area not greater than six (6) feet above the eave line of the roof times the length of associated wall.
- (2) *Specific regulations and exceptions.*
- (a) For a business being the sole occupant of a building located on a corner lot or a lot with double frontage, said business may have one (1) attached business sign on any three (3) walls of a building that are exterior walls.
- (b) Where a lot or parcel of land is developed with more than one (1) building, interior buildings shall be permitted the same type and number of wall signs on the interior buildings as are allowed on peripheral buildings. The mounting requirements of the permitted signs shall be the same as any attached business sign.
- (c) In buildings containing single or multiple tenants where public access to individual tenant space(s) is gained via interior entrances, said building shall be allowed no more than one (1) attached business sign on any two (2) walls having roadway frontage. Said attached business signs shall be the same, each identifying either the building or major tenant.
- (d) Individual letters (exclusive of words), a symbol or graphic logo pertaining

to a business on premises, may be painted or otherwise permanently affixed to the surface of an awning or canopy. The outline area of the message shall not exceed fifteen (15) percent of the horizontal projection in elevation of the exterior surface of the awning or canopy. Said message outline area, when utilized as a design accent only as described above, shall not be counted toward the allowable outline area for a business sign.

4. *Directional signs.*

- (1) Directional signs shall not exceed ten (10) square feet in outline area per facing. Freestanding directional signs shall not extend more than six (6) feet above the elevation of the adjacent street or elevation of the average existing finished grade at the base of the sign, whichever is higher.
- (2) The height of all directional signs shall not exceed three (3) feet when located within the minimum front yard setback of each particular zoning district.
- (3) No directional sign shall be located on or over a public right-of-way without approval of the City of Chesterfield, and/or St. Louis County Department of Highways and Traffic, and/or the Missouri Highway and Transportation Department as applicable.

5. *Advertising signs (billboards).*

- (1) Advertising signs are permitted in the "C-8" Planned Commercial District, "M-3" Planned Industrial District, and "MXD" Mixed Use Development District if permitted in the conditions of the ordinance governing the particular planned district.
- (2) Advertising signs shall not exceed eight hundred (800) square feet in outline area, nor extend more than thirty-five (35) feet above the elevation of the adjacent street. Subject to more restrictive regulations of the zoning district in which it is located,

an advertising sign shall not be located closer than one hundred (100) feet to any other advertising sign or building, nor within fifty (50) feet of any "PS" Park and Scenic or any "R" Residence District zoned property or any property line of any "NU" Non-Urban zoned property, nor within ten (10) feet of any side or rear property line. Not more than one (1) advertising sign shall be permitted on one (1) structure, except that where a structure is located perpendicular to the street right-of-way, two (2) sign facings shall be permitted in each direction.

- (3) No outdoor advertising sign shall be located within fifty (50) feet of any roadway right-of-way line, except that where existing buildings on immediately adjacent tracts (on both sides) are located closer to the roadway right-of-way than fifty (50) feet an advertising sign may be placed within the average setback of the existing buildings on each side of the advertising sign. Where a building on an adjacent tract exists on one (1) side only, located closer to the roadway right-of-way than fifty (50) feet, an advertising sign may be placed within the average setback of the existing building and the fifty (50) foot setback required by these regulations.
- (4) Notwithstanding the regulations as set out above, all Advertising Signs (Billboards) must be in conformance with Chapter 226.540 RSMo. as amended.
- (5) Separation from Other Zoning Districts. No advertising sign shall be located within one thousand (1,000) feet of any "NU" Non Urban District, "AG" Agricultural, residential districts, or "PS" Park and Scenic District zoned tract, or any tract subject to the Landmark and Preservation Area Special Procedure.
- (6) Separation from Other Advertising Signs. No advertising sign shall be erected within five (5) miles of any existing sign on the same side of the highway. No sign shall be located in such a manner as to obstruct or otherwise physically interfere with the

effectiveness of any official traffic sign, signal, or device, or obstruct or physically interfere with motor vehicle operators' view of approaching, merging, or intersecting traffic. The separation requirements between advertising signs outlined in this subsection shall be measured perpendicular to the centerline off the subject highway. The separation distance shall apply only to advertising sign structures located on the same side of the subject highway.

(7) *Reserved.*

(8) *Lighting.* No revolving or rotating beam or beacon of light that simulates any emergency light or device shall be permitted as part of any advertising sign. No flashing, intermittent, or moving light or lights shall be allowed. External lighting, such as floodlights, thin line and gooseneck reflectors may be permitted in the conditions of the Ordinance governing a particular planned or mixed use district, provided the light source is directed upon the face of the sign and is effectively shielded so as to prevent beams or rays of light from being directed into any portion of the public right-of-way. Lights shall not be of such intensity so as to cause glare, impair the vision of the driver of a motor vehicle, or otherwise interfere with a driver's operation of a motor vehicle. No sign shall be so illuminated that it interferes with the effectiveness of, or obscures, an official traffic sign, device, or signal, nor shall any sign illumination cast light on adjacent properties in the "NU" Non-Urban, "PS" Park and Scenic, "AG" Agricultural, or any residential district.

6. *Informational signs.*

(1) Informational signs shall not exceed sixteen (16) square feet in outline area per facing. Freestanding informational signs shall not extend more than six (6) feet above the elevation of the adjacent street or elevation of the average existing finished grade at the base of the sign, whichever is higher.

(2) No informational sign shall be located on or over a public right-of-way without approval of the City of Chesterfield, and/or St. Louis County Department of Highways and Traffic, and/or the Missouri Highway and Transportation Department as applicable.

(3) The height of all informational signs shall not exceed six (6) feet when located within the minimum front yard setback of each particular zoning district.

7. *Residential subdivision identification signs.*

Residential subdivisions of ten (10) lots/units or more shall be permitted a subdivision identification sign at each main entrance to the subdivision and may include the name or logo or both of the subdivision. Such sign shall not exceed fifty (50) square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. Residential subdivision identification signs shall be located within an easement on any platted lot or on common ground of a subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat or site development concept plan, site development section plan, or site development plan.

8. *Supplementary regulations.*

(1a) A church or house of worship located in any district shall be permitted one (1) freestanding identification sign. Said sign may have manual changeable copy. However, a church or house of worship in the "NU" Non-Urban, "AG" Agricultural or any residential district which has a minimum frontage of four hundred (400) feet on each of two (2) or more roadways, shall be permitted one (1) freestanding identification sign on each of two (2) such roadways. Said identification sign height shall be in accordance with Section 1003.168C.2(2) Permanent Signs. The copy portion of such sign shall not exceed fifty (50) square feet in area, exclusive of one (1) separate religious symbol without let-

