



**To:** City of St. Louis Planning Commission  
**From:** Don Roe, Director  
**Subject:** Submittal of Resolution for Recommendation of Zoning District Text Amendment (Rezoning by Initiation) – All City Blocks  
**Date:** March 10, 2017

## Summary

**Submittal:** Proposed amendment of Zoning Code by initiation for Planning Commission review and recommendation.

**Site:** Proposed text changes would affect parcels Citywide.

**Proposal:** Multiple provisions for zoning text changes are included in this resolution.

*Section one* includes text changes for conditional use regulations in “A” Single Family Dwelling Districts.

- Section 26.20.010 of the zoning code currently limits the size of garages by limiting them to occupy no more than 30 percent of a required rear yard; the proposed change removes the 30 percent limit and provides specific setback dimensions that accommodate construction of garages on smaller parcels.
- Churches are made a use by right, rather than a conditional use, applying previous court rulings to current zoning code.
- A cross reference is added under the conditional use regulations for Bed and breakfast homestays, referencing additional provisions in the Chapter 8.25 licensing code.

*Section two* amends area exceptions within section 26.80.040 of the zoning code, removing exceptions for garages that occupy more than 30 percent of the area of a required rear yard.

*Section three* corrects a prior Scribner’s error regarding use regulations in “H” Area Commercial Districts under section 26.48.020, clarifying the intent of the original language to permit the area of any permitted uses within 1,500 feet of an interstate highway ramp or right-of-way to exceed 7,000 square feet in any commercial structure to be erected, enlarged, structurally altered or moved.

### Land Use:

#### *Conditional Use Regulations and Area Exception Regulations for Garages*

Current conditional use regulations and area exception regulations in “A” Single Family Dwelling Districts limit the size of garages through required setbacks of 60 feet from the front lot line, 4 feet from any side lot line, and restricting the garage to occupy no more than 30 percent of a rear yard. In the last two years, the Board of Adjustment has seen 18 requests for variance from these dimensional regulations, particularly to allow building permits for construction of garages exceeding the 30 percent area limitation on smaller parcels.

The proposed text changes remove the 30 percent area requirement from both conditional uses and area exception provisions with “A” Single Family Dwelling Districts, enacting instead setback dimensions requiring 10 feet

between the rear of the dwelling and the wall of the accessory structure and 5 feet between the accessory structure and the rear lot line.

*Churches as Use by Right in “A” Single Family Dwelling Districts*

The zoning code, created in 1947, currently names churches as a conditional use within “A” Single Family Dwelling Districts. In 1959, the Missouri Supreme Court considered the case of Congregation Temple Israel v. the City of Creve Coeur, holding up enabling legislation that allows municipalities to “regulate ‘location and use of buildings, structures and land for trade, industry, residence or other purposes’”, granting no authority to prohibit building of either churches or schools in residence districts. The propose text amendment updates the zoning code to reflect this Supreme Court decision by naming churches as a use by right within “A” Single Family Dwelling Districts.

*Bed and Breakfasts as conditional uses within “A” Single Family Dwelling Districts*

Bed and Breakfast homestays are regulated as conditional uses within “A” Single Family Dwelling Districts, as well as additional provisions under Chapter 8 codes for licensing regulations. The current zoning code text does not provide a cross-reference to additional regulations. The proposed text change adds the cross-reference.

*Retail establishments in “H” Area Commercial Districts exceeding an area of 7,000 sqft*

In June 2007, the Planning Commission approved a text change to the zoning code in “H” Area Commercial Districts, permitting new construction of retail establishments with an area in excess of 7,000 square feet as a use by right for any property located within 1,500 feet of an interstate highway or ramp or right-of-way. The recommendation of the Planning Commission was approved by the Board of Aldermen. However, the revised text was not reflected in Board Bill No. 184, nor was it codified in Section 26.48.020. The proposed amendment under consideration revises zoning code text as originally intended.

**Recommended Action**

That the Planning Commission receives and approves the amendment by initiation of zoning text for conditional use regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts.

That the Planning Commission finds the zoning text change amended by initiation for conditional use regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts to be in conformity with the City’s Strategic Land Use Plan and **recommends approval** to the City’s Board of Aldermen.

