Plan Commission
6801 Delmar Boulevard, University City, Missouri 63130 · 314-505-8500 · Fax: 314-862-3168

AGENDA

CODE REVIEW COMMITTEE MEETING

Thursday, April 24, 2025 at 10:00 am
Location: City Hall (6801 Delmar Blvd), 4th floor conference room

1. **Open Meeting**
2. **Approval of Minutes** – none
3. **Public Comments** – (Limited to 3 minutes for individual's comments, 5 minutes for representatives of groups or organizations.)
4. **Old Business**
   a. **TXT-24-04**
   Relevant code sections:
   - Subdivision and Land Development Regulations: §405.510.A.4 "Site Grading, Erosion Control, and Stormwater Consideration in Design"
   - Zoning Code: Article V (Supplementary Regulations), propose to add a new division: "Division 16 Flatwork Permit"

   Summary:
   Review proposed Text Amendment which would require flatwork permits and stormwater mitigation when new impervious areas are proposed which exceed 100 square feet.
   Update: Public works staff has provided cost estimates for mitigation projects and estimated staff impact
5. **New Business**
   a. **TXT-25-02**
   Relevant code sections:
   - Chapter 120, Article XVIII (Infill Review Board)
   - Chapter 400, Article XVI (New article: 'Architectural Review Board')

   Summary:
   Proposed amendment would replace the existing Infill Review Board with an Architectural Review Board
6. **Adjourn**

Department of Planning and Zoning
6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

MEMO

Meeting Date:	April 24, 2025
To:	Code Review Committee of the Plan Commission
From:	Department of Planning & Zoning
Case Number:	TXT-24-04
Council District	n/a
Applicant	City of University City
Request	Review proposed text amendment to amend Section 405.510 and add a new Division 16 to Chapter 400, Article V Supplementary Regulations.

Commissioners will consider a text amendment to the zoning and subdivision codes pertaining to new stormwater mitigation requirements for additional impervious area, and the creation of a flatwork permit for driveways, patios, etc. The proposed text amendment would require stormwater mitigation projects, such as installation of a rain barrel or a rain garden, when *new* impervious area exceeding 100 square feet is proposed. Those stormwater mitigation projects, also referred to as best management practices (BMPs), must be proportionate to the impervious area being added. An impervious area could be a building addition, a new driveway, a shed, etc. The flatwork permit would allow the City to better oversee that flatwork is installed properly, does not cause runoff onto neighboring properties, and complies with the new stormwater mitigation requirements above.

This text amendment has been proposed by the University City Commission on Stormwater Issues. The Code Review Committee reviewed the proposed amendment on two occasions – August 6, 2024 and January 7, 2025. The Committee voiced concerns about the cost of stormwater mitigation projects to residents and the cost to the City to administer the proposed flatwork permit and its requirements.

Since then, the Commission on Stormwater Issues revised the proposed amendment accordingly and provided cost estimates for BMPs and expected staff impacts. The cost and staff impact estimates are detailed in the attachments to this memo. Also, on April 1, 2025, John Wagner, Director of Planning & Zoning, attended the Commission on Stormwater Issues meeting to seek clarification on text amendment and its projected impacts on city-wide stormwater mitigation. The notes from their discussion are included below (*please these notes are copied from *draft* minutes):

- *How did the Commission come about proposing this text amendment?*
  - (Armstrong) U Heights Flood Task Force started the process.
- *What does the text amendment hope to accomplish?*
  - (Armstrong) Hold level of imperviousness in U City.
  - (Criss) added that U City is 43+% impervious which is the highest for a City in Missouri. River Des Peres is the flashiest watershed that he's studied in MO.
  - (Armstrong) Engage residents / businesses that add impervious to be part of

the solution.

