

## Memorandum Department of Planning

**To:** Planning and Public Works Committee  
**From:** Mike Knight, Assistant City Planner *gmk*  
**Date:** February 20, 2020



**RE:** **P.Z. 01-2020 City of Chesterfield (Unified Development Code—Article 3)**: An ordinance amending Article 3 of the Unified Development Code to revise regulations pertaining to the E-1/2AC Estate District.

### **Summary**

The Unified Development Code (UDC) was approved and adopted by the City Council in June of 2014. This proposed amendment is in relation to direction received by the Planning and Public Works Committee in January of 2020 to pursue updates to the E-1/2 AC Estate District and more specifically by removing the (Dwelling, single-family attached) use.

A Public Hearing was held for this request at the February 10, 2020 Planning Commission meeting, and there were no speakers for this item. This project was also presented for vote at the same Planning Commission meeting, at which time the Planning Commission recommended approval as presented by a vote of 7-0.

### **Request**

The changes herein are recommended by city staff in order to update the City's E-1/2 AC Estate District specifically in Article 03, Section 31-03-03 Zoning Districts and Regulations and Section 31-03-06 Use Table for Residential Districts to remove the (Dwelling, single-family attached) use from the aforementioned district in the UDC.

### **Section 31-03-03 Zoning Districts and Regulations**

The use (Dwelling, single-family attached) and the associated minimum lot size would be removed from the table in Section 31-03-03G2.(c)

### **31-03-06 Use Table for Residential Districts**

The "P" in the column for E-1/2 AC within the Use Table for Residential Districts would be removed and left blank for the Use Group (Dwelling, single-family attached). The "P" in this table references permitted which when left blank means that the use is not allowed in the applicable zoning district.

Attached to this report find the red-line changes to the City's E-1/2 AC Estate District specifically in Article 03, Section 31-03-03 Zoning Districts and Regulations and Section 31-03-06 Use Table for Residential Districts to remove the (Dwelling, single-family attached) use from the UDC.

**Attachments:**

1. Amendment to UDC Article 03 Section 31-03-03 Zoning Districts and Regulations
2. Amendment to UDC Section 31-03-06 Use Table for Residential Districts

E-1/2AC Estate District.

1. *Purpose.* The purpose of the E-1/2AC Estate District is to provide for the enhancement of residential development while preserving the community character of the area with well-buffered, well-landscaped neighborhoods, and to allow for such other residentially related uses which are compatible with the character of the district.

2. In addition to the development standards and district requirements in Article 04 of this UDC, the following performance standards are applicable:

(a) Uses. Permitted and conditional uses for the E-1/2AC District are found in Section 31-03-06 of this UDC.

(1) Mortuary and cemetery uses must be adjacent to a commercial district and must have two hundred (200) feet of frontage onto a state road.

(2) Accessory uses may include, but are not limited to, private stables, devices for the generation of energy or individual sewage treatment facilities serving an individual nonresidential use. Sewage treatment facilities shall not exceed a flow of five thousand (5,000) gallons per day.

[a] Private stables are not permitted within one hundred (100) feet of any property line. All pasture areas shall be fenced.

(b) Density. The density requirement for residential dwellings is one-half (1/2) acre per dwelling unit.

(c) Lot area.

Use	Minimum Lot Size
Cemetery or mortuary	3 acres
Churches and other places of worship	3 acres
Day-care center	3 acres
Dwelling, single-family	1/2 acre
<del>Dwelling, single-family attached</del>	<del>15,000 square feet</del>
Educational facility	
Kindergarten	3 acres
Primary	5 acres
Junior high	10 acres
Senior high	20 acres
College/university	10 acres
Group home	1/2 acre
Group residential facility	5 acres
Library	4 acres
Public utility facility	10,000 square feet
Sewage treatment facility	1 acre
Stables and kennels	5 acres
All other nonresidential uses	5 acres

(d) Calculation of lot size. Streets, public or private, rights-of-way, and access easements shall not be credited to the minimum lot size.

(e) Height. The maximum height for all structures shall be fifty (50) feet. Church spires may extend to one hundred (100) feet.

(f) Minimum structure setbacks.