That the Planning Commission receives and approves the amendment by initiation of zoning text for area exception regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts.

That the Planning Commission finds the zoning text change amended by initiation for area exception regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts to be in conformity with the City’s Strategic Land Use Plan and **recommends approval** to the City’s Board of Aldermen.

That the Planning Commission receives and approves the amendment by initiation of zoning text for conditional use regulations, naming churches a use by right within “A” Single Family Dwelling Districts.

That the Planning Commission finds the zoning text change amended by initiation for conditional use regulations, naming churches a use by right within “A” Single Family Dwelling District, to be in conformity with the City’s Strategic Land Use Plan and **recommends approval** to the City’s Board of Aldermen.

That the Planning Commission receives and approves the amendment by initiation of zoning text, adding a cross reference under the conditional use regulations for Bed and breakfast homestays, referencing additional provisions in Chapter 8.25.

That the Planning Commission finds the zoning text change amended by initiation adding a cross reference under the conditional use regulations for Bed and breakfast homestays, referencing additional provisions in Chapter

8.25, to be in conformity with the City's Strategic Land Use Plan and **recommends approval** to the City's Board of Aldermen.

That the Planning Commission receives and approves the amendment by initiation of zoning text in "H" Area Commercial Districts to allow the area of any permitted uses within 1,500 feet of an interstate highway ramp or right-of-way to exceed 7,000 square feet in any commercial structure to be erected, enlarged, structurally altered or moved.

That the Planning Commission finds the zoning text change amended by initiation in "H" Area Commercial Districts, to allow the area of any permitted uses within 1,500 feet of an interstate highway ramp or right-of-way to exceed 7,000 square feet in any commercial structure to be erected, enlarged, structurally altered or moved, to be in conformity with the City's Strategic Land Use Plan and **recommends approval** to the City's Board of Aldermen.

## 1.0 Background

A draft Board Bill containing all proposed zoning text changes is attached as Exhibit "A".

### *Conditional Use Regulations and Area Exception Regulations for Garages*

- In 2015 and 2016, XX building permits for garage construction were denied and appealed to the Board of Adjustment. XX of those were in "A" Single Family Dwelling Districts. During that same time frame, XX building permits for garage construction were approved city-wide. XX permits (proportion) approved were in "A" Single Family Dwelling Districts.
- It is within the purview of the Board of Adjustment to make recommendations to the Planning Commission for city-wide zoning changes based on patterns observed through Board of Adjustment hearings. Over the last two years, the Board of Adjustment has seen a pattern of building permit denials for garage construction on smaller parcels in "A" Single Family Dwelling Districts. Multiple building permits and appeals for variance have been denied because a garage would occupy more than 30 percent of a rear yard. Two examples are provided in Exhibit "A".
- Section 26.20.020 of the zoning code currently includes the following spatial requirements in conditional use regulations for garages constructed in "A" Single Family Dwelling Districts: "if the accessory structure is a garage, it shall only be a private garage that is located not less than 60 feet from the front line nor less than 4 feet from any side lot line nor exceeding 12 feet in height nor occupying more than 30 percent of a rear yard."
- Section 26.80.040 of the zoning code which addresses area exceptions for "A" Single Family Dwelling Districts currently allows exceptions for garages that occupy more than 30 percent of the area of a required rear garage.
- To determine an alternative solution, PDA staff worked with the Zoning Section and City Counselor's office to research best practices from other cities, evaluating them against local urban context and the typical parcel size for smaller and larger lots in St. Louis neighborhoods. The following recommendations would permit construction of garages on smaller lots while still including provisions for a rear yard between the primary dwelling unit and the garage for a rear yard and protection of neighboring properties.
- The proposed text changes for section 26.20.020 of the zoning code, which addresses conditional use regulations for "A" Single Family Dwelling Districts, would remove the 30 percent area requirement, instead requiring garages to be located not more than 5 feet from the rear lot line, which would accommodate the width necessary for larger vehicles to turn into garages in narrow alleys. An additional provision would require at least ten feet between the rear of the dwelling and the wall of the accessory structure closest to the dwelling, to ensure that open space remains between buildings for a rear yard or patio.