- tering, which may have an additional outline area not exceeding twenty (20) square feet.
- (1b) A church or house of worship shall have no more than one (1) attached identification sign with the size requirements in accordance with Section 1003.168C.3(1) Sign Regulations - Permanent Signs.
- (1c) A church or house of worship within the City of Chesterfield is permitted to have two (2) off-site directional signs, not to exceed six (6) square feet. The sign message shall be limited to church name and location/direction. A permit is required for all church signs. If the sign is not maintained, the City will require its repair or removal.
- (2a) Hospitals, public park and recreation facilities, schools, libraries, auditoriums, and similar institutions for public assembly located in the "NU" Non-Urban District, "AG" Agricultural or any residential district and having a minimum frontage of two hundred fifty (250) feet on a roadway shall be permitted one (1) freestanding identification sign not to exceed fifty (50) square feet in outline area per face on each roadway meeting the above minimum frontage requirements. Said identification sign height shall be in accordance with Section 1003.168C.2(2) Permanent Signs.
- (2b) Each hospital, public park and recreation facility, school, library, auditorium, or other similar institutional use located within the "NU" Non-Urban District, "AG" Agricultural or any residential district shall have no more than one (1) attached identification sign, with the size requirements in accordance with Section 1003.168C.3(1) Sign Regulations - Permanent Signs.
- (3) Window signs may be placed on any window in addition to other permitted signs. However, the outline area of said signs, whether temporary or permanent, shall occupy no more than forty (40) percent of the outline area of any window on the ground or first floor level of the building and no more than twenty (20) percent of any window on any other level of the building. A sign permit shall not be required for any window sign.
- (4) Signs placed on vending machines, express mailboxes, or service station pumps advertising products sold or services offered from the particular machine, mailbox, or pump are permitted. However, no vertical or horizontal projection greater than six (6) inches from the surface of the machine, mailbox, or pump is permitted. Any other sign placed on the machine shall be considered as an advertising, business, directional, or information sign, subject to the regulations of the zoning district in which such sign is located.
- (5) A restaurant with a drive-up or drive-through food pick up facility may have either one (1) freestanding or one (1) wall menu sign not to exceed thirty-two (32) square feet in area associated with the order station. No freestanding menu sign shall exceed eight (8) feet in height or width or be illuminated in any manner other than from an internal source.
- (6) A financial institution with an outdoor automatic teller or similar facility may have either one (1) freestanding or one (1) wall sign not to exceed sixteen (16) square feet in outline area associated with the facility. No freestanding sign for such a facility shall exceed eight (8) feet in height or width or be illuminated in any manner other than from an internal source.
- (7) A service station with a canopy may have no more than one (1) sign which may include the name and logo of the business and one (1) sign which may include the words "self-service" and "full service" attached on each of any two (2) sides of the vertical face of the canopy, excluding canopy supports. The outline area of each sign shall not exceed ten (10) square feet in outline area. Each sign shall be a flat sign permanently affixed to the vertical face of the canopy and shall not project

above or below the vertical face of the canopy more than one (1) foot. No projection shall be permitted from any other side of the vertical face of the canopy. Such signs shall only be illuminated by internal and non-intermittent light sources. For service stations located on corner lots, such signs may be located on each of any three (3) sides of the vertical face of the canopy, excluding canopy supports.

- (8) In addition to other freestanding or attached wall signs in this section, an individual lot or project may have a sign displaying time and temperature, and/or stock market activity not to exceed twenty-four (24) square feet in outline area per face. Such sign may be attached to the same structure of any permitted freestanding business sign, or may be a flat sign permanently affixed to the face of a building. When affixed to a building, such sign shall not project above the eave line of the roof.

(Ord. No. 1269, § 1, 5-19-97; Ord. No. 1524, § 1, 6-21-99; Ord. No. 1551, § 1, 8-19-99)

1003.168D. Sign regulations—Temporary signs and attention getting devices.

The provisions of this section shall govern the erection of all temporary signs and attention getting devices, together with their appurtenances, with respect to size, height, location, and construction.

1. *General.*

- (1) A sign not permanently affixed to a vehicle or trailer, which is parked or located such that the primary purpose is to display such sign, is prohibited. This prohibition shall not apply to signs or lettering on buses, trucks, or other vehicles while in use in the normal course of business.
- (2) For the purpose of these regulations, a temporary sign shall be considered any sign permitted for a duration not to exceed one (1) year.

2. *Exempted temporary signs.* The following additional temporary signs are permitted in any zoning district without a temporary sign permit:

- (1) Temporary signs indicating danger.
- (2) Public notices and legal notices required by law.
- (3) Window signs.
- (4) Holiday or seasonal displays.
- (5) Signs mandated by the Federal, State, local or city government.
- (6) Now Hiring Banners under twenty-five (25) square feet and attached to a permanent structure.

3. *Advertising/informational signs (on-premises).* The following provisions shall govern the erection of all temporary advertising/informational signs and appurtenances with respect to size, height, location and construction.

- (1) *Banners.* Commercial banners, except those used for real estate leasing, affixed to a fence or wall or similar structure are allowed in conjunction with a special promotion or grand opening with a temporary sign authorization. Such signs are permitted in all commercial districts, industrial districts and "MXD" Mixed Use Development Districts and in the "NU" Non-Urban Districts, "AG" Agricultural, and all residential districts with a Conditional Use Permit. The use of a banner in conjunction with a grand opening shall be limited to a fifteen (15) day period. Banners used for special promotions shall be limited to thirty (30) days per calendar year for each business. Said banner shall not exceed fifty (50) square feet in outline area.
- (2) *Flags.* One (1) commercial flag incorporating a business name and/or logo may be flown in conjunction with a flag display in all Commercial, Industrial and Mixed Use Development Districts. One (1) commercial flag incorporating a business name and/or logo used in conjunction with a flag display may be flown in the "NU" Non-Urban District, "AG" Agricultural and all

residential districts with a Conditional Use Permit. A minimum of three (3) flags, including a local, State or National flag in addition to one (1) permitted commercial flag shall constitute a flag display. All flag lengths excepting the national flag, shall not exceed ten (10) feet, with a pole height not to exceed forty (40) feet. A zoning authorization and building permit is required prior to erecting any flag pole.

- (3) *Garage sale.* Garage sale signs may be erected on premises in the "NU" Non-Urban District, "AG" Agricultural and all residential districts only. A temporary sign authorization is not required for garage sale signs.
- (4) *Public information signs.* Freestanding public information signs are allowed in any zoning district with a temporary sign authorization. Said signs shall not exceed thirty-two (32) square feet nor extend more than ten (10) feet above the elevation of the street adjacent, or the average existing finished grade at the base of the sign, whichever is higher. The height of any public information sign shall not exceed six (6) feet when located in the minimum front yard setback of a particular zoning district.
- (5) *Sandwich boards.* Sandwich boards, not to exceed eight (8) square feet per face may be used to convey commercial messages in all Commercial Districts, Industrial Districts and "MXD" Mixed-Use Development Districts. A sandwich board shall be considered as an incidental sign, and therefore, should not be visible from off-site. At no time shall a sandwich board block a public walkway. A zoning authorization is not required for a sandwich board.
- (6) *Window signs.* Window signs may be placed on any window in addition to other permitted signs. However, the outline area of the signs, whether temporary or permanent, shall occupy no more than forty (40) percent of or first floor level of the outline area of any window on the ground build-

ing and nor more than twenty (20) percent of any window on any other level of the building. A zoning authorization shall not be required for window signs.

4. *Advertising/informational signs (off-premises).*

- (1) *General. Temporary off-premises advertising/informational signs such as signs on bus shelters and portable signs attached to vehicles are prohibited by the provisions of these regulations.*
- (2) *Specific regulations and exemptions.* Banners and freestanding public information signs which convey public, not-for-profit, or civic information are permitted with a temporary sign authorization. Street banners shall not exceed thirty (30) inches by eighty-four (84) inches per face. Freestanding public information signs shall not exceed thirty-two (32) square feet in outline area or ten (10) feet in height above the elevation of the adjacent street, or average existing finished grade at the base of the sign, whichever is higher. Signs that are accessory to signage for a civic, non-commercial event, shall be subject to Department of Planning approval.

5. *Political signs.* Political campaign signs announcing the candidates seeking public political office and other pertinent data. The maximum area for any one (1) sign shall be eight (8) square feet, with a total area of sixteen (16) square feet permitted for each lot or unit. These signs shall be erected only on private property and shall be removed within seven (7) days after the election for which they were made.

6. *Temporary off-premise - directional signs.*

- (1) Temporary off-premise directional sign(s) shall be allowed for businesses where recent changes in traffic patterns adversely affect access to said business, as determined by the Department of Planning. *Said temporary directional sign(s) may be erected for a period not to exceed six (6) months following completion of construction.*

- (2) Said temporary directional sign(s) shall not exceed ten (10) square feet in outline area per face, nor extend more than six (6) feet above the elevation of the adjacent street or elevation of the average existing finished grade at the base of the sign, whichever is higher.
- (3) The height of a temporary directional sign shall not exceed three (3) feet when located within the minimum front yard setback of each particular zoning district.
- (4) No temporary directional sign shall be located on or over a public right-of-way without Approval of the City of Chesterfield, and/or St. Louis County Department of Highways and Traffic, and/or the Missouri Highway and Transportation Department, as applicable.

