

INTRODUCED BY: Councilmember Steve McMahon

DATE: June 10, 2024

BILL NO.: 9545

ORDINANCE NO.: 7359

AN ORDINANCE AMENDING ZONING CODE SECTION 400.470 OF THE UNIVERSITY CITY MUNICIPAL CODE, RELATING TO OTHER DEVELOPMENT STANDARDS IN THE LIMITED COMMERCIAL ZONING DISTRICT (“LC”), BY DELETING SUBSECTION A THEREOF, WHICH PROVIDES THAT A PRINCIPAL BUILDING SHALL NOT EXCEED 12,000 SQUARE FEET IN GROSS FLOOR AREA.

WHEREAS, Chapter 400 (Zoning Code) of the University City Municipal Code divides the City of University City, Missouri (City) into several zoning districts, and regulates the character of buildings which may be erected in each of said districts, and the uses to which the buildings and premises located therein may be put; and

WHEREAS, in a meeting on April 15, 2024, the City Plan Commission Code Review Committee reviewed an application for a Zoning Code text amendment to Section 400.470 by deleting Subsection (A), which provides that a principal building in the Limited Commercial Zoning District (“LC”) shall not exceed 12,000 square feet in gross floor area, and recommended approval of the amendment to the full City Plan Commission; and

WHEREAS, in a meeting held on May 22, 2024, the City Plan Commission examined said Zoning Code text amendment and recommended to the City Council that the amendment be approved; and

WHEREAS, due notice of a public hearing to be held by the City Council in the City Council Chambers at City Hall at 6:30 p.m. on June 24, 2024, was duly published on June 9, 2024 in the St. Louis Countian, a newspaper of general circulation within the City; and

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

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

Section 1. Section 400.470 of the University City Municipal Code, relating to other development standards in the Limited Commercial District (“LC”), is hereby amended by deleting Subsection (A), so that Section 400.070, as so amended, shall read as follows:

Section 400.470 Other Development Standards.

- A. Except for authorized temporary outdoor sales (see Article V, Section 400.1360), permitted outdoor dining, and off-street parking and loading, all business, servicing, processing, and storage, which takes place outdoors on private property shall be limited to one hundred (100) square feet in area and shall be limited to items and/or service for which the use is approved under the occupancy permit. Otherwise, all business, servicing, processing, and storage shall be conducted within completely enclosed businesses.

- B. Outdoor display of merchandise shall only be permitted in conjunction with an existing permitted use, where an established use has been granted occupancy and occupies the ground floor of a premise. Any display shall only be permitted on private property, and such display shall be placed between the subject use's principal building and nearest public right-of-way. Total gross display area of merchandise may not exceed twenty-five (25) square feet. This total gross display area may be increased to forty (40) square feet if the building frontage of the portion of the building occupied by the subject use exceeds ninety (90) linear feet, and increased to eighty (80) square feet if the building frontage of the portion of the building exceeds one hundred twenty (120) linear feet. Display items shall be limited to merchandise sold by the established use. All sales transactions shall occur completely within enclosed buildings. Any outdoor display of merchandise shall permit free access to buildings and not be placed in or on street furniture, parking meters, public signage, planter boxes, turf, dirt or landscaped areas, or beyond the edge of the subject use's street frontage. Display items shall not include signage which would otherwise be regulated by Article VIII.
- C. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, noise, vibration, refuse, water-carried waste, pollutants or other matter which in any manner creates a nuisance beyond the property line of a particular use (also see Article V, Division 12 for performance standards).
- D. Outdoor dining is permitted upon receipt or renewal of an annual outdoor dining permit, as required under Chapter 605, Article I. [Ord. No. 6971 §1, 11-10-2014]
- E. For all new developments or those uses requiring a new conditional use permit or site plan review, a detailed landscaping plan shall be submitted to the Director of Planning for approval, in conjunction with a review by the City Forester. Landscaping shall be installed and maintained in accordance with the approved plan. Unless other arrangements were made during the permitting process, said landscaping plan shall be approved prior to the building permit being issued and shall be installed prior to the occupancy permit being approved.
- F. All restaurant and convenience store uses shall comply with the following:
 - 1. The operator of the business shall regularly police the site and the area adjacent to the restaurant to remove litter and debris.
 - 2. Trash containers for patron use shall be available on the premises at all times. Adequate refuse disposal shall be provided by and for the business. The refuse containers and surroundings shall be maintained in a clean condition.
 - 3. If applicable, an exhaust system shall be installed and/or other means shall be taken to prevent any food preparation odors or cooking odors from being perceptible beyond the lot lines of the property on which the business is located. The exhaust system shall be maintained in a clean condition by regularly scheduled cleaning of the system.
- G. All uses that have exterior speakers shall be operated so that the volume of the service speaker as well as noise from patrons shall not be perceptible beyond the property lines of the business.
- H. Lighting of all exterior areas, including all parking areas, shall comply with Section 400.2110 of the Zoning Code, and shall be designed to be compatible with surrounding areas, shall be shaded to direct light downward and away from abutting uses, adjoining properties and streets.
- I. For all developments requiring new curb cuts along County or State roadways, curb cuts shall be approved by the proper State and/or County agencies.