- The proposed text change for conditional use regulations under section 26.20.020 removes the 30 percent area requirement, instead providing specific dimensional requirements, therefore eliminating the need to provide an area exception in section 26.80.040 for garages that exceed such a requirement. Thus, the proposed text change for area requirements removes the exception.
- The proposed text change deals exclusively with detached garages as accessory structures, and therefore does not prevent construction of attached garages.
- Decreasing restrictions would allow for garage construction on smaller parcels commonly found in neighborhoods throughout the city. More permissive requirements to allow garage construction in these areas will add property value, and would protect vehicles from crimes of larceny and severe weather.

#### *Churches as Use by Right in “A” Single Family Dwelling Districts*

- The zoning code, created in 1947, currently names churches as a conditional use within “A” Single Family Dwelling Districts. In 1959, the Missouri Supreme Court considered the case of Congregation Temple Israel v. the City of Creve Coeur, holding up enabling legislation that allows municipalities to “regulate ‘location and use of buildings, structures and land for trade, industry, residence or other purposes’”, granting no authority to prohibit building of either churches or schools in residence districts.
- In 2001, the City of St. Louis established a settlement agreement in a St. Louis City Circuit Court case of the City of St. Louis v. Hole in the Roof Ministry Center. Henceforth from the April 30, 2001 settlement, the City agreed that a church may locate within any zoning district within the City of St. Louis, (including but not limited to any commercial district or storefront location) notwithstanding any ordinance, regulations, redevelopment plan, blighting plan, or any other directive of the City of St. Louis to the contrary, as long as said church complies with health safety and welfare ordinances and regulations, which do not discriminate against churches. The Settlement Agreement
- The propose text amendment updates the zoning code to reflect this Supreme Court decision by naming churches as a use by right within “A” Single Family Dwelling Districts.

#### *Bed and Breakfasts as conditional uses within “A” Single Family Dwelling Districts*

- Bed and Breakfast homestays are regulated as conditional uses within “A” Single Family Dwelling Districts, as well as additional provisions under Chapter 8 codes for business taxes, licenses and regulations. The current zoning code text does not provide a cross-reference to additional regulations.
- The proposed zoning text change adds a cross reference to Chapter 8.25 under the licensing code, in order to provide a direct link to associated regulations within the zoning code.

#### *Retail establishments in “H” Area Commercial Districts exceeding an area of 7,000 sqft*

- In June 2007, the Planning Commission approved a text change to the zoning code in “H” Area Commercial Districts, permitting new construction of retail establishments with an area in excess of 7,000 square feet as a use by right for any property located within 1,500 feet of an interstate highway or ramp or right-of-way. The recommendation of the Planning Commission was approved by the Board of Aldermen. However, the revised text was not reflected in Board Bill No. 184, nor was it codified in Section 26.48.020. The proposed amendment under consideration revises zoning code text as originally intended.
- The Resolution submitted to the Planning Commission in June 2007 for PDA-105-07-ZTX states, “As the zoning code is currently written, no commercial zoning district permits the new construction of a retail establishment with an area in excess of 7,000 sq. ft. as a use by right. This makes it difficult to zone districts as commercial and attract the larger-scale kinds of retail establishments that the City seeks – the

only alternative to a conditional use process for retail establishments larger than 7,000 sq. ft. is to zone the area “J” Industrial or “K” Unrestricted. When the City is attempting to designate an area for large scale retail (but not industrial or unrestricted) development, a zoning code designation that allows such a large scale retail as a use by right is appropriate.

- The 2007 Planning Commission resolution also states, “ The “H” Area Commercial District is the third in the succession of commercially oriented zoning districts with the previous two being “G” Neighborhood Commercial and “G” Local Commercial and Office District. In general the intensity of allowed uses is increased along the succession of zoning districts. The stated purpose of the “H” Area Commercial District is:

*The purpose of the H are commercial district is to establish and preserve general commercial areas consisting of shopping centers and commercial strips where customers reach individual business establishments primarily by automobile. This district is intended to provide diversified types of goods and services to a large consumer populations coming from an extensive area. Regulations of this district are to facilitate the use of heavily trafficked areas suitable for the operation of businesses catering to the general public, which does not materially detract from nearby residential uses.*

- The uses by right permitted in various districts typically reflect the hierarchical orientation of the St. Louis zoning code, but as written, there is no use distinction between “G” and “H” commercial districts, and the :

*“Any permitted use exceeding seven thousand (7,000) square feet provided it is not within a commercial structure to be erected, enlarged, structurally altered or moved.”*

The zoning text change approved by the Planning Commission at its June 2007 meeting removed this size restriction in the “H” Area Commercial requirements in circumstances where the “G” zoned parcel is near an interstate highway.