7. *Temporary signs - development related.*

- (1) *General.* Only one (1) construction, future use of site, or subdivision promotion sign may be erected per roadway frontage at any one time after first obtaining the required zoning authorization and sign permit. At no time shall guy wires or auxiliary support posts be used to anchor a temporary development related sign.
- (2) *Banners, subdivision identification.* Subdivision identification banners are allowed in any zoning district with a temporary sign authorization. Said banners shall not exceed thirty (30) inches by eighty-four (84) inches in sign area and shall be erected, internal to a subdivision, for a period not to exceed two (2) years.
- (3) *Flags, subdivision promotion.* Within developing subdivisions, subdivision promotion flags are allowed without securing a temporary sign authorization; however, a zoning authorization and building permit is required prior to erecting a flag pole. Said flags shall not be flown on poles exceeding sixteen (16) feet in height with a flag length not to exceed two and one-half (2½) feet. Subdivision promotion flags

shall be internal to a subdivision and not visible from beyond the limits of said subdivision.

- (4) *Temporary construction signs.* Construction signs which identify the architects, engineers, contractors or other individuals or firms involved with construction on a site may be erected during the construction period. Each construction site may have no more than one (1) such sign facing each roadway on which the site has frontage. No construction sign shall exceed thirty-two (32) feet in outline area, nor exceed ten (10) feet in height above the average existing finished grade.

The signs shall be confined to the site of the construction and shall be removed no later than fourteen (14) days after completion of all construction on the site or after ninety (90) days of suspension of work. The message on a construction sign shall not include any advertisement of a product but may include information announcing the character of the business enterprise or the purpose for which the business is intended.

The maximum outline area of a temporary construction sign may be increased to sixty-four (64) square feet subject to Planning Commission approval as outlined in Section 1003.158.3(2) Sign Regulations - General.

- (5) *Temporary signs announcing future use of site.* Signs announcing the future use of a site, by a use permitted by the regulations of the particular zoning district in which the lot or development is located or by an approved special procedure permit, may be erected immediately following the approval of said use but not more than six (6) months prior to construction or development of the site. If after six (6) months construction has not commenced, the sign(s) must be removed. Signs announcing future use of site shall be erected only on the lot or development in question and shall be removed within fourteen (14) days after the completion of construction

of a building on the site in the case of a previously undeveloped site, or the occupancy of an existing building, or the beginning of the intended use of the site where no building is to be constructed.

Each site may have no more than one (1) such sign facing each roadway on which the site has frontage. No such sign shall exceed thirty-two (32) square feet in outline area per facing, nor exceed ten (10) feet in height above the average existing finished grade elevation of the sign or elevation of the adjacent street, whichever is higher.

The maximum outline area of temporary signs announcing future use of site may be increased to sixty-four (64) square feet, subject to Planning Commission approval, as outlined in Section 1003.168.3(2) - Sign Regulations General.

(6) *Subdivision direction signs.*

(a) For the purpose of these regulations a subdivision direction sign is a sign placed at some location outside the limits of a residential subdivision intended to inform and direct the general public to an approved or pending development. Subdivision direction signs may not be erected until a site plan or preliminary plat has been approved for the subject development. The message upon the sign shall be limited to the name of the subdivision, the name of the developer, insignia, price range, a directional arrow, and written directions.

(b) Signs may have one (1) face, a face on each side of the sign board, or be V-shaped (not to exceed an interior angle of sixty (60) degrees) and contain two (2) faces.

(c) Subdivision direction signs may be erected on properties at any of the corners of intersecting streets, highways or roads, subject to the following criteria:

- 1) Location:
 - i) Within the area bounded by the street right-of-way

lines, a line connecting two (2) points from the street right-of-way lines one hundred thirty (130) feet from the point of intersection of the street right-of-way lines, but not including the area within the sight distance triangle; or

- ii) Subdivision direction signs may be erected beyond a point located not closer than one hundred thirty (130) feet, but not farther than two hundred thirty (230) feet from the point of intersection of the street right-of-way lines, as measured along the right-of-way line.
 - iii) In the case of non-symmetrical intersections, the limits established for sign placement shall be measured from the prolongation of the right-of-way lines on the opposite side of the street.
 - iv) No subdivision direction sign shall be erected within the sight distance triangle or otherwise be placed to obstruct vehicular sight distance.
- 2) Subdivision direction signs shall be located no closer to the street right-of-way line than permitted under the requirements for structure setbacks of the applicable zoning district.
 - 3) Guy wires shall not be utilized to anchor the sign.
 - 4) Subdivision direction signs shall not be located closer than twenty (20) feet to any other sign.
- (d) Not more than four (4) subdivision direction signs, each authorizing the placement of a single subdivision

direction sign at a location, will be authorized for each development, at any given time. Each development is allowed not more than four (4) sign locations concurrently. For the purposes of this section, multiple plats or phases of contiguous development shall be considered a single development without regard to ownership.

- (e) All subdivision direction signs shall be removed within one (1) year of the date the authorization was issued for said sign.
- (f) A limit of one (1) sign per development shall be allowed at an intersection.
- (g) A residential subdivision located outside the City limits of the City of Chesterfield shall be permitted one (1) subdivision directional sign to be located within the City of Chesterfield.
- (h) A limit of four (4) subdivision direction signs shall be allowed per intersection. Only one (1) of the four (4) subdivision direction signs per intersection shall be permitted for a residential development located outside the City limits of the City of Chesterfield.
- (i) Each sign face shall have a decorative border of a minimum width of one and one-half (1½) inch.
- (j) No single sign shall exceed thirty-two (32) square feet or be less than sixteen (16) square feet in outline area. The total permitted sign area allocated for an individual development shall not exceed ninety-six (96) square feet.
- (k) A municipal zoning authorization shall be obtained from the City of Chesterfield, Department of Planning and Public Works for the placement of all subdivision direction signs. Applicant must provide a written consent authorizing the removal of said sign upon permit expiration.

Any existing subdivision directional sign erected prior to the establishment of this ordinance shall be permitted until expiration of the municipal zoning authorization.

- (1) Sign Maintenance. The permittee of any approved subdivision direction sign is required to maintain such signage in a safe and satisfactory manner. A sign is considered to be unsafe and in unsatisfactory condition if the sign contains peeling paint, and/or the sign surface or support structures is rotted, warped, damaged, faded, sun baked or deteriorated. If the City of Chesterfield determines repair is needed and the owner fails to repair said sign within thirty (30) days of receiving notification of the disrepair, the City will remove such signs at the permittee's expense.
- (7) *Subdivision promotion signs.*
 - (a) For the purpose of these regulations, a subdivision promotion sign is a sign which may be erected within a subdivision in progress and which is intended to inform the general public about the project. Subdivision promotion signs may not be erected until a site plan or preliminary plat has been approved for the subject development. The message upon the sign shall be relevant to the subdivision. Including the name of the subdivision, the name of the developer, insignia, price range and related information.
 - (b) Subdivision promotion signs shall not exceed thirty-two (32) square feet. The maximum outline area of a subdivision promotion sign may be increased to sixty-four (64) square feet subject to approval by the Planning Commission as outlined in Section 1003.168.3(2), Sign Regulations.
 - (c) Subdivision promotion signs shall not exceed ten (10) feet in height above

Approved by Council
11/1/04

CITY OF CHESTERFIELD
POLICY STATEMENT

PUBLIC WORKS
SUBJECT Traffic Signs
DATE
ISSUED

NO. 50
INDEX PW
DATE
REVISED

POLICY


It is accepted and understood that **redundant and unnecessary signs create clutter, safety concerns, may create confusion and do not improve regulatory compliance.** In addition, unnecessary signs are costly and create an additional maintenance burden. The City of Chesterfield Code of Ordinances requires that signage is to be placed in accordance with the Manual of Uniform Traffic Control Devices (MUTCD), to ensure that signage is consistent, appropriate, and provides necessary information to all road users.

All traffic signage shall be erected and maintained in conformance with the Manual of Uniform Traffic Control Devices (MUTCD).