- *How did the Commission develop the 100 square foot threshold of impervious increase to require mitigation?*
  - (Armstrong) U Heights Flood Task Force suggested the value based on a comparison to similar ordinance by neighboring communities, and recognition that U City lots are smaller so the threshold impervious should also be smaller.
- *City has concerns about the added costs to City: adding staff to implement.*
  - Criss) Flooding causes multi-million dollars in damage to the City, so the added cost for a staff person should be worthwhile.
- *Would the ordinances impact flooding?*
  - (Karch) Yes for everyday storms. No for July 2022 level flooding
  - (Criss) Preventing further increases in impervious would help prevent increases in flooding.
  - (Criss) Ordinance prevents neighbor-to-neighbor flooding, which is independent of the threshold value.
- *What is the evidence that the ordinance would improve flooding?*
  - (Karch) Properties that would benefit from the ordinance are only those located downhill of properties that would be developed under the proposed ordinance and would therefore have installed the proposed mitigation offsets.

Attachments:

1. Original memo from Department of Public Works to Code Review Committee
2. TXT-24-04 – Revised
3. Estimated costs for stormwater mitigation projects (BMPs)
4. Estimated staff costs to administer the permit
5. Draft flatwork permit application form and instructions

City of University City
Department of Public Works
6801 Delmar Blvd. University City, Missouri 63130 314-505-8560

MEMORANDUM

To: Plan Commission

From: Stormwater Commission

Date: July 31, 2024

Subject: Requested review of the proposed new ordinance for new impervious areas and flatwork permit

CC: Gregory Rose, City Manager

John Mulligan, City Attorney

The proposed new Ordinance is coming before the Plan Commission by way of the recommendation from the Stormwater Commission. The Stormwater Commission recommended the approval of the new revised Municipal Code at its June 4, 2024, meeting and requested that the Plan Commission review the proposed new Code.

In April of 2023, University Height Flood Task Force approached the Stormwater Commission with a proposed revised University City Municipal Code. The Stormwater Commission and the Ad Hoc Sub-Committee have reviewed, discussed and revised the proposed revised Municipal Code. See attached for the approved changes to the Municipal Code.

The proposed new ordinance would address the stormwater issues with the addition of more impervious areas to ensure that there is not an increase in storm water runoff. It requires the capture, storage, and slow release of the runoff from the new impervious areas through a stormwater management facility, which may be a rain garden, rain barrels, French drain, green roofs, or some other facility.

In addition, the proposed new ordinance for installing green infrastructure in association with the new addition of the impervious areas, would fulfill one of the strategies of the City's 2020-2025 Hazard Mitigation Plan. This Plan ensure that our community can be eligible for hazard mitigation funding for projects from the Federal Emergency Management Agency (FEMA).

The proposed ordinance would allow for the permitting of flatwork so that all areas of new impervious areas will be reviewed, and additional stormwater will be stored on site.

- Flatwork is any paving that is outside of the right of way.
- Many times, the new impervious area additions will be part of another permit, but it doesn't have a separate permit.
- Flatwork permit would include any paving, pavers, or any other impervious material.
- If a permit is recommended, a fee will need to accompany the permit.

City of University City
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The sub-committee recommended that impervious additions of 100 square feet be the trigger to require runoff mitigation. The sub-committee recommends the 100 SF trigger appropriate after considering effective runoff intervention, affordable, and staff-time appropriate. The choices for mitigation have been tabulated to be easy to interpret but some residents will still need staff time to understand options. The sub-committee recommended periodic self-monitoring and self-reporting that the mitigation remains in service. The self-monitoring and self-reporting may be initiated by a questionnaire or inquiry sent by the City on two- to three-year intervals.

Recommended Action:
The Plan Commission review, discuss, and provide recommendations.

Chapter 405. Zoning Code
ARTICLE IV. Land Development Standards
Section 405. 510 Site Grading, Erosion Control, And Stormwater Consideration In Site Design

CURRENT UNIVERSITY CITY CODE

Section 405.510 Site Grading, Erosion Control, And Stormwater Consideration In Site Design.

[R.O. 2011 §16.16.100; Prior Code §29-51.8; Ord. No. 6143 §1(part), 1997]

A.4 Stormwater Consideration In Site Design.