- The Planning Commission approved the following text change to the zoning code for “H” Area Commercial Districts:

*The use regulations are the same as those in the G local commercial and office district, except that for any property located within 1,500 feet of an interstate highway or ramp or right-of-way for the same, the area of any permitted use **may exceed** seven thousand (7,000) square feet in any commercial structure to be erected, enlarged, structurally altered or moved.*

- However, Board Bill 184, which forward the Planning Commission’s recommendation to the Board of Alderman and was finally approved by the Board of Aldermen in July, 2007, did not carry over the language change:

*The use regulations are the same as those in the G local commercial and office district, except that for any property located within 1,500 feet of an interstate highway or ramp or right-of-way for the same, the area of any permitted use **exceeding** seven thousand (7,000) square feet in any commercial structure to be erected, enlarged, structurally altered or moved.*

- In 2017, the Zoning Section was made aware of what was likely a Scribner’s error, and has thus included the language clarification in this Board Bill.

## 2.0 Comments

PDA staff has reviewed the proposed amendments of all city-wide zoning text changes as detailed above, and recommends approval of all changes. This recommendation is based on proposed rezonings' conformity with the City's Strategic Land Use Plan.

### 2.1 Public Input

The Board of Aldermen's Housing, Urban Development and Zoning (HUDZ) Committee will conduct a public hearing as part of the legislative process.

### 2.2 Previous Commission Action

*Retail establishments in "H" Area Commercial Districts exceeding an area of 7,000 sqft*

In June 2007, the Planning Commission approved a text change to the zoning code in "H" Area Commercial Districts, permitting new construction of retail establishments with an area in excess of 7,000 square feet as a use by right for any property located within 1,500 feet of an interstate highway or ramp or right-of-way. The recommendation of the Planning Commission was approved by the Board of Aldermen. However, the revised text was not reflected in Board Bill No. 184, nor was it codified in Section 26.48.020.

### 2.3 Requested Action

Section 26.92.010 of the City of St. Louis Revised Code requires that any amendment or change in the boundaries or regulations of the Zoning Code shall be initiated by motion of the Planning Commission or by the filing of a petition with the Zoning Administrator by the owner or owners of the property within the district.

City of St. Louis Ordinance #64687, Section 8, Sub-Paragraph 1 states that the Planning Commission shall be the official planning agency for the City. It shall also be the zoning commission for the City and perform all functions required by applicable state law to be performed by a municipal zoning commission.

City of St. Louis Ordinance #64687, Section 8, Sub-Paragraph 4 states that the Planning Commission shall recommend changes in the zoning ordinances and zoning district maps to the Board of Aldermen. No ordinance changing the zoning ordinances and zoning district maps shall be adopted over the negative recommendation of the Planning Commission, unless approved by a majority vote of all members of the Board of Aldermen.

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## Requested Recommendation

That the Planning Commission receives and approves the amendment by initiation of zoning text for conditional use regulations regarding spatial requirements for garages in "A" Single Family Dwelling Districts.

That the Planning Commission finds the zoning text change amended by initiation for conditional use regulations regarding spatial requirements for garages in "A" Single Family Dwelling Districts to be in conformity with the City's Strategic Land Use Plan and **recommends approval** to the City's Board of Aldermen.

That the Planning Commission receives and approves the amendment by initiation of zoning text for area exception regulations regarding spatial requirements for garages in "A" Single Family Dwelling Districts.

That the Planning Commission finds the zoning text change amended by initiation for area exception regulations regarding spatial requirements for garages in "A" Single Family Dwelling Districts to be in conformity with the City's Strategic Land Use Plan and **recommends approval** to the City's Board of Aldermen.