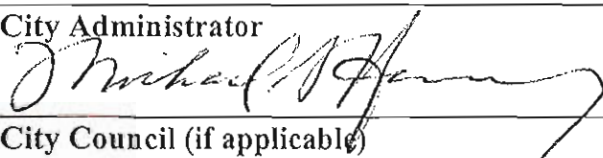
In the event that a request or petition is received to place unwarranted or non-conforming signage, Staff is directed to inform the person(s) making such request that a uniform comprehensive standard exists so as to provide for the maximum safety of residents, motorists, and pedestrians. When applicable, informational written summaries regarding the efficacy of such signage is to be sent to those requesting inappropriate signage.

Nothing contained herein shall be construed to alter, change, supercede, or otherwise affect existing specific policies regarding regulatory signage. Existing policies dealing with regulatory and informational signage remain unaffected.

RECOMMENDED BY:

Mike Geisel  11/1/04
Department Head/Council Committee (if applicable) Date

APPROVED BY:

City Administrator  11/1/04
City Council (if applicable) Date

**CITY OF CHESTERFIELD
POLICY STATEMENT**

PUBLIC WORKS		NO.	49
SUBJECT	Posting of Speed Limit Signs	INDEX	PW
DATE		DATE	
ISSUED	8 16 2004	REVISED	

POLICY

It is accepted and understood that **redundant and unnecessary signs create clutter, safety concerns, may create confusion and do not improve regulatory compliance.** In addition, unnecessary signs are costly and create an additional maintenance burden. Motorists are expected to be aware of speed limits within the City of Chesterfield. The City of Chesterfield Code of Ordinances provides for a uniform speed limit, except where road design and conditions specifically warrant a different speed limit. Streets or street segments with "special speed limits" are identified Schedule III - SPECIAL SPEED LIMITS ON HIGHWAYS, ROADS, OR STREETS of the City Code, Ordinance #35.

Where special speed limits are required, regulatory signage shall be erected by the public agency or authority in control of the right of way, in accordance with the Manual on Uniform Traffic Control Devices and sound engineering practice.

In all other locations, where the City's uniform speed limit applies, motorists are expected to be aware of the speed limit and reasonably informed as to the speed limit. The general principle to be considered when determining the location and placement of regulatory speed limit signs, is that motorists should not be able to drive on a street without having passed a sign indicating "Speed limit 25 MPH unless posted otherwise" in their travel(s) into an area.

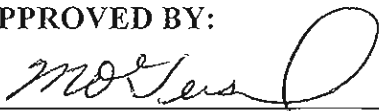
Speed limit signs will be posted at or near each entrance of a subdivision, where such entrance street intersects a road, street, or highway that is not maintained by the City of Chesterfield, and/or at or near each subdivision entrance intersecting a City maintained through street with a special speed limit. Internal subdivision streets shall not be posted with individual speed limit signs. Existing speed limit signs that are not necessary shall be removed by Department of Public Works personnel as manpower is available.

RECOMMENDED BY:

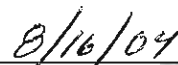
Department Head/Council Committee (if applicable)

Date

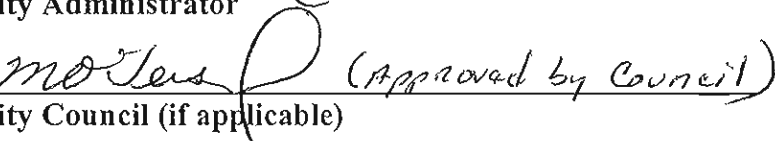
APPROVED BY:



City Administrator



Date



(Approved by Council)

City Council (if applicable)



Date

Chesterfield, Missouri



Chesterfield, Missouri



Chesterfield, Missouri







690 Chesterfield Pkwy W • Chesterfield, MO 63017-0760
Tel: 636-537-4000 • Fax: 636-537-4798
www.chesterfield.mo.us

SPEAKER CARD

(Please Print)

Name Daniel N Ginsparg (Ginsparg)
Address 373 S Greentails Dr
Phone 314-725-8371
E-mail (optional) _____
Subject Matter Subdivision Sign

Present to answer questions if requested

Wish to speak _____ in general _____ in favor _____ in opposition

The Communications and Petitions portion of the City Council meeting provides an opportunity for residents, businesses and others to comment on the agenda or share their views on issues affecting Chesterfield. Your comments are important and are welcomed.

If you wish to be heard, submit this card to the City Clerk prior to the meeting.

The following guidelines govern the Communications and Petitions forum:

1. Speakers will speak in the order called by the Mayor.
2. When your name is called; step to the podium and state your name and address.
3. Comments should be kept to no more than three (3) minutes if you are speaking as an individual and no more than five (5) minutes if you are representing a group.



690 Chesterfield Pkwy W • Chesterfield, MO 63017-0760
Tel: 636-537-4000 • Fax: 636-537-4798
www.chesterfield.mo.us

SPEAKER CARD

(Please Print)

Name RICHARD DOLLE

Address 14215 COBBLE HILL CT

Phone 214-878-1473

E-mail (optional) _____

Subject Matter SUBDIVISION SIGNS

Present to answer questions if requested

Wish to speak _____ in general _____ in favor _____ in opposition

The Communications and Petitions portion of the City Council meeting provides an opportunity for residents, businesses and others to comment on the agenda or share their views on issues affecting Chesterfield. Your comments are important and are welcomed.

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The following guidelines govern the Communications and Petitions forum:

1. Speakers will speak in the order called by the Mayor.
2. When your name is called, step to the podium and state your name and address.
3. Comments should be kept to no more than three (3) minutes if you are speaking as an individual and no more than five (5) minutes if you are representing a group.











GREEN TRAILS WEST PLAT ONE

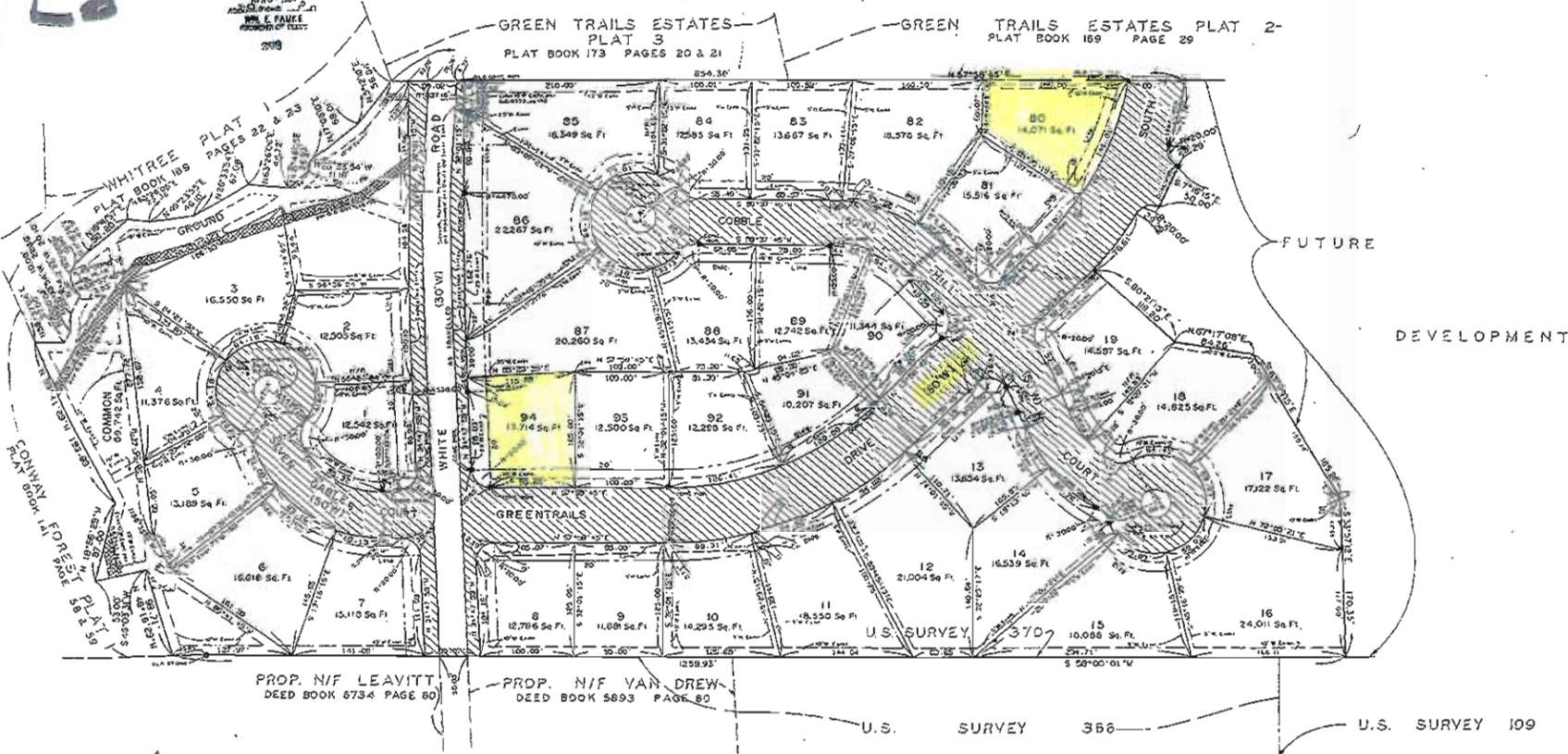
FORMERLY
GREEN TRAILS ESTATES ADDITION
U.S. SURVEY 370
T. 45 N., R. 4 E.
ST. LOUIS COUNTY, MISSOURI