[Ord. No. 7060, 11-13-2017[1]]

a. Applicability. The standards referenced and adopted in this Section shall apply to site design for any project which includes alteration of site drainage or floodplain areas, connection to storm sewer systems or open storm water channels, and all land disturbance projects encompassing more than one (1) acre.

b. MSD Approval Required. All private and public projects to which this Article is applicable must be reviewed and approved for storm water issues by the Metropolitan St. Louis Sewer District in accord with rules, regulations, standards, and procedures of that body prior to the issuance of any permits for land disturbance or construction.

c. Submittal Requirements. Applicants for any development, redevelopment, land disturbance, construction or other undertaking to which this Article is applicable shall be required to provide any and all information necessary to enable the Metropolitan St. Louis Sewer District ("MSD"), the City and City plan review personnel to assess and apply the principles promulgated by MSD known as "Site Design Guidance — Tools for Incorporating Post-Construction Stormwater Quality Protection Into Concept Plans and Land Disturbance Permitting," and "Landscape Guide for Best Management Practice Design," as revised from time to time.

[1] Editor's Note: Ord. No. 7060 also changed the title of this Section from "Site Grading and Erosion Control" to "Site Grading, Erosion Control, And Stormwater Consideration In Site Design."

PROPOSED CHANGES TO CITY CODE

Item 405.510 A.4.c is proposed to become Item 405.510 A.4.e

Item 405.510 A.4.c is proposed to be added as follows:

405.510.A.4.c. No improvements shall increase storm water runoff onto adjacent properties.

Item 405.510 A.4.d is proposed to be added as follows:

405.510.A.4.d. Green Infrastructure to offset New Impervious Development

~~To reduce the impacts of any development on stormwater, the City requires that s~~Stormwater management measures shall be utilized when proposed increases in impermeable development exceed 100 square feet (sf or SF) unless MSD evaluates the development for stormwater. MSD permit requirements take precedence. Impervious development includes new buildings, ~~new~~ garages, ~~new~~ sheds, ~~new~~ gazebos, ~~new~~ patios, ~~new~~ walks, ~~new~~ driveways or other ~~new~~ pavement (asphalt or concrete or pavers in which most of the individual pavers are in contact with each other), or similar ~~new~~ structures or pavement. Surfaces such as decks, permeable pavement, permeable pavers, where the rainwater is ~~allowed~~ able to soak into the ground, are not considered impervious. Green infrastructure such as shown in the following table are encouraged, but alternate green infrastructure may be proposed and approved for review by City permitting officials. The use of matrix items is site-specific. The developer ~~is invited to~~ shall demonstrate or discuss with the City which matrix items may be the most successful and easiest to maintain. Variances due to pre-existing matrix items that are in place prior to the new impervious development may be considered on a case-by-case basis by the Public Works Director. Offsets are not required for replacement of existing impervious site features when area of proposed and existing impervious features are equal. This guideline is complementary to the use of the Metropolitan St. Louis Sewer District (MSD) Rules and Regulations and Engineering Design Requirements for Sanitary Sewer and Stormwater Drainage Facilities, as set forth in item 405.510.A.4.e.

#	Green Infrastructure	Offset Guidelines Ratio of New Impervious surface area: to green infrastructure improvement
1	~~Plant~~ Install ~~N~~native ~~P~~plants such as grassy and herbaceous vegetation.	1 : 3.25 Example: Offset 100 SF of new concrete patio ~~must be offset~~ by ~~establishment of~~installting 325 SF of native garden plants replacing turf grass.
2	Install Amended Soil ~~- Good soil for growing vegetation~~ ~~- Porous soil to soak up sheet flow.~~ ~~- Suitable for narrow areas of pavements~~ Till 2" thick layer of compost into existing soil. Till 6" deep (minimum) for turf cover, and 12" deep (minimum) for deeper rooted vegetation. Compost material and testing specifications shall be per MSD St. Louis BMP toolbox technology matrix (available on MSD's website).	1 :1 for amended soils installed 1 ft deep. The area of amended soils must generally be installed along the downhill side of the new impervious area and at a width equal to the longest flow path of the new impervious area it is treating. Example: A new 20 foot x 40 foot patio drains to the long side requires a 20 foot x 40 foot amended soil area.
3	Install tree cover	100 SF : One tree Tree planting plan approval ~~by City Arborist~~as part of the permit process for new flat work or new building. Example: 100 SF of new concrete patio can be offset by planting and maintaining one large tree (canopy trees such as oaks and maples). For practicality, one understory tree per 100 SF of impervious area addition will be accepable
4	Install permeable pavement including sand or gravel subgrade base at least ~~3~~ 12 inches thick	~~No offset required as this is not considered an impermeable development.~~ 2:1 Pavement on 12-inch thick bed of gravel. Example: 100 SF of expansion of building can be offset by installing 50 SF of permeable pavement. If existing pavement is to be replaced with permeable pavement, no offset is required.
5	Build green roofs	5:1 Example: Offset 100 SF of new concrete patio ~~can be offset~~ by converting 20 SF of a flat roof to a green roof
6	Install rain barrels to capture and slow runoff	100 SF : 55 gallons of barrel
7	Install infiltration basins such as rain gardens and bioswales	5:1 Example: Offset 100 SF of new concrete patio ~~can be offset~~ by installing a rain garden 20 SF with an average depth of 6-inches[1].
8	Construct French drains (shallow small detention basins constructed as shallow rectangular trenches filled with gravel and covered with 6 to 12 inches of topsoil and turf grass)	4 :1 for 6-inch deep French Drain[2] 7 : 1 for 12-inch deep French Drain[2]