That the Planning Commission receives and approves the amendment by initiation of zoning text for conditional use regulations, naming churches a use by right within “A” Single Family Dwelling Districts.

That the Planning Commission finds the zoning text change amended by initiation for conditional use regulations, naming churches a use by right within “A” Single Family Dwelling District, to be in conformity with the City’s Strategic Land Use Plan and **recommends approval** to the City’s Board of Aldermen.

That the Planning Commission receives and approves the amendment by initiation of zoning text, adding a cross reference under the conditional use regulations for Bed and breakfast homestays, referencing additional provisions in Chapter 8.25.

That the Planning Commission finds the zoning text change amended by initiation adding a cross reference under the conditional use regulations for Bed and breakfast homestays, referencing additional provisions in Chapter 8.25, to be in conformity with the City’s Strategic Land Use Plan and **recommends approval** to the City’s Board of Aldermen.

That the Planning Commission receives and approves the amendment by initiation of zoning text in “H” Area Commercial Districts to allow the area of any permitted uses within 1,500 feet of an interstate highway ramp or right-of-way to exceed 7,000 square feet in any commercial structure to be erected, enlarged, structurally altered or moved.

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NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF ST. LOUIS PLANNING COMMISSION AS FOLLOWS:

1. The amendment by initiation of zoning text for conditional use regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts is hereby initiated.
2. The amendment by initiation of zoning text for conditional use regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts is hereby found to be in conformity with the City’s Strategic Land Use Plan.
3. The amendment by initiation of zoning text for conditional use regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts is hereby recommended for approval.
4. The amendment by initiation of zoning text for area exception regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts is hereby initiated.
5. The amendment by initiation of zoning text for area exception regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts is hereby found to be in conformity with the City’s Strategic Land Use Plan.
6. The amendment by initiation of zoning text for area exception regulations regarding spatial requirements for garages in “A” Single Family Dwelling Districts is hereby recommended for approval.
7. The amendment by initiation of zoning text for conditional use regulations, naming churches a use by right within “A” Single Family Dwelling Districts is hereby initiated.
8. The amendment by initiation of zoning text for conditional use regulations, naming churches a use by right within “A” Single Family Dwelling Districts is hereby found to be in conformity with the City’s Strategic Land Use Plan.
9. The amendment by initiation of zoning text for conditional use regulations, naming churches a use by right within “A” Single Family Dwelling Districts is hereby recommended for approval.

10. The amendment by initiation of zoning text, adding a cross reference under the conditional use regulations for Bed and breakfast homestays, referencing additional provisions in Chapter 8.25 is hereby initiated.
11. The amendment by initiation of zoning text, adding a cross reference under the conditional use regulations for Bed and breakfast homestays, referencing additional provisions in Chapter 8.25 is hereby found to be in conformity with the City's Strategic Land Use Plan.
12. The amendment by initiation of zoning text, adding a cross reference under the conditional use regulations for Bed and breakfast homestays, referencing additional provisions in Chapter 8.25 is hereby recommended for approval.
13. The amendment by initiation of zoning text, of zoning text in "H" Area Commercial Districts to allow the area of any permitted uses within 1,500 feet of an interstate highway ramp or right-of-way to exceed 7,000 square feet in any commercial structure to be erected, enlarged, structurally altered or moved is hereby initiated.
14. The amendment by initiation of zoning text, of zoning text in "H" Area Commercial Districts to allow the area of any permitted uses within 1,500 feet of an interstate highway ramp or right-of-way to exceed 7,000 square feet in any commercial structure to be erected, enlarged, structurally altered or moved is hereby found to be in conformity with the City's Strategic Land Use Plan.
15. The amendment by initiation of zoning text, of zoning text in "H" Area Commercial Districts to allow the area of any permitted uses within 1,500 feet of an interstate highway ramp or right-of-way to exceed 7,000 square feet in any commercial structure to be erected, enlarged, structurally altered or moved is hereby recommended for approval.
16. The Director of the Planning and Urban Design Agency is hereby directed to notify the City's Board of Aldermen of these recommendations.