75.00
1000' Survey Fee
100' 26.50
BOOK 205 PAGES 62, 64 & 70
FILED FOR RECORD
APR 6 - 1988
ASSETS OF TRUST - P. 11
MR. E. FAUPEL
MEMBER OF TRUST
2008

LS

GREEN TRAILS ESTATES
PLAT 3
PLAT BOOK 173 PAGES 20 & 21

GREEN TRAILS ESTATES PLAT 2-
PLAT BOOK 169 PAGE 29

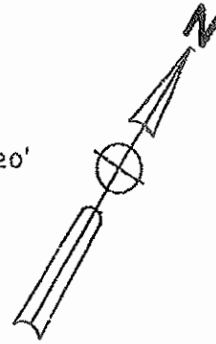


BOOK 7346 PAGE 417



Scale: 1" = 20'

87



WHITE ROAD

N.55° 23' 35" E. 115.62'

15.04'

R=4470.00'

85.83'

N.34° 47' 59" W.

Existing 20' W. Esmt.

20' Bldg. Line

LOT GREEN TRAILS WEST PLAT ONE P.B. 208 PGS. 69 & 70

APPROVED CITY OF CHESTERFIELD DEPT. OF PLANNING & PUBLIC WORKS BY [Signature] DATE 01-15-08 12.500

93

20' Bldg. Line

ENTRANCE MONUMENT EASEMENT



Existing 10' W. Esmt.

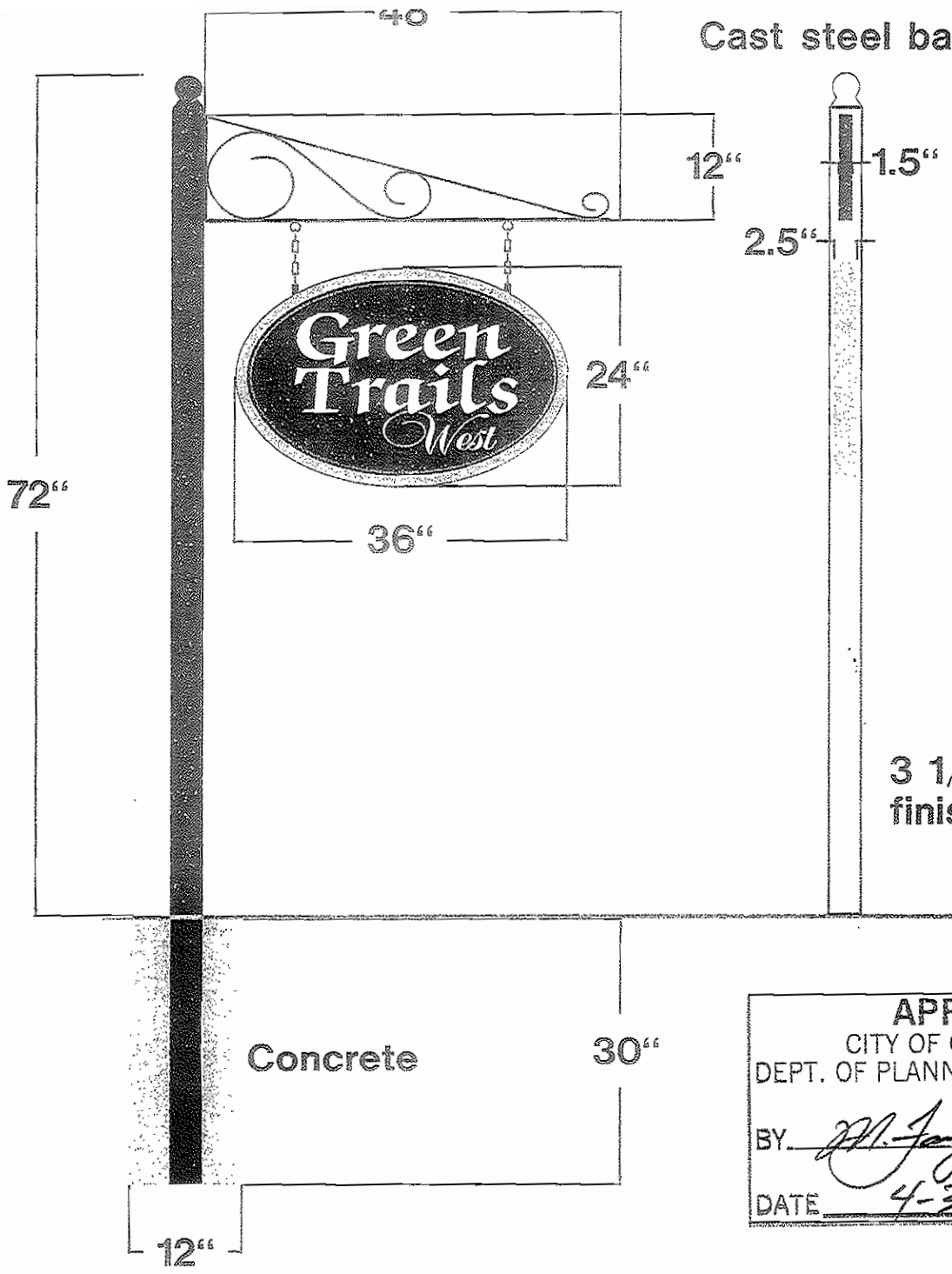
N.57° 58' 45" E. 90.66'

SIGN LOCATION GREEN TRAILS DRIVE SOUTH

EXHIBIT A OWNERS INITIAL _____ DATE _____

EASEMENT PLAT LOT 94 GREEN TRAILS WEST PLAT ONE ST. LOUIS COUNTY, MISSOURI

END OF DOCUMENT



Cast steel ball top

Bracket:
 1 1/2" wide x 1/8" thick steel
 welded to pole
 finished in rust resistant black enamel

Sign Construction:
 1/2" thick pvc expanded foam panel
 1" thick high density urethane border on
 (2) sides
 All white lettering, red inline and black
 background HP vinyl
 Gold acrylic polyurethane on borders

3 1/2" dia. x 1/4" thick wall steel pole
 finished in rust resistant enamel

APPROVED
 CITY OF CHESTERFIELD
 DEPT. OF PLANNING & PUBLIC WORKS
 BY: *M. Jager*
 DATE: *4-30-08*





08/04/2009



08/04/2009



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

August 31, 2009

Richard Dulle
Green Trails West Subdivision
14215 Cobble Hill Ct.
Chesterfield, MO 63017

RE: Subdivision Identification Sign Violation at: 399 S. Greentrails Drive, Chesterfield, MO 63017

Dear Mr. Dulle:

In response to a complaint filed with the Department of Planning and Public Works, an inspection of the subdivision identification sign at the above-reference property was conducted. That inspection confirmed that the sign was placed outside of its easement and in the City right-of-way, was built too tall, and is not landscaped. This is in violation of **City of Chesterfield Code of Ordinances, Section 26-6(a)**; which states:

Except in case of municipal work authorized by the Director of Public Works, no person or entity shall make any opening or excavation or place any object in any public street, alley, sidewalk, parkway or other public place or thoroughfare, without a written special use permit from the Director of Public Works.