1 - Differential runoff and detention are based on a 1.14 inch, 60-minute rectangular rainfall hyetograph (1.67 annual probability of occurring). Rain garden basin areas are based on an average depth of 6 inches and consider the volume in sloping slide walls.

2 - French Drain and related Dry Wells are based on gravel with a void volume of 50 percent.

Chapter 400. Zoning Code
ARTICLE V. Supplementary Regulations

CURRENT UNIVERSITY CITY CODE

Current City code ends at Division 15 Marijuana Regulations.

PROPOSED CHANGES TO CITY CODE

A new Division 16 is proposed to be added as follows.

Division 16 Flatwork permit, Section 400. 1500

A. It shall be unlawful for any person to pave or otherwise create more than 100 square feet of impervious surface without first securing a Flatwork Permit to do so from the Public Works Department. It would include any paving, pavers, or any other impervious material outside of the right-of-way and not attached to another permit. To secure a Flatwork Permit an applicant must satisfy the requirements as set forth in Section 405.510.
B. Permits expire 180 days from the date of issuance.
C. The fee for such permit shall be in an amount established by the City Council.

#	Green Infrastructure	Offset Guidelines Ratio of New Impervious surface area: to green infrastructure improvement	Estimated Cost of Implementing Offsets for Adding Impermeable Area $ for 100 SF of New Impervious Area	 $ for 225 SF of New Impervious Area
1	Install native plants such as grassy and herbaceous vegetation.	1 : 3.25 Example: Offset 100 SF of new concrete patio by installting 325 SF of native garden plants replacing turf grass.	$1,000	$6,200
2	Install Amended Soil Till 2” thick layer of compost into existing soil. Till 6” deep (minimum) for turf cover, and 12” deep (minimum) for deeper rooted vegetation. Compost material and testing specifications shall be per MSD St. Louis BMP toolbox technology matrix (available on MSD’s website).	1 :1 for amended soils installed 1 ft deep. The area of amended soils must generally be installed along the downhill side of the new impervious area and at a width equal to the longest flow path of the new impervious area it is treating. Example: A new 20 foot x 40 foot patio drains to the long side requires a 20 foot x 40 foot amended soil area.	$2,700	$3,300
3	Install tree cover	100 SF : One tree Tree planting plan approval as part of the permit process for new flat work or new building. Example: 100 SF of new concrete patio can be offset by planting and maintaining one large tree (canopy trees such as oaks and maples). For practicality, one understory tree per 100 SF of impervious area addition will be accepable	$ 300	$ 600
4	Install permeable pavement including sand or gravel subgrade base at least 12 inches thick	2:1 Pavement on 12-inch thick bed of gravel. Example: 100 SF of expansion of building can be offset by installing 50 SF of permeable pavement. If existing pavement is to be replaced with permeable pavement, no offset is required.	$4,000	$5,000
5	Build green roofs	5:1 Example: Offset 100 SF of new concrete patio by converting 20 SF of a flat roof to a green roof	$6,100	$7,500
6	Install rain barrels to capture and slow runoff	100 SF : 55 gallons of barrel	$ 500	$1,000
7	Install infiltration basins such as rain gardens and bioswales	5:1 Example: Offset 100 SF of new concrete patio by installing a rain garden 20 SF with an average depth of 6-inches[1].	$2,100	$3.300
8	Construct French drains (shallow small detention basins constructed as shallow rectangular trenches filled with gravel and covered with 6 to 12 inches of topsoil and turf grass)	4 :1 for 6-inch deep French Drain[2] 7 : 1 for 12-inch deep French Drain[2]	$2,000	$4,100