If there is a substantial change in site design caused by those approvals, the applicant shall resubmit the changes to Department of Planning Development, the Plan Commission and/or the City Council (whichever approvals were originally required).

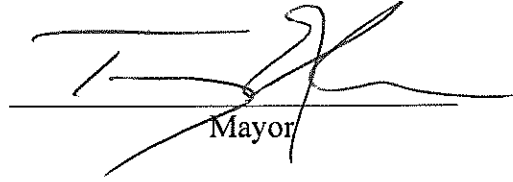
- J. For all new developments or those uses requiring substantial exterior construction, a detailed construction traffic control and parking plan should be submitted to the Director of Planning for approval. Said plan shall set forth details pertaining to worker and resident parking during all phases of the proposed construction. It shall further detail solutions to public property maintenance issues such as street cleaning and traffic diversion. Said plan shall be finalized prior to the issuance of a building permit.
- K. For all new developments, drainage and grading arrangements shall be approved by MSD and the City Public Works and Parks Department.
- L. In addition to all other requirements and regulations set forth in this Chapter, all new development and substantial redevelopment proposed and planned along the Olive Boulevard corridor between Skinker Boulevard to the east side of the I-170 interchange shall adhere to the guidelines and regulations set forth in the document known as the "Olive Boulevard Design Guidelines". The guidelines are a required part of the building permit process. A copy of the guidelines may be obtained from the Zoning Administrator in the Community Development Department (an electronic copy is also available online at the City's website at [ucitymo.org/government/departments/community development/zoning](http://ucitymo.org/government/departments/community%20development/zoning)). For the purpose of this requirement, "substantial redevelopment" shall mean one (1) or more of the following:
 - 1. Increase of twenty-five percent (25%) or more in the gross floor area of any building;
 - 2. Significant upliftment of the facade aesthetics by paint and/or addition or replacement of facade elements;
 - 3. Restoration of historic structures;
 - 4. Significant changes in site design, for example, landscaping, lighting, ingress/egress, etc.

Section 2. This ordinance shall not be construed so as to relieve any person, firm or corporation from any penalty incurred by the violation of Section 400.470 of the University City Municipal Code, nor bar the prosecution of any such violation.

Section 3. Any person, firm or corporation violating any of the provisions of this ordinance shall, upon conviction thereof, be subject to the penalties provided in Section 400.2570 of the University City Municipal Code.

Section 4. This ordinance shall take effect and be in force from and after its passage as provided by law.

PASSED and ADOPTED this 8th day of July, 2024.



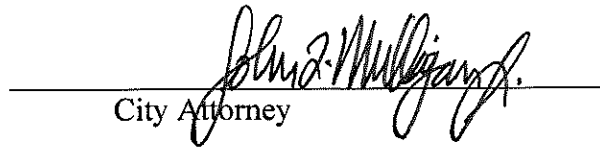
Mayor

ATTEST:



City Clerk

CERTIFIED TO BE CORRECT AS TO FORM:



City Attorney