And **City of Chesterfield Zoning Ordinance, Section 1003.168C**; which states:

2. (2) *Specific regulations and exceptions.*
 - (f) *Landscaping. All permanent freestanding business and identification signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports.*

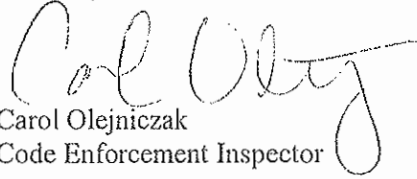
7. *Residential subdivision identification signs. Residential subdivisions of ten (10) lots/units or more shall be permitted a subdivision identification sign at each main entrance to the subdivision and may include the name or logo or both of the subdivision. Such sign shall not exceed fifty (50) square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. Residential subdivision identification signs shall be located within an easement on any platted lot or on common ground of a subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat or site development concept plan, site development section plan, or site development plan.*

RE: Subdivision Identification Sign Violation at: 399 S. Greentrails Drive, Chesterfield, MO 63017

A full copy of the City of Chesterfield Code of Ordinances, including the Zoning Ordinance, is available on the City's website at: <http://www.municode.com/resources/gateway.asp?pid=11994&sid=25>

The Department requests that you contact this office within **seven (7) days** of the date of this letter to establish an abatement schedule for this matter and ask any questions you may have. Please call me at (636) 537-4756 or contact me via email at: colejniczak@chesterfield.mo.us

Sincerely,



Carol Olejniczak
Code Enforcement Inspector

Cc: Barry Flachsbart, Councilmember Ward I
Matt Segal, Councilmember Ward I
Michael O. Geisel, Director of Planning and Public Works
Aimee Nassif, Planning and Development Services Director
Matt Dooley, Compliance Supervisor

Work Order

8/28/2009

Reported 7/30/2009

WO#: 47147

Disposition: Development Services

Problem: Illegal Sign

Per MOG, possible Illegal Subdivision sign, please check to see if they are permitted

Solution:

7/31/08 - Monument sign approved by M. Fanger on 4/30/08.

8/4/09 - SITE VISIT FOUND SIGNS BUILT IN ROW, NOT
EASEMENT, ARE OVER 6' TALL, & HAVE NO
LANDSCAPING

8/31/09 - LETTER SENT TO SUB. PRESIDENT. MUST
CONTACT IN 7 DAYS TO SET UP MEETMENT
SCHEDULE.

9/10/09 - CONTACTED BY MR. DUNE WHO SAYS THEY
ARE GOING TO TALK TO CITY COUNCIL TO TRY
& GET THEM APPROVED WHERE THEY'RE @. ASKED
HIM TO KEEP ME UPDATED.

Location:

373 GREENTRAILS DR
GREEN TRAILS WEST

Rpt. By: PWD,

Home Phone:

Work Phone:

INSP: Carol O

Man Hrs:

Sched. Start:

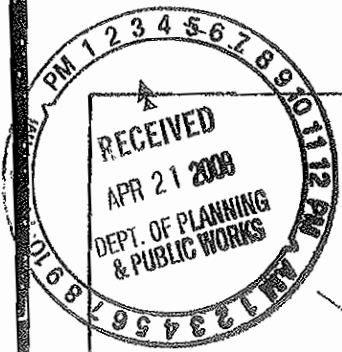
Started: 7/31/2009

Sched. Comp:

Completed:

Priority: No

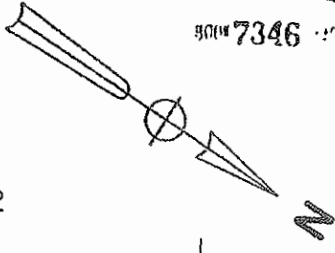
9/23/09 - MR. DUNE LEFT MESSAGE GIVING ME AN UPDATE.
SAID THAT THEY HAD A TRUSTEES MEETING.
THEY ARE GOING TO REQUEST A SPECIAL USE PERMIT &
W/IN THE NEXT COUPLE WEEKS MEETING W/
THEIR COUNCIL MEN.



3074 7346 419

Scale 1" = 30'

82



81

N. 30° 10' 43" W
60.07'

Existing
5' W. Esmts.

GREEN TRAILS WEST
PLAT ONE
P.B. 206 PGS. 69 & 70

127.14'
S. 89° 35' 15" E.
20'
R=349.00'

ENTRANCE MONUMENT
EASEMENT

Bldg.

Existing 10' W. Easement

141.01'

Existing 10' W. Easement
156.00'