<b>Use</b>	<b>Setback (feet)</b>
<b>Residential uses</b>	
Front (from property line)	—
Side (from property line)	15
Rear (from property line)	—
Right-of-way	20
Between structures	30
<b>Nonresidential Uses</b>	
From any property line	75
Right-of-way	
Collector or arterial	150
Other streets	100

**NOTE:**

Setbacks for nonresidential structures greater than thirty (30) feet in height, other than a public utility tower authorized by a CUP, shall be increased by one (1) additional foot for every two (2) feet or fraction thereof of building height in excess of thirty (30) feet.

- (g) Parking areas. Parking lots shall maintain the same setbacks as the structure setbacks set forth in the table above. The minimum parking setback is fifty (50) feet from any road.
- (h) Yard requirements. Private stables shall maintain a minimum setback of one hundred (100) feet from all property lines, and pasture areas shall be fenced.
- (i) Pavement and right-of-way widths shall be as required in Article 04 of this UDC.
- (j) Dedications for public schools and public parks. Developments may include land designated for dedication for public school or public park use. Areas designated for public school or public park purposes may be considered part of the gross acreage of the development in computing the maximum number of lots that may be created or dwelling units that may be authorized, provided that:
  - (1) The area of the proposed development shall be at least thirty (30) acres in the case of a public school dedication and sixty (60) acres in the case of a public park dedication, unless otherwise authorized or required by the City of Chesterfield.
  - (2) The proposed school site is compatible with a generalized plan for school locations published by the school district.
  - (3) Prior to approval of a site development concept plan, a written agreement between the petitioner and the school district shall be submitted to the City of Chesterfield for review. This agreement shall indicate who is responsible for the installation of required improvements adjacent to or affecting the school site and when the improvements will be installed.
  - (4) The proposed site is dedicated to public school or park use in a manner approved by the City Attorney as to legal form prior to recording of the site development concept plan.
  - (5) The site development concept plan identifies the boundaries of the dedicated tract within the development.
  - (6) The deed of dedication for a public park(s) or public school use shall provide that in the event the property shall no longer be used for that purpose, it will revert to the trustees of the subdivision in which it is located as common land.
- (k) Community character development standards.

- (1) Easements for utility or access purposes may cross any required landscape easement or buffer. If a utility or access easement runs generally parallel to and overlays a required landscape easement or buffer, the minimum required width of said required landscape easement or buffer shall be increased by the width of the easement which overlays the required landscape easement or buffer.
  - (2) Sidewalks may be required as directed by the City of Chesterfield when all lots are one (1) acre or greater; when any lots are less than one (1) acre, sidewalks shall be required on one (1) side of the street and shall be encouraged to meander from a straight path to reduce grading and save trees or to be provided in the form of pedestrian walkways linking primary activity centers or destinations. Sidewalks must be situated in a dedicated easement with access and working room to maintain the sidewalk and shall comply with all provisions of the Americans with Disabilities Act.
  - (3) Jogging trails shall be allowed in any open space or buffer area but must be coordinated with any tree preservation plan.
- (l) Natural features should be preserved at not less than the following levels:
- (1) Floodplains: not less than eighty percent (80%) of designated special flood hazard areas shall be preserved and shall remain undisturbed.
  - (2) Steep slopes: not less than seventy percent (70%) of all areas exceeding a thirty-percent slope shall be protected and shall remain undisturbed.
- (m) Right-of-way grading.
- (1) Lots which slope down from the right-of-way must have a minimum platform of four (4) feet of ground immediately adjacent to the edge of pavement which drains perpendicular and toward the pavement. Said platform shall be constructed at a grade of not less than two percent (2%) perpendicular to the pavement, except in areas adjacent to a storm sewer, where there must be a platform of not less than seven (7) feet from the edge of pavement at a grade not in excess of two percent (2%). For the purposes of this requirement, "adjacent to a storm sewer" shall mean within ten (10) feet, measured along the curb, of a storm sewer intake.
  - (2) Open swales, as opposed to enclosed systems, shall be permitted where appropriate as determined by the Department.
3. The procedure for zoning to the E-1/2AC District and site plan approval is established in Article 02 of this UDC.