**EXHIBIT A**

**BOARD BILL NO. \_\_\_\_**

**INTRODUCED BY ALDERMAN \_\_\_\_**

1           An Ordinance recommended by the Planning Commission of the City of St. Louis  
2     pertaining to accessory structures in the Zoning Code; repealing Section Three of Ordinance  
3     62588, codified as Chapter 26.20 of the Revised Code of the City of St. Louis, and enacting a  
4     new Chapter in lieu thereof; and amending, in part, Section Twenty-One of Ordinance 59979,  
5     codified as Section 26.80.040 of the Revised Code of the City of St. Louis, pertaining to  
6     conditional uses, and enacting in lieu thereof a new section on the same subject matter to be  
7     codified as Section 26.80.040; repealing, Section Two of Ordinance 67607, codified as Chapter  
8     26.48 of the Revised Code of the City of St. Louis and a enacting in lieu thereof a new Chapter  
9     on the subject matter, containing a severability clause and an emergency clause.

10   **BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:**

11           **SECTION ONE.** Section Three of Ordinance 62588, codified as Chapter 26.20 of the  
12     Revised Code of the City of St. Louis, is hereby repealed and in enacted in lieu thereof is the  
13     following:

14   **26.20.010**     District regulations.

15           The regulations set forth in this Chapter are the district regulations in the "A" Single-  
16     Family Dwelling District.

17   **26.20.020**     Use regulations.

18           A building or premises shall be used only for the following purposes:

19           A.     Single family dwellings. Any dwelling is so defined as a single family residence  
20     because it is a house in which eight or fewer unrelated mentally or physically handicapped  
21     persons reside, and may also include two additional persons acting as houseparents or guardians  
22     who need not be related to each other or to any of the mentally or physically handicapped person  
23     residing in the home may not be within 1,250 feet of another such home or dwelling.

## EXHIBIT A

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INTRODUCED BY ALDERMAN \_\_\_\_

1           B.     Two-family dwellings which comply with the area and parking regulations of the  
2 "B" Two-Family Dwelling District where 40 percent or more of the frontage of a street is  
3 occupied by either two-family, semi-detached two-family or multiple-family dwellings;

4           C.     Home occupations, subject to the provisions of Section 26.80.060;

5           D.     Publicly owned parks, playgrounds and libraries and privately owned parks  
6 and playgrounds wherein no service is rendered, or activities conducted, as a business;

7           E.     Accessory structures and uses customarily incidental to any of the above uses  
8 except that, if the accessory structure is a garage, it shall only be a private garage that is located  
9 not less than 60 feet from the front line nor less than 4 feet from any side lot line nor exceeding  
10 12 feet in height nor more than 5 feet from the rear lot line nor less than ten feet from the rear of  
11 the dwelling and the wall of the accessory structure closest to the dwelling. ~~Occupying more than~~  
12 ~~30 percent of a rear yard.~~

13          G.     Temporary buildings for use incident to construction work, which buildings shall  
14 be removed upon the completion or abandonment of the construction;

15          H.     Signs – See Chapter 26.68.

16          I.     Babysitting Center – but no more than one on either side of the street in the same  
17 block.

18          J.     Churches.

19 **26.20.025**    Conditional Uses. The following conditional uses may be allowed in the "A"  
20 Single-Family Dwelling District, subject to the provisions of Section 26.80:

21          A.     Bed and breakfast guesthouse, subject to the additional provisions of Chapter  
22 **8.25;**

23          B.     Bed and breakfast homestay, subject to the additional provisions of Chapter

EXHIBIT A

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INTRODUCED BY ALDERMAN \_\_\_\_\_

1 Chapter 8.25;

2 C. Cemeteries;

3 D. Reserved; Churches

4 E. Farming and truck gardening;

5 F. Governmental buildings;

6 G. Greenhouses, providing no product is sold on the premises;

7 H. Hospitals;

8 I. Off-street automobile parking facilities;

9 J. Parking facilities and open lots located between the front yard and the  
10 structure;

11 K. Publicly owned museums and art galleries;

12 L. Schools;

13 M. Utility stations and utility towers.

14 **26.20.030** Parking for multiple dwellings. Dwellings shall provide space in the main  
15 building, in an accessory building, or on the lot occupied by the main building, sufficient to  
16 accommodate one (1) motor car for each dwelling unit.