1 - Differential runoff and detention are based on a 1.14 inch, 60-minute rectangular rainfall hyetograph (1.67 annual probability of occurring). Rain garden basin areas are based on an average depth of 6 inches and consider the volume in sloping slide walls.

2 -French Drain and related Dry Wells are based on gravel with a void volume of 50 percent.

Estimated staff impact of TXT-24-04 (flatwork permit/impervious area requirements)

Mirela Celaj, Director of Public Works

3-12-25

Site Plan Review-Planning and Zoning Dept.:

Permit intake (Planning & Zoning clerks):

- Verify that the permit process is followed correctly and there are no outstanding issues.

The zoning department ensures that the project complies with the local zoning regulations. This includes verifying the dimensions, location, and setbacks of the proposed impervious flat work.

- Review the site plan for compliance with zoning laws.
- Ensure the development does not exceed impervious surface limits.
- Confirm that the work doesn't interfere with surrounding land use.

Public Works Department (Stormwater Plans Review and Inspection):

- Public Works assesses the technical and infrastructural impacts of the proposed work, including drainage and surface water management.
- Inspect the completed work to ensure it meets the approved plans.
- Given that the 100-square-foot trigger may lead to more projects, this could mean that the volume of reviews and inspections will significantly increase. The increase in the number of projects could lead to higher workloads in permit administration, review coordination, and site inspections, as it involves careful coordination among multiple departments, communication with property owners, and timely inspections.

While Planning and Zoning Dept. can calculate the time needed for clerk and site review, below is the outline for Public Works.

Public Works should consider:

- Time to explain the new program, the need for a permit and the requirements. Many residents might not be familiar with impervious flat work permits, drainage systems, or the details of stormwater management. The reviewer may need to use visuals or diagrams to show examples of common BMPs (e.g., swales, retention ponds, or permeable paving materials).
- The time to analyze if the proposed BMP (e.g., drainage structures, stormwater mitigation, etc.). matches the impervious area,(sqft., location), ensuring compliance with City's ordinances.
- Time to travel and inspect the site to ensure everything was built according to the approved plan. Taking photos on site and save them in address's folder.
- Time to have annual inspections, to make sure BMP has been maintained and are functioning effectively.

Based on the staffing needs to handle plan review, coordinating with applicant, site inspection, travel time, it is reasonable assumption that **a full-time employee** would be needed to handle the volume and complexity associated with the 100-square-foot trigger. For larger projects**, a part-time employee** may be sufficient to manage the occasional but more complex reviews and inspections.

100 square feet is the threshold that University Height Flood Task Force has proposed as starting mitigation process. While the SWC has agreed to continue with 100 sqft. threshold, City's representatives on this Commission, have expressed concerns about the time and resources required to support the process, particularly regarding office space and vehicle use for a full-time employee handling the increase in workload.

City of University City
Department of Public Works
6801 Delmar Blvd. University City, Missouri 63130 314-505-8560

FLATWORK PERMIT APPLICATION

Project site address: _____

Property Owner's Name: _____

Address: _____

Phone:_____Cell Phone: _____ Email: _____

Contractor's Name: _____

Address: _____Phone: _____

Contact Name: _____ Phone: _____ Email: _____

Project Scope: _____

_____

Increasing impervious cover by _____square footage.

