

# III. C.

## Memorandum Department of Planning

To: Planning and Public Works Committee

From: Alyssa Ahner, Planner

Date: May 18, 2023

RE: P.Z. 09-2023 City of Chesterfield (UDC – Article 4): An amendment to Article 4 of the Unified Development Code for modifications to the City's zoning districts and locations for where recreational uses are appropriate.



### Summary

The City's Unified Development Code (UDC) contains several recreational uses and zoning districts in which the uses are permitted. In reviewing the use table, Staff is proposing modifications to be considered. For example, "Athletic Fields" are permitted in the Parks and Scenic District and the Agricultural District but are not permitted uses or conditional uses in any other district.

Additionally, many recreational uses were previously allowed in the Planned Industrial District; however, they are no longer permitted in those same locations. This results in inconsistencies between the uses that were allowed in "older" Planned Industrial Districts (pre-2009) and the uses that are allowed in "newer" Planned Industrial Districts (post 2009).

A Public Hearing was held on May 8, 2023 for this petition. The Planning Commission recommended approval, as amended, by a vote of 8-0. The amendment included adding the use "Athletic Courts & Fields" into the "PC" Planned Commercial District.

### Attachments:

May 8, 2023 Planning Commission Report



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## Planning Commission Public Hearing Report

Meeting Date: May 8, 2023

From: Alyssa Ahner, Planner

Location: City of Chesterfield

Description: P.Z. 09-2023 City of Chesterfield (UDC – Article 4): An amendment to Article 4 of the Unified Development Code for modifications to the City's zoning districts and locations for where recreational uses are appropriate.

### PROPOSAL SUMMARY

The City's Unified Development Code (UDC) contains several recreational uses and zoning districts in which the uses are permitted. In reviewing the use table, Staff is proposing modifications to be considered. For example, "Athletic Fields" are permitted in the Parks and Scenic District and the Agricultural District but are not permitted uses or conditional uses in any other district.

Additionally, many recreational uses were previously allowed in the Planned Industrial District; however, are no longer permitted in those locations. This results in inconsistencies between the uses that were allowed in "older" Planned Industrial Districts (pre-2009) and the uses that are allowed in "newer" Planned Industrial Districts (post 2009). The applicable recreation uses as defined by the Unified Development Code are listed below:

#### ARENA AND STADIUM

*A commercial structure with tiers of seats rising around a field or court, intended to be used primarily for the viewing of events. Sports arena may also be used for entertainment and other public gathering purposes, such as conventions, circuses, or concerts.*

#### ATHLETIC COURTS AND FIELDS

*Areas, whether indoors or outdoors, for training or athletic events. Such areas, include, but are not limited to, baseball fields, basketball courts, tennis courts, racquetball courts, and other similar uses.*

**BOTANICAL GARDEN**

*A public or private facility for the demonstration and observation of the cultivation of flowers, fruits, vegetables, or ornamental plants.*

**BOWLING CENTER**

*An establishment that devotes more than fifty percent (50%) of its gross floor area to bowling lanes, equipment, and playing area.*

**GOLF COURSE**

*A tract of land laid out with at least nine (9) holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a clubhouse, restrooms, driving range, and shelters as accessory uses.*

**GYMNASIUM**

*A building or portion thereof used for athletic training or sports activities, including accessory seating for spectators.*

**RECREATION FACILITY**

*Any establishment whose main purpose is to provide the general public with an amusing or entertaining activity. Includes, but not limited to, skating rinks, water slides, miniature golf courses, arcades, tennis courts, swimming pools, billiard halls, and fitness center but not movie theaters.*

The table below depicts the zoning districts and the uses that are permitted today:

Use Group	Zoning Districts						
	PS	AG	PC	NB	PI	LI	MU
Athletic and Fields	P	P					
Arena and Stadium			P		P		
Bowling Center			P				
Botanical Garden		P	P	P			
Driving Range	C						
Golf Course	C	C	P		P		
Gymnasium			P	P	P		
Parks	P	P	P	P	P	P	
Recreation Facility		C	P	P			

The table below depicts the zoning districts and the use modifications to be considered. The proposed modifications that differ from the Unified Development Code today are highlighted in yellow:

Use Group	Zoning Districts						
	PS	AG	PC	NB	PI	LI	MU
Athletic and Fields	P	P			P	P*	
Arena and Stadium			P		P	P*	
Bowling Center			P		P	P*	
Botanical Garden	P	P	P	P			
Driving Range	C	C			P	P*	
Golf Course	C	C			P	P*	
Gymnasium			P	P	P	P*	
Parks	P	P	P	P	P	P*	
Recreation Facility	P	C	P	P	P	P*	

\*The Light Industrial District requires that the principal use be conducted within a fully enclosed building. Additionally, businesses shall only be open to the public between the hours of 7:00 a.m. and 8:00 p.m.

DEPARTMENT INPUT

Staff has reviewed the amendment and found that it meets the requirements to be presented to the Planning Commission for review. Staff recommends action.