17 **26.20.035** Parking for hospitals. Any hospital shall provide parking space within 500 feet  
18 of the main building sufficient to accommodate 1 parking space for every 2 beds, plus 1 space  
19 for every doctor on the maximum shift.

20 **26.20.040** Parking for places of assembly. Any arena, auditorium, meeting room, or other  
21 structure used principally as a place of public assembly, shall provide parking space within 1,000  
22 feet of the main building or structure sufficient to accommodate 1 parking space for every 3 seats  
23 based on maximum seating capacity, except as noted herein.

**EXHIBIT A**

**BOARD BILL NO. \_\_\_\_**

**INTRODUCED BY ALDERMAN \_\_\_\_**

1           A.     Any athletic field or diamond used principally as a place of public recreation shall  
2 provide parking space sufficient to accommodate 10 parking spaces for every diamond or  
3 athletic field, or 1 space for every 4 seats, whichever is greater (1 seat is equal to 2 feet of  
4 bleacher length).

5           B.     Any gymnasium without bleachers or fixed seating shall provide parking space  
6 sufficient to accommodate 1 parking space for every 150 square feet of floor area.

7           C.     Any church shall provide parking space sufficient to accommodate 1 parking  
8 space for every 4 seats (1 seat equals 2 feet of bench or pew length).

9           D.     Any school, public or private, including vocational/technical schools shall provide  
10 parking space sufficient to accommodate 1 parking space for every classroom and office, plus 1  
11 space for every 5 students over 16 years of age.

12 **26.20.050**    Height regulations. No building hereafter erected shall exceed 2-1/2 stories or 35  
13 feet in height unless two side yards of not less than 10 feet in width are provided, in which case a  
14 building may not exceed 3 stories or 45 feet in height. Any church, school or governmental  
15 building may be erected to a height not exceeding 85 feet, provided that front and rear yards are  
16 increased in depth and the side yards are increased in width beyond the area regulations 1 foot  
17 for each foot of height that the building exceeds 35 feet.

18 **26.20.060**    Front yard. When 25 percent of any frontage within the district is improved with  
19 dwellings and a majority of such improved frontage has observed a front yard line with a  
20 variation in depth of not more than 6 feet, no building hereafter constructed shall project beyond  
21 the average front yard line so established except that in no event shall the front yard line be  
22 greater than 50 feet. In all other cases, there shall be a front yard line of not less than 25 feet.

## EXHIBIT A

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INTRODUCED BY ALDERMAN \_\_\_\_\_

1 Through lots shall have a front yard on each street in accordance with this section. On corner lots  
2 the frontage shall be on that side of a street on which interior lots have been platted. No  
3 accessory building shall project beyond such front yard line.

4 **26.20.070** Side yard. There shall be provided a side yard of not less than four (4) feet in  
5 width on each side of a building, and the total width of both side yards shall be not less than ten  
6 (10) feet; provided however, that lots of record prior to the effective date of this Zoning Code  
7 having a width of less than (40) feet, may reduce the total side yard width by an amount equal to  
8 one-half (1/2) the difference between the width of such lot and forty (40) feet, but in no case  
9 shall either side yard be less than three (3) feet in width.

10 **26.20.080** Rear yard. There shall be a rear yard of not less than 25 feet in depth.

11 **26.20.090** Density of population. Except as provided in Section 26.20.020.2, there shall be a  
12 lot area of not less than four thousand (4,000) square feet for each dwelling unit. Lots of record  
13 prior to the effective date of Ordinance 45309 having an area of less than four thousand (4,000)  
14 square feet may be used for one (1) single-family dwelling provided the yard regulations of this  
15 section are complied with.