Stormwater Management Applicable: YES_____NO _____

If yes, see requirements in Section 405.510 (A)(4)(c)

Applicant Signature: _____Date: _____

****

OFFICE USE ONLY

Project # _____Issue Date _____

Permit Fee _____Date Paid _____Payment Type _____

Permit Approved by _____Title _____Date Approved _____

****

FINAL INSPECTION NEEDED: **YES** _____**NO** _____

IF YES, Date _____Signature _____Title _____

Sec o-o Revised oo/oo/2024

Typical submittal requirements for Flatwork permits include, but are not limited to, the following:

- Description of the proposed work, type of flatwork, total dimensions, and total square feet.
- Demonstrate that the proposed flatwork project ensures compliance with zoning ordinances.
- (3) copies of a site plan showing:
    - the location of all existing structures, paved areas, and the new impervious addition, with dimensions shown.
    - the direction that rainwater runoff will take to leave the paved areas indicated with arrows. Surface water shall not be directed to adjacent properties.
    - the location of new green infrastructure designed in accordance with zoning ordinances.
- During and after construction of the stormwater management facilities City requires that two inspections (Initial and final) of the facilities take place.
- No flatwork shall be placed over a utility easement.
- Additional documents may be requested by City staff to establish that the ordinances are being met.

Department of Planning and Zoning
6801 Delmar Boulevard, University City, Missouri 63130, Phone: (314) 505-8500, Fax: (314) 862-3168

MEMO

Meeting Date:	April 24, 2025
To:	Code Review Committee of the Plan Commission
From:	Department of Planning & Zoning
Case Number:	TXT-25-02
Council District	n/a
Applicant	City of University City
Request	Review proposed text amendment to various sections of the zoning code to create an Architectural Review Board (ARB)

Commissioners will consider a text amendment to the zoning code for the creation of an Architectural Review Board (ARB). The impetus for creating an Architectural Review Board was from various City Council members over the years who were concerned about the architectural design of new homes or major additions not being consistent with their neighborhood character.

On August 12, 2024, staff presented an overview of ARBs and their purpose; options for structure, procedure and scope; the differences between the city's existing Infill Review Board (IRB) and an ARB; and examples from peer cities. The Council and City Manager directed staff to explore creating an ARB that is limited in scope, with the possibility of expanding the scope in the future, and that operates as a standalone board (not part of an existing board/commission).

On February 24, 2025, staff presented an update to the City Council with proposed code language that would establish an ARB and their review procedures. Staff emphasized that even if an ARB were created with a text amendment, the ARB could not begin conducting design review until design guidelines were created. The City will need to hire an architecture/design consultant to produce guidelines informed by engagement with the community to understand design preferences and existing character.

Staff requests the Code Review Committee's review before bringing the proposed ARB text amendment to the full Plan Commission.

Attachments:

1. TXT-25-02

Chapter 120, Article XVIII Architectural Review Board

Section 120.980. Intent.

The intent of the City Council is to establish an Architectural Review Board (ARB) to promote high standards of architectural design, thereby serving the general welfare of the community. The purpose for having architectural review is to ensure that architectural design of certain types of projects is in harmony with the architectural scheme of the building, site, and surrounding area as well as contributing to sense of place found in the City's neighborhoods, gateways, and business activity areas. The intent of the review process, standards, and guidelines is to enhance these qualities in the City while striving not to impede individual creativity for the sake of conformity. The ARB shall act solely in an advisory capacity. The ARB shall have no power to adopt, enforce, or administer any building, subdivision, zoning or other regulation or ordinance.

Section 120.990. Composition; Terms; Removal; Vacancies.

1. The ARB shall consist of five (5) members. Of these five members, up to two (2) members of the Plan Commission may be appointed by and at the discretion of the Chairperson of the Plan Commission.
2. All members shall be residents of University City.
3. At least one member of the ARB shall be a professional in architecture, landscape architecture, urban design, or a related profession.
4. No member will receive monetary compensation.
5. The ARB may elect from its members a Chairperson and a Vice Chairperson.
6. The ARB may adopt such rules of procedure as it deems necessary to effectuate the provisions of this Chapter.
7. The Mayor and Councilmembers may appoint the first members. Thereafter, all vacancies shall be appointed by the City Council. Of those first (1st) appointed, each shall be randomly assigned a one (1), two (2) or three (3) year term, renewable thereafter for three (3) year terms.
8. Appointment priority should be given to qualified design reviewers who are competent to interpret proposals and make judgments regarding both design guideline conformance and design quality.
9. Members are subject to removal without cause by a two-thirds (2/3) vote of the City Council.