MOTION

The following options are provided to the Planning Commission for consideration relative to this application:

- 1) "I move to approve (or deny) P.Z. 09-2023 City of Chesterfield (UDC Article 4) as presented."
- 2) "I move to approve P.Z. 09-2023 City of Chesterfield (UDC Article 4) with the following conditions..."

CITY OF CHESTERFIELD - UNIFIED DEVELOPMENT CODE

Chapter 405 - Attachment 2

Use Table for Non-Residential Districts

[CC 1990 Ch. 31, Attach 2; Ord. No. 2801, § 3 (Exh. A), 6-16-2014; Ord. No. 3034, 2-4-2019; Ord No. 3138, 2-16-2021]

Uses:	P- Permitted						C- Conditional	
	PS	AG	PC*	NB	PI*	LI	MU	
<b>USE GROUP</b>	<b>ZONING DISTRICTS</b>							
<i><b>CIVIC</b></i>								
Administrative offices for educational or religious institutions		C	P	P	P	P		
Church and other places of worship		C	P	P	P	P		
Community center			P					
Correctional institution					P			
Highway department garage					P			
Historic sites, including buildings	P	P						
Library			P	P				
Natural or primitive areas and forests encompassed by the provisions of the Missouri State Forestry Law	P	P						
Parks	P	P	P	P	P	P		
Postal stations			P	P	P	P	P	
Public building facility owned or leased by the City of Chesterfield			P	P	P	P		
Public safety facility	P	P	P	P	P	P	P	
Railroad switching yard and tracks and associated structures					P			
Retreat center	C	C						
Sales yard operated by a church, school, or other not-for-profit organization			P		P			
Wildlife habitats, forests, conservation projects and fish hatcheries	P	P						
<i><b>RESIDENTIAL</b></i>								
Dwelling, employee	C		P		P			
Dwelling, single-family detached								
Dwellings, multi-family								
Home Occupation		P						
Group residential facility							P	

\*Planned districts (including but not limited to PC & PI) are governed by a site specific ordinance. The permitted and conditional uses listed in the table are available for consideration as approved by the appropriate approval body. Some uses may have additional restrictions as detailed in [Section 405.03.040](#) and/or when deemed appropriate by Planning Commission and/or City Council.

City of Chesterfield  
Use Table for Non-Residential Districts

USE GROUP	ZONING DISTRICTS						
	PS	AG	PC*	NB	PI*	LI	MU
<b><i>PUBLIC/RECREATIONAL</i></b>							
Airport, public or private		C			P		
Amusement park			P				
Arena and stadium			P		P	P	
Art gallery			P				
Art studio			P				
Athletic field	P	P			P	P	
Auditorium			P		P	P	
Banquet facility			P				
Botanical garden	P	P	P	P			
Camping facility	C	C					
Cemetery	P	C	P	P		P	
Club		C	P	P	P		
Correctional institution					P		
Driving range	C	C			P	P	
Fairground			P		P		
Farmer's market		C	P	P	P		
Golf course	C	C			P	P	
Gymnasium			P	P	P	P	
Harbor, marina, and dock for water-borne vehicles including repair facilities and sales of fuel and supplies					P		
Heliport-public and private					P		
Mortuary		C	P	P			
Museum			P	P			
Reading room			P	P			
Recreation facility	P	C	P	P	P	P	
Riding stable		P	P	P			
Transit transfer station			P				
Union halls and hiring halls			P		P		
Zoological garden			P				

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City of Chesterfield  
Use Table for Non-Residential Districts

USE GROUP	ZONING DISTRICTS						
	PS	AG	PC*	NB	PI*	LI	MU
<b>OFFICE</b>							
Office-dental			P	P	P		P
Office-general			P	P	P	P	P
Office-medical			P	P	P		P
<b>COMMERCIAL/SALES</b>							
Aircraft sales and leasing facilities and services					P		
Automobile dealership			P				
Automotive detailing shop					P		
Automotive retail supply			P		P		
Bakery			P	P	P		
Bar			P		P		
Bowling center			P		P	P	
Brewery					P		
Brewpub			P		P		
Coffee shop			P	P			
Coffee shop, drive-thru			P				
Farming, livestock and stables. Farming includes cultivation and sale of crops, plants and domestic animals with no salesrooms		P	P		P		
Grocery-community			P				
Grocery-neighborhood			P	P			
Grocery-supercenter			P				
Motorcycle, ATV, and similar motor vehicles dealership			P		P		
Newspaper stand			P	P			
Pawnshop					P		
Plumbing, electrical, air conditioning, and heating equipment sales, warehousing and repair facility					P	P	
Recreational vehicle dealership			P		P		
Restaurant-sit down	C		P	P			
Restaurant-fast food			P	P	P		
Restaurant-take out			P	P	P	P	
Retail sales establishment-community			P				
Retail sales establishment-neighborhood			P	P			

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City of Chesterfield  
Use Table for Non-Residential Districts