16 **SECTION TWO.** Section Twenty-One of Ordinance 59979, codified as 26.80.040, is  
17 hereby repealed. Enacted in lieu thereof is the following new section on the same subject matter:

18 **26.80.040** Area exceptions. Subject to Section 26.80.010, an exception may be authorized  
19 for an accessory building to ~~occupy more than thirty percent (30%) of the area of a required rear~~  
20 ~~yard, or to exceed twelve (12) feet in height.~~

21 **SECTION THREE.** Section Two of Ordinance 67607, codified as Chapter 26.48 of the  
22 Revised Code of the City of St. Louis, is hereby repealed. Enacted in lieu thereof is the  
23 following new section on the same subject matter:

January \_\_, 2017

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Board Bill No. \_\_\_\_

Sponsored by: Alderman \_\_\_\_\_

## EXHIBIT A

BOARD BILL NO. \_\_\_\_

INTRODUCED BY ALDERMAN \_\_\_\_\_

1 **26.48.010** District regulations.

2 The regulations set forth in this chapter or set forth elsewhere in the zoning code and referred to  
3 in this chapter are the district regulations in the H area commercial district.

4 **26.48.015** Purpose.

5 The purpose of the H area commercial district is to establish and preserve general commercial  
6 areas consisting of shopping centers and commercial strips where customers reach individual  
7 business establishments primarily by automobile. This district is intended to provide diversified  
8 types of goods and services to a large consumer population coming from an extensive area.  
9 Regulations of this district are to facilitate the use of heavily trafficked areas suitable for the  
10 operation of businesses catering to the general public, which does not materially detract from  
11 nearby residential uses.

12 **26.48.020** Use regulations.

13 The use regulations are the same as those in the G local commercial and office district, except  
14 that for any property located within 1,500 feet of an interstate highway or ramp or right-of-way  
15 for the same, the area of any permitted use **may exceeding** seven thousand (7,000) square feet in  
16 any commercial structure to be erected, enlarged, structurally altered or moved.

17 **26.48.025** Conditional uses.

18 The following conditional uses may be allowed in the H area commercial district, subject to the  
19 provisions of Section 26.80.010;

20 A. Any use eligible to be a conditional use in the G local commercial and office district;

21 B. Commercial use similar to those permitted in Section 26.48.020;

January \_\_, 2017

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Board Bill No. \_\_\_\_

Sponsored by: Alderman \_\_\_\_\_

**EXHIBIT A**

**BOARD BILL NO.** \_\_\_\_

**INTRODUCED BY ALDERMAN** \_\_\_\_\_

1 C. Any permitted or conditional use which utilizes a sales or service window or facility for  
2 customers who are in cars except those carry-out restaurants permitted in Section  
3 26.48.020.

4 **26.48.030** Parking and loading regulations.

5 The parking regulations are the same for uses enumerated in Chapters 26.20 through 26.44  
6 inclusive.

7 **26.48.040** Height regulations.

8 The height regulations are the same as those in the E multiple-family dwelling district.

9 **26.48.050** Area regulations.

10 For dwellings the area regulations are the same as those in the E multiple-family dwelling  
11 district. For other buildings the following area regulations only shall be required.

12 A. Front Yard. The front yard regulations are the same as those in the F  
13 neighborhood commercial district.

14 B. Side Yard.

15 1. There shall be a side yard having a width of not less than five (5) feet on  
16 that side of a lot which adjoins any dwelling district.

17 2. Where dwelling accommodations are hereafter created above any non-  
18 dwelling use there shall be two (2) side yards each of eight (8) feet in width which shall  
19 be increased in width six (6) inches for each additional story above the third (3rd) story  
20 unless every room within that portion of the structure used for dwelling purposes shall  
21 open directly upon a front yard or a rear yard of dimensions as required in the E multiple-  
22 family dwelling district.

**EXHIBIT A**

**BOARD BILL NO.** \_\_\_\_

**INTRODUCED BY ALDERMAN** \_\_\_\_\_

1           **SECTION FOUR. Severability Clause.** The provisions of this ordinance are severable.  
2 In the event any provision of this ordinance is determined to be invalid, the remaining provisions  
3 shall not be affected thereby.

4           **SECTION FIVE. Emergency Clause.** The passage of this ordinance being deemed  
5 necessary for immediate preservation of the public peace, health and safety, an emergency is  
6 hereby declared to exist within the meaning of Section 20 of Article IV of the Charter, and this  
7 ordinance shall be in full force and effect immediately upon its passage and approval by the  
8 Mayor.