N. 57° 58' 45" E.

GREEN TRAILS ESTATES
PLAT 2

P.B. 169 PG. 29

GREENTRAILS DRIVE SOUTH

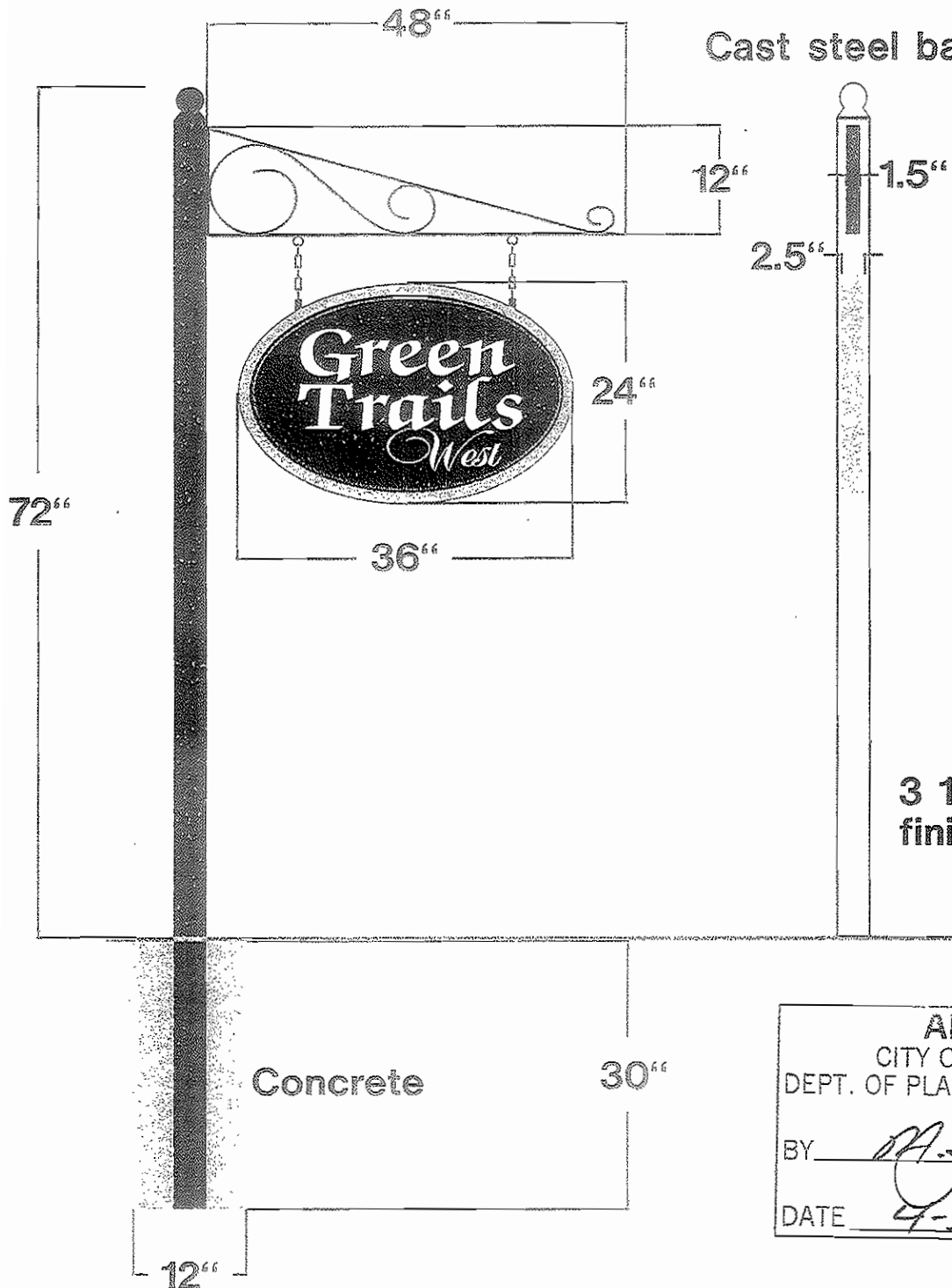
SIGN LOCATION

APPROVED
CITY OF CHESTERFIELD
DEPT. OF PLANNING & PUBLIC WORKS
BY M. Janger
DATE 4-30-08

EXHIBIT A OWNERS INITIAL DATE

EASEMENT PLAT
LOT 80
GREEN TRAILS WEST PLAT ONE
ST. LOUIS COUNTY, MISSOURI

END OF DOCUMENT



Cast steel ball top

Bracket:
 1 1/2" wide x 1/8" thick steel
 welded to pole
 finished in rust resistant black enamel

Sign Construction:
 1/2" thick pvc expanded foam panel
 1" thick high density urethane border c
 (2) sides
 All white lettering, red inline and black
 background HP vinyl
 Gold acrylic polyurethane on borders

3 1/2" dia. x 1/4" thick wall steel pole
 finished in rust resistant enamel

APPROVED
 CITY OF CHESTERFIELD
 DEPT. OF PLANNING & PUBLIC WORKS
 BY *D.A. Janger*
 DATE 4-30-08



08/04/2009

Green
Trails
West





08/04/2009



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

August 31, 2009

Richard Dulle
Green Trails West Subdivision
14215 Cobble Hill Ct.
Chesterfield, MO 63017

RE: Subdivision Identification Sign Violation at: 373 S. Greentrails Drive, Chesterfield, MO 63017

Dear Mr. Dulle:

In response to a complaint filed with the Department of Planning and Public Works, an inspection of the subdivision identification sign at the above-reference property was conducted. That inspection confirmed that the sign was placed outside of its easement and in the City right-of-way, was built too tall, and is not landscaped. This is in violation of **City of Chesterfield Code of Ordinances, Section 26-6(a)**; which states:

Except in case of municipal work authorized by the Director of Public Works, no person or entity shall make any opening or excavation or place any object in any public street, alley, sidewalk, parkway or other public place or thoroughfare, without a written special use permit from the Director of Public Works.

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2. (2) *Specific regulations and exceptions.*
 - (f) *Landscaping. All permanent freestanding business and identification signs shall have landscaping, which may include, but not be limited to, shrubs, annuals, and other materials, adjacent to the sign base or structural supports.*

7. *Residential subdivision identification signs. Residential subdivisions of ten (10) lots/units or more shall be permitted a subdivision identification sign at each main entrance to the subdivision and may include the name or logo or both of the subdivision. Such sign shall not exceed fifty (50) square feet in outline area per face, nor extend more than six (6) feet above the average existing finished grade at the base of the sign or elevation of the adjacent street, whichever is higher. Residential subdivision identification signs shall be located within an easement on any platted lot or on common ground of a subdivision. Such sign may also be located on any unplatted portion of the subdivision identified as part of a particular development on an approved preliminary subdivision plat or site development concept plan, site development section plan, or site development plan.*

RE: Subdivision Identification Sign Violation at: 373 S. Greentrails Drive, Chesterfield, MO 63017

A full copy of the City of Chesterfield Code of Ordinances, including the Zoning Ordinance, is available on the City's website at: <http://www.municode.com/resources/gateway.asp?pid=11994&sid=25>

The Department requests that you contact this office within **seven (7) days** of the date of this letter to establish an abatement schedule for this matter and ask any questions you may have. Please call me at (636) 537-4756 or contact me via email at: colejniczak@chesterfield.mo.us

Sincerely,

A handwritten signature in black ink, appearing to read "Carol Olejniczak". The signature is fluid and cursive, with the first name "Carol" written in a larger, more prominent script than the last name "Olejniczak".

Carol Olejniczak

Code Enforcement Inspector

Cc: Barry Flachsbart, Councilmember Ward I
Matt Segal, Councilmember Ward I
Michael O. Geisel, Director of Planning and Public Works
Aimee Nassif, Planning and Development Services Director
Matt Dooley, Compliance Supervisor



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

December 2, 2009

Mr. Richard Dulle, Trustee
Green Trails West Subdivision
14215 Cobble Hill Court
Chesterfield, MO 63017

Re: Subdivision Identification Sign Violations at: **399 & 373 S. Greentrails Drive,
Chesterfield, MO 63017**

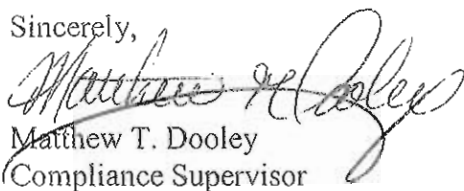
Dear Mr. Dulle:

As we discussed at our meeting on the morning of November 27, 2009, the two subdivision identification signs located at the above referenced properties are located in the City right of way, which is not consistent with the application that was submitted and approved by the City of Chesterfield. This placement is in violation of section 26-6 of the Chesterfield Code of Ordinances. In addition, the height of the sign extends more than 6' above existing grade and is not landscaped, which is violation of section 1003.168C of the City of Chesterfield Zoning Ordinance.

Please be advised that you (the Trustees) have 30 days to remove both signs from the right of way. A re-inspection will be conducted the week of January 3, 2010. Failure to remove the signs will result in the matter being forwarded to Municipal Court and the City removing the signs from the right of way.

If you have any questions, please contact me at 636-537-4766.

Sincerely,


Matthew T. Dooley
Compliance Supervisor

Cc: Barry Flachsbart, Councilmember – Ward II
Matt Segal, Councilmember - Ward II
Michael O. Geisel, Director of Planning and Public Works
Aimee Nassif, Planning and Development Services Director
Susan Mueller, Principal Engineer



690 Chesterfield Pkwy W • Chesterfield MO 63017-0760
Phone: 636-537-4000 • Fax 636-537-4798 • www.chesterfield.mo.us

December 10, 2009

Mr. Richard Dulle, Trustee
Green Trails West Subdivision
14215 Cobble Hill Court
Chesterfield, MO 63017

Re: Subdivision Identification Sign Violations at: 399 & 373 S. Greentrails Drive,
Chesterfield, MO 63017

Dear Mr. Dulle:

The Department of Planning and Public Works has reviewed your request for an extension with regard to the removal of the subdivision signs in the City right of way. Please be advised that this department is temporarily suspending action/enforcement of code violations, for the above referenced issue, until the January 7, 2010 Planning and Public Works Committee meeting.

If you have any questions, please contact me at 636-537-4766.