USE GROUP	ZONING DISTRICTS						
	PS	AG	PC*	NB	PI*	LI	MU
<b>COMMERCIAL/SALES (continued)</b>							
Retail sales establishment-regional			P				
Salesrooms for commercial gardens, plant nurseries, and greenhouses		C					
Tackle and bait shop			P				
<b>SERVICE/INDUSTRIAL</b>							
Animal grooming service			P	P	P		
Automobile storage					P		
Barber or beauty shop			P	P			
Batching plant					P		
Blacksmith shop					P		
Boat (and marine supply) storage, charter, repair, sale					P		
Broadcasting studio			P		P		
Car wash			P		P		
Car wash, industrial					P		
Car wash, self service			P		P	P	
Check cashing facility			P		P		
Commercial service facility			P	P	P	P	
Day care center			P	P	P		P
Drug store and pharmacy			P	P			
Drug store and pharmacy, with drive-thru			P				
Dry cleaning establishment			P	P	P		
Dry cleaning establishment, with drive-thru			P		P		
Dry cleaning plant					P		
Extraction & processing of raw materials from the earth and processing thereof		P			P		
Filling station and convenience store with pump stations			P		P		
Film drop-off and pick up stations			P		P		
Film processing plant			P		P		
Financial Institution, no drive-thru			P	P	P		
Financial Institution, drive-thru			P		P		
Heliport-public or private			P		P		
Hospice			P	P			

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City of Chesterfield  
Use Table for Non-Residential Districts

USE GROUP	ZONING DISTRICTS						
	PS	AG	PC*	NB	PI*	LI	MU
<i>SERVICE/INDUSTRIAL (continued)</i>							
Hospital			P				P
Hotel and motel			P				
Hotel and motel-extended stay			P				
Incinerator					P		
Industrial sales, service, and storage					P	P	
Junk or salvage yard					P		
Kennel, boarding		P	P		P	P	
Kennel, private		P			P		
Laboratory-professional, scientific			P		P	P	
Laboratory							P
Laundromat			P		P		
Lumberyard					P		
Mail order sales warehouse			P		P	P	
Manufacturing, fabrication, assembly, processing, or packing except explosives or flammable gases or liquids			P		P	P	
Meat packing facility					P		
Motorcycle, ATV, and similar motor vehicles storage					P		
Nursing home			P				
Oil change facility			P		P		
Parking area (stand-alone), including garages, for automobiles. Not including sales or storage of damaged vehicles for more than 72 hours			P	P	P		P
Professional and technical service facility			P	P	P	P	
Recreational vehicle storage					P		
Research laboratory & facility			P		P		P
Self-storage facility			P		P	P	
Sheet metal shop					P		
Shooting range, indoor					P		
Shooting range, outdoor					P		
Steel mill, foundry, and smelter					P		
Substance abuse facility-outpatient					P		P
Substance abuse facility-inpatient					P		P

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USE GROUP	ZONING DISTRICTS						
	PS	AG	PC*	NB	PI*	LI	MU
<b><i>SERVICE/INDUSTRIAL (continued)</i></b>							
Sulphur, cement, or rubber reclamation plants					P		
Tattoo parlor/body piercing studio			P				
Theatre, indoor			P				
Theatre, outdoor			P				
Tow yard					P		
Transit storage yard					P		
Transit transfer station and terminals for trucks, buses, railroads, watercraft or other modes of public transportation					P		
Trucks, trailers, construction equipment, and agricultural equipment outdoor storage					P		
Trucks, trailers, construction equipment, agricultural equipment sales, rental, and leasing					P		
Vehicle repair and service facility			P		P		
Veterinary clinic		P	P	P	P		
Warehouse, general			P		P	P	
Warehouse, wholesale or storage of live animals, explosives, or flammable gases and liquids					P		
Welding shop, sheet metal, and blacksmith shop					P		
Yard for storage of contractors' equipment, materials and supplies					P		
<b><i>EDUCATIONAL</i></b>							
College/university			P				P
Kindergarten or nursery school			P				
Specialized private school			P		P		P
Vocational school			P		P		P
Vocational school with outdoor training			P		P	P	

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Use Table for Non-Residential Districts

USE GROUP	ZONING DISTRICTS						
	PS	AG	PC*	NB	PI*	LI	MU
<b>ADULT USES</b>							
Adult bookstore			P		P		
Adult entertainment business or establishment			P		P		
Adult entertainment facility			P		P		
Adult motion picture theatre			P		P		
Bathhouse			P		P		
Massage parlor			P		P		
Modeling studio			P		P		
Specific sexual activities			P		P		
<b>UTILITIES</b>							
Device for energy generation		P	P	P	P	C	C
Individual sewage treatment facility		P	P		P		
Public utility facility	P	P	P	P	P	P	P
Public facilities over 60 ft. in height		C	P	P	P	P	P
Public utility transmission and distribution lines and pipelines, underground and aboveground, including booster stations	C	C	C	C	C	C	C
Radio, television, and communication transmitting, receiving, or relay towers and facilities		C					
Sanitary landfill					P		
Sewage treatment facilities, other than facilities permitted as an accessory use	C						
Sewage system					P		
Solid waste, compost facility					P		
Solid waste, facility					P		
Solid waste, transfer facility					P		
Telecommunications structure		P	P	P	P	P	
Telecommunications tower or facility		P	P	P	P	C	

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