Section 120.1020. Powers and Duties.

The Architectural Review Board shall have the authority to review and determine whether building plans will adhere to the architectural design guidelines as designated in Chapter 400, Article XVI, Division 3.

Section 120.1030. Recommendations For Approval or Disapproval of Applications.

As soon as possible, but not more than ten (10) days after a scheduled public hearing, the ARB shall report its recommendations for approval or disapproval of applications to the Zoning Administrator for the next step in the approval process pertaining to that project type. The recommendations of the ARB shall not be binding on the Plan Commission or the City Council.

Section 120.1040. Definitions.

The definitions and the rules of construction and interpretation for language related to this division are set forth in Chapter 400, Article II.

(New article proposed)

Chapter 400, Article XVI Architectural Review

Division 1 Applicability

Section 400.XXXX Applicability.

1. No building permit for construction, reconstruction, or other exterior alteration of buildings and structures identified in this section shall be issued without a decision of the Architectural Review Board (ARB) as set forth in this section unless otherwise stated.
2. Architectural review shall be required for the following, when visible from the street, in all zoning districts:
    a. Construction of new principal structures
    b. Construction of new accessory structures greater than 200 square feet
    c. Additions greater than 200 square feet
3. Projects within local historic districts, as described in Article VI of this Chapter, are under the purview of the Historic Preservation Commission and therefore are not subject to architectural review.

Division 2 Architectural Review Procedures

Section 400.XXXX Application Requirements.

1. An application form for architectural review shall be completed and filed with the Department of Planning and Zoning. Application forms and a list of the required submittal materials are available at the office of Planning and Zoning during regular business hours and on the city's website.
2. The application document will provide a description of the project and plans and other pertinent information required for submittal by the applicant as part of the architectural review process.
3. The Director of Planning and Zoning or the ARB may request that the applicant provide exhibits, sketches, examples of materials, renderings, or other documentation to assist in its decision.
4. If the property under review is located in a private subdivision, the applicant shall provide evidence that the subdivision trustees have approved the proposed work. The ARB will not review projects in private subdivisions that have not received approval from their trustees.

Section 400.XXXX Staff Review and Transmission to the ARB.

Upon determination that an ARB application is complete, the Director of Planning & Zoning shall distribute the application and any related reports and documentation to the Architectural Review Board prior to the meeting where the application is to be reviewed.

Section 400.XXXX ARB Review and Decision.

1. The review of applications by the ARB shall be as set forth in this subsection.

2. The following shall apply to all applications for architectural review regardless of type.
    a. Following receipt of the application, the ARB shall hold a public meeting to review the application.
    b. In reviewing the application, the ARB shall, at a minimum, consider the reports and opinions transmitted by the Director of Planning and Zoning and the review criteria established in Division 3 of this Article.
3. Advisory decisions.
    a. Within 90 days after the application is determined to be complete, the Architectural Review Board shall review any application for a development or activity that is subject to architectural review.
    b. If the ARB fails to act within 90 days from the date the application is determined to be complete, or an extended period of time as may be agreed upon by the ARB and the applicant, then the application shall be considered approved as submitted by the applicant, as described in this section.

Division 3 Review Criteria

Section 400.XXXX Review Criteria.

Architectural review decisions shall be based on the extent to which proposed projects comply with the Architectural Design Guidelines in Division 5 of this Article.

Division 4 Period of Validity and Appeals

Section 400.XXXX Time Limit.

1. Within 12 months of the date the architectural review application is approved, the applicant shall be required to gain approval of a building permit for the relevant work and have commenced substantial construction. Failure to comply with this timing shall result in the expiration of the architectural review approval unless an alternative time schedule has been approved by the Architectural Review Board.
2. The Architectural Review Board may grant up to two extensions not exceeding 12 months each upon written request submitted no later than 30 days prior to the date such architectural review approval shall expire.

Section 400.XXXX Appeals.

Any person or entity claiming to be injured or aggrieved by any binding decision of the Architectural Review Board shall have the right to appeal the decision to the St. Louis County Circuit Court.

Division 5 Architectural Design Guidelines

to be developed