Sincerely,

Matthew T. Dooley
Compliance Supervisor

Cc: Barry Flachsbart, Councilmember - Ward II
Matt Segal, Councilmember - Ward II
Michael O. Geisel, Director of Planning and Public Works
Aimee Nassif, Planning and Development Services Director
Susan Mueller, Principal Engineer

Matt Dooley

To: Richard Dulle
Subject: RE: RE: Signs for Green Trails West subdivison

I'll see you Friday at 10:00am

-----Original Message-----

From: Richard Dulle [mailto:dick64@sbcglobal.net]
Sent: Tuesday, November 24, 2009 8:40 PM
To: Matt Dooley
Subject: Fw: RE: Signs for Green Trails West subdivison

Richard V Dulle
14215 Cobble Hill Ct
Chesterfield, MO 63017
Cell 314-265-8235
Home 314-878-1473

--- On Tue, 11/24/09, Richard Dulle <dick64@sbcglobal.net> wrote:

> From: Richard Dulle <dick64@sbcglobal.net>
> Subject: RE: Signs for Green Trails West subdivison
> To: "Phil Brooks" <pslbrooks@yahoo.com>, "Dan Ginsparg" <dginsparg@explorerasset.com>, mattdooley@chesterfield.mo.us
> Cc: "Barry Flachsbart" <barryf@chesterfield.mo.us>, "Matt Segal" <MSegal@chesterfield.mo.us>
> Date: Tuesday, November 24, 2009, 8:32 PM

> All,

>
> Phil, Dan and I can make a meeting at 10 AM Friday morning,
> 27 November 2009 to meet with Matt Dooley (who is generously
> meeting us on his day off) of Chesterfield DPW to discuss
> the GTW signs. We will meet at 373 S Greentrails Dr
> promptly at 10 AM (Dan Ginsparg's house). Barry and
> Matt are invited (and encouraged!) to attend if
> available. Thanks for everyone's support, see you
> Friday morning! Cheers

>
> Richard V Dulle
> 14215 Cobble Hill Ct
> Chesterfield, MO 63017
> Cell 314-265-8235
> Home 314-878-1473

>
> --- On Mon, 11/16/09, Richard Dulle <dick64@sbcglobal.net>
> wrote:

>
> > From: Richard Dulle <dick64@sbcglobal.net>
> > Subject: RE: Signs for Green Trails West subdivison
> > To: "Phil Brooks" <pslbrooks@yahoo.com>,
> > "Dan Ginsparg" <dginsparg@explorerasset.com>

> > Cc: "Barry Flachsbart" <barryf@chesterfield.mo.us>,
> "Matt Segal" <MSegal@chesterfield.mo.us>
> > Date: Monday, November 16, 2009, 3:30 PM
> > Phil/Dan,
> > I received a phone call this morning from Matt
> Dooley,
> > Chesterfield DPW requesting a meeting to discuss our
> > subdivision signs. Request you provide me with some
> > times when you would be available to meet with Mr
> > Dooley. (Barry Flachsbart and Matt Segal are
> invited
> to join if available.) Cheers to all.
> >
> > Richard V Dulle
> > 14215 Cobble Hill Ct
> > Chesterfield, MO 63017
> > Cell 314-265-8235
> > Home 314-878-1473
> >
> >
> > --- On Thu, 10/29/09, Richard Dulle <dick64@sbcglobal.net>
> > wrote:
> >
> > > From: Richard Dulle <dick64@sbcglobal.net>
> > > Subject: RE: Signs for Green Trails West
> > subdivison
> > > To: "Barry Flachsbart" <barryf@chesterfield.mo.us>,
> > > "Matt Segal" <MSegal@chesterfield.mo.us>
> > > Cc: "Phil Brooks" <pslbrooks@yahoo.com>,
> > > "Dan Ginsparg" <dginsparg@explorerasset.com>
> > > Date: Thursday, October 29, 2009, 9:30 AM
> > > Matt,
> > > Thanks for your quick response. We await your
> > > direction. Cheers
> > >
> > > Richard V Dulle
> > > 14215 Cobble Hill Ct
> > > Chesterfield, MO 63017
> > > Cell 314-265-8235
> > > Home 314-878-1473
> > >
> > >
> > > --- On Wed, 10/28/09, Matt Segal <MSegal@chesterfield.mo.us>
> > > wrote:
> > >
> > > > From: Matt Segal <MSegal@chesterfield.mo.us>
> > > > Subject: RE: Signs for Green Trails West
> > > subdivison
> > > > To: "Richard Dulle" <dick64@sbcglobal.net>,
> > > > "Barry Flachsbart" <barryf@chesterfield.mo.us>
> > > > Cc: "Phil Brooks" <pslbrooks@yahoo.com>,
> > > > "Dan Ginsparg" <dginsparg@explorerasset.com>
> > > > Date: Wednesday, October 28, 2009, 5:20 PM
> > > > Trustees,
> > > > I am in agreement with you that your new
> > > signs
> > > look

> > > > great. I will discuss the issue with Dept.
> of
> > > Public
> > > > Works, and help you through special permit
> > process.
> > > I
> > > > will be in touch with you in the coming days
> with
> > how
> > > to
> > > > proceed. In the meantime, please feel free
> to
> > call
> > > me
> > > > with any further questions.
> > > >
> > > > Kindest Regards,
> > > > Matt
> > > > 314-749-7440
> > > >
> > > > _____
> > > > From: Richard Dulle [dick64@sbcglobal.net]
> > > > Sent: Wednesday, October 28, 2009 12:56 PM
> > > > To: Barry Flachsbart; Matt Segal
> > > > Cc: Phil Brooks; Dan Ginsparg
> > > > Subject: Signs for Green Trails West
> subdivison
> > > >
> > > > Dear Messrs Flacksbart & Segal,
> > > >
> > > > The Trustee's, Sign committee, and residents
> of
> > Green
> > > > Trails West subdivision request your advice
> and
> > > assistance
> > > > concerning a disagreement we seem to be
> having
> > with
> > > the
> > > > Department of Public Works.
> > > >
> > > > We are in receipt of two (2) letters from
> Carol
> > > Olejniczak,
> > > > dated 31 August 2009, (and copied to both
> of
> > you)
> > > informing
> > > > us that the two subdivision identification
> > signs,
> > > > installed
> > > > in June 2008, are in violation of City of
> > Chesterfield
> > > Code
> > > > of Ordinances. These signs were installed
> with

> > > great
> > > > effort and expense to the residents of
> Green
> > Trails
> > > West (4
> > > > trips to Clayton to get easements and 5
> meetings
> > with
> > > Dept
> > > > of Planning & Public Works) to get Sign
> > Permits
> > > (2)
> > > > approved, which they were on 21 April
> 2008.
> > These
> > > > signs were installed last year (and
> replaced
> > > subdivision
> > > > Monuments which had become outdated and an
> > eyesore)and
> > > the
> > > > Subdivision feels that they are a big
> improvement
> > to
> > > the
> > > > beauty and enhancement of our City.
> > > >
> > > > According to Ms. Olefniczak, the biggest
> problem
> > with
> > > the
> > > > signs is their location in the parkway
> (which is
> > > still
> > > > within the easement). We feel that their
> > location
> > > is
> > > > perfect and would like to keep them where
> they
> > are
> > > presently
> > > > located. In order to do that her letters
> state
> > we
> > > > would need a written "Special Use Permit"
> from
> > the
> > > Director
> > > > of Public Works (DPW).
> > > >
> > > > To that end, we request your advice on how
> to
> > > proceed;
> > > > 1. should we just send a letter request to
> DPW?
> > > > 2. can/would you intercede for us with the
> DPW?

> > > > 3 could/would you review our letter to
> DPW. if
> > one
> > > is
> > > > required?
> > > >
> > > > The trustee's and Sign committee spent a lot
> of
> > time,
> > > > effort and money to improve the signs for
> our
> > > subdivision
> > > > (and City) and feel their location is where
> they
> > > should be
> > > > for easy identification of the
> subdivision.
> > The
> > > signs
> > > > can be seen at 373 and 399 S. Greentrails
> Dr.
> > > Chesterfield,
> > > > MO Come by and look, we are quite proud
> of
> > them!
> > > >
> > > > Thank You for your time, interest and
> support in
> > this
> > > > matter.
> > > >
> > > > The Trustee's of Green Trails West:
> > > >
> > > > Richard V Dulle
> > > > Daniel W. Ginsparg Phil
> > > > Brooks
> > > >
> > > > Richard V Dulle
> > > > 14215 Cobble Hill Ct
> > > > Chesterfield, MO 63017
> > > > Cell 314-265-8235
> > > > Home 314-878-1473
> > > >
> > > >
> > >
> >
> >
> *****
> > > > This email should be considered "unofficial
> > > communication"
> > > > and does not necessarily reflect the
> official
> > position
> > > of
> > > > the
> > > > City of Chesterfield. An "official position"
> of
> > the

> > > City
> > > > shall only
> > > > be communicated in letter form, using City
> > > letterhead.
> > > >
> > > >
> > >
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> >
> *****
> > > > * Please consider the environment before
> > printing
> > > this
> > > > email *
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