UNIFIED DEVELOPMENT CODE

31 Attachment 1

City of Chesterfield

Use Table for Residential Districts

[Ord. No. 2801, §3 (Exh. A), 6-16-2014; Ord. No. 2814 §3, 9-15-2014; Ord. No. 2954 § 1, 6-5-2017]

Uses:

P - Permitted

C - Conditional

\* Means the use is allowed with conditions. See Section 31-03-03 for additional regulations.

Use Group	Zoning District and Category												
	LLR	E-2 Ac	E-1 Ac	E-1/2 Ac	R-2	R-3	R-4	R-5	R-6	R-6A	R-6AA	R-7	R-8
<b>Residential</b>													
<b>Dwellings</b>													
Single-family detached	P	P	P	P	P	P	P	P	P	P	P	P	P
Single-family attached				<del>P</del>				P	P				
Multifamily									P	P	P	P	P
Group home	C	C	C	C	C	C	C	C	C	C	C	C	C
Group residential facility	C	C	C	C	C	C	C	C	C	C	C	C	C
Mobile home park	C*					C*							
Nursing homes	C	C	C	C	C	C	C	C	C	C	C	C	C
<b>Civic</b>													
Public safety facilities	P	P	P	P	C	P	P	P	P	P	P	P	P
<b>Public</b>													
Administrative offices for educational or religious institutions	C	C	C	C	C	C	C	C	C	C	C	C	C
Cemetery	C	C	C	C	C	C	C	C	C	C	C	C	C
Churches and other places of worship	P	P	P	P	P	P	P	P	P	P	P	P	P
Clubs or community centers	C	C	C	C	C	C	C	C	C	C	C	C	C
Day-care center	C	C	C	C	C	C	C	C	C	C	C	C	C
Day-care home	C	C	C	C	C	C	C	C	C	C	C	C	C

CHESTERFIELD CITY CODE

Use Group	Zoning District and Category												
	LLR	E-2 Ac	E-1 Ac	E-1/2 Ac	R-2	R-3	R-4	R-5	R-6	R-6A	R-6AA	R-7	R-8
Farming (including cultivation and sale of crops, plants and domestic animals with no salesrooms)	P	C	C										
Golf courses	C	P	P	P	P	P	C	C	C	C	C	C	C
Home occupation	P	P	P	P	P	P	P	P	P	P	P	P	P
Hospitals	C	C	C	C	C	C	C	C	C	C	C	C	C
Hospice	C	C	C	C	C	C	C	C	C	C	C	C	C
Libraries, public or private	C	C	C	C	P	P	P	P	P	P	P	P	P
Livestock and stables	C*	C	C										
Mortuary	C	C	C	C	C	C	C	C	C	C	C	C	C
Parks	P	P	P	P	P	P	P	P	P	P	P	P	P
Recreation facility	C												
Restaurant, sit-down									C	C	C	C	C
Retreat center	C	C	C	C	C	C	C	C	C	C	C	C	C
Kennels, boarding	C	C	C	C									
Kennels, private	C	C	C	C									
Veterinary clinics	C												
Wildlife reservation, forest and conservation project	P	P	P	P	P								
<b>Educational</b>													
College/university	P	P	P	P	P	P	P	P	P	P	P	P	P
Primary	P	P	P	P	P	P	P	P	P	P	P	P	P
Secondary	P	P	P	P	P	P	P	P	P	P	P	P	P
Kindergarten, nursery school	P	P	P	P	P	P	P	P	P	P	P	P	P
Specialized private school	C	C	C	C	C	C	C	C	C	C	C	C	C
<b>Utilities</b>													
Public facilities	P	P	P	P	P	P	P	P	P	P	P	P	P
Public facilities over 60 feet in height	C	C	C	C	C	C	C	C	C	C	C	C	C

UNIFIED DEVELOPMENT CODE

Use Group	Zoning District and Category												
	LLR	E-2 Ac	E-1 Ac	E-1/2 Ac	R-2	R-3	R-4	R-5	R-6	R-6A	R-6AA	R-7	R-8
Sewage treatment facilities, other than facilities permitted as an accessory use	C	C	C	C	C	C	C	C	C	C	C	C	C
Telecommunications tower or facility	C	C	C	C	C	C	C	C	C	C	C